

SUPERIOR COURT OF JUSTICE - ONTARIO

RE: Jennifer Blair Green, Applicant

AND:

Michael Robert Lafond, Respondent

BEFORE: Justice J.R. Sproat

COUNSEL: Ram Shankar, for the Applicant – Moving Party

Michael Lafond is self-represented – Responding Party

HEARD: By Audio Conference April 22 and May 1, 2020

ENDORSEMENT

I. INTRODUCTION

[1] The starting point is that there was a Final Order dated June 18, 2013 which described Mr. Lafond as the “primary” parent who had custody and Ms. Green as the “secondary” parent who had access.

[2] On January 29, 2020 Justice Fitzpatrick dismissed Ms. Green’s request that she have sole custody based upon an alleged assault on Robert on January 22, 2020.

[3] Ms. Green then brought an *ex parte* motion before the court on February 26, 2020 and Conlan, J. made a temporary order that Robert Lafond (born October 22, 2006) and Matthew Lafond (born May 11, 2008) should be in the care and custody of Ms. Green.

[4] This order was based upon an affidavit of Ms. Green indicating that on February 21, 2020 Mr. Lafond was arrested and charged with having assaulted

Robert on January 22, 2020. The affidavit appended an undertaking signed by Mr. Lafond, to secure his release, which prohibited him from communicating directly or indirectly with his son Robert. As such, Conlan J. had no alternative, unless the boys were split up, but to order that Ms. Green have custody.

II. PARTIAL LITIGATION HISTORY

[5] There is an extensive litigation history, however, I summarize the aspects that I think are most relevant to determining whether the *ex parte* temporary order should stand.

[6] A report of the OCL dated December 6, 2016 made reference to Ms. Green's belief that Robert and Matthew were being subjected to physical abuse by Mr. Lafond. The report makes reference to the fact that her numerous allegations were investigated, were not verified and no charges were laid.

[7] On February 12, 2019 Mr. Lafond brought an *ex parte* motion because Ms. Green had not returned Robert and Matthew after an access visit.

[8] On March 18, 2019 the OCL declined to provide a Voice of the Child Report.

[9] Ms. Green brought a motion heard on January 29, 2020 seeking an order that Robert and Matthew be placed in her sole custody. This was based upon her affidavit indicating that the boys told her there had been an "altercation" between Robert and Mr. Lafond on January 22, 2020. Ms. Green indicated that Robert had bruises on his chest and forearm. Ms. Green took Robert to the Owen Sound hospital where he was examined.

[10] On January 29, 2020 Justice Fitzpatrick dismissed Ms. Green's motion and ordered that the boys be in Mr. Lafond's custody pursuant to the Final Order of

Justice Gray. Justice Fitzpatrick also included a police enforcement provision that the police apprehend Robert and Matthew as needed to enforce the order.

[11] Ms. Green then attended court and provided information leading to Mr. Lafond being charged with assaulting Robert on January 22, 2020. The Crown intervened on March 20, 2020 and the charge against Mr. Lafond was withdrawn at that time.

[12] The motions were originally returnable on April 22, 2020. As explained in my endorsement of April 23, 2020, I decided that I needed additional information from

- a. Bruce Grey Child and Family Services (“BGCFS”), and the case worker Ms. Cafik, who have had ongoing involvement with the family; and
- b. Peter Murdoch who is a counsellor that Victim Services made available to Robert.

[13] As such, I ordered BGCFS and Mr. Murdoch to produce copies of any relevant notes or records and I thank them for their prompt attention to this.

[14] Ms. Cafik and Mr. Murdoch both testified on the return of the motion and verified that their personal notes and records were accurate as to their involvement and what had transpired.

[15] I will, therefore, begin by reviewing the notes and records.

III. BGCFS NOTES AND RECORDS

[16] May 13, 2018 – Ms. Green reports that Robert disclosed that Mr. Lafond had kicked him and left a bruise. The Society and the police conducted interviews.

Matthew initially said that he saw the whole incident, but then recanted. The Society and the police concluded that the incident had been fabricated. The Society worker followed up later and Matthew confirmed that he had not seen anything and that Robert told him what to say. Robert advised Ms. Cafik that he feels bad for his mom and making the allegations makes her feel better.

[17] March 7, 2019 – Mr. Lafond reported that Matthew and Robert had been physically fighting for 20 of the past 21 days.

[18] March 29, 2019 – Ms. Green called the Society to report that Robert disclosed to her that Mr. Lafond had punched him in the face during an argument. On investigation, it was determined that Robert became physically aggressive punching and kicking Mr. Lafond. Mr. Lafond acknowledged having slapped Robert one time with an open hand. The historical notes record that on nine occasions between November 14, 2017 and February 9, 2019, Ms. Green has made allegations about Mr. Lafond. In addition, there are at least two unfounded allegations of assault in 2015 – 2016.

[19] April 1, 2019 – Ms. Green moved to Chatsworth which is approximately 10 km from Mr. Lafond's residence

[20] June 24, 2019 – Robert made a 911 call and alleged that Mr. Lafond kicked him in the chest. Ms. Cafik and the police conducted video recorded interviews. Robert said that he was having a fight with Matthew and that Mr. Lafond kicked him. Robert also described an incident in which Mr. Lafond dragged Robert out of his truck. Matthew said that Robert was challenging Mr. Lafond to a fight, telling him to "square up". Mr. Lafond reported that the prior week Robert had threatened that Mr. Lafond would not wake up in the morning. Mr. Lafond viewed this as a threat to do something to him while he was sleeping.

[21] July 10, 2019 – Joanne Cooney of Keystone is going to stop providing services. She feels that she can't be useful until Robert has a more balanced perspective on his parents – but he has been influenced by his mother for a long time.

[22] July 31, 2019 – Mr. Lafond called Ms. Cafik as a result of the boys fighting and she came to the house for an interview. The boys acknowledged that they had been fighting, and that Mr. Lafond had nothing to do with it, and he told them to stop about 100 times. They also said they heard from their mother's lawyer that Mr. Lafond was crying in the courtroom.

[23] September 12, 2019 – Ms. Cafik noted that Mr. Lafond acknowledged using soap on Matthew's lips for his excessive swearing.

[24] September 26, 2019 – the relationship between Robert and Mr. Lafond has improved but there is now conflict between Mr. Lafond and Matthew.

[25] October 7, 2019 – Ms. Cafik met with Mr. Lafond and the boys. Mr. Lafond reported that now it is Matthew instigating the fighting with Robert 95 percent of the time.

[26] December 16, 2019 – Ms. Green made a complaint that Mr. Lafond had punched Robert. A joint police and Society investigation found that the two boys had been fist fighting. Robert has been assessed as struggling with his perception of events and an inability to take responsibility for his actions. Robert blames others for his misbehavior. The conclusion was that the small injury to Roberts leg was not consistent with Robert's description of Mr. Lafond punching him extremely hard and was more consistent with Matthew and Mr. Lafond's description of Mr. Lafond having to pull Robert off of Matthew.

[27] December 19, 2019 – Ms. Cafik made a holiday coverage note that Ms. Green has been observed by the police and the Society coaching the children – the children have reported that Ms. Green shares information, they made allegations to make her feel better and she has told them that they are in danger with Mr. Lafond. The police advised that Ms. Green has little or no credibility and neither do the children.

[28] January 24, 2020 – Ms. Green, on the Friday of her access weekend, took Robert to the emergency department of the hospital and hospital staff were advised that bruising and scratching on his body had been caused by Mr. Lafond. The Society and Police interviewed Robert and determined that no assault had taken place. Robert had been into fights on the school bus and admitted that the bruising and scrapes were the result of these altercations. Robert and Matthew fist fight constantly and Mr. Lafond has felt the need to separate them for their safety. Mr. Lafond said Robert had pinned Matthew and was punching him in the head with both fists. When Mr. Lafond steps into separate them, Robert will attack Mr. Lafond and Mr. Lafond admitted to having to hold Robert to calm him down. Robert said it was a “toxic environment” and feels that his father favours Matthew in terms of not disciplining him the same way. Robert said he does not want to live with his father anymore and only feels safe at his mother’s. Robert said he doesn’t see CAS anymore and his mother told him Ms. Cafik does not do anything.

[29] Ms. Cafik spoke to Robert, who said that he believes his father favors Matthew and that makes Robert upset and want to hurt his father. Ms. Cafik and Mr. Lafond explained to Robert that because he is the one who struggles to stop fighting, he is the one that Mr. Lafond steps in to restrain.

[30] January 26, 2020 – Kids Help Line called to say Robert is terrified to go to Mr. Lafond’s house. Ms. Green dropped the boys off at Mr. Lafond’s home, however, they instead went to their step-sister’s house, which is a few doors away.

They said they did not want to return home to Mr. Lafond. The boys stayed at the step-sister's home overnight.

[31] January 27, 2020 – Mr. Lafond told Ms. Cafik that the fist fighting by the boys was out of hand and had occurred multiple times this week.

[32] January 28, 2020 – Ms. Cafik met with the boys and Matthew told Ms. Cafik she was negligent and was not ensuring their safety. Robert said he was afraid of his father. Neither wanted to go home.

[33] January 29, 2020 – Ms. Green's *ex parte* motion for sole custody was dismissed.

[34] January 29, 2020 – Ms. Belanger of the Society met with Ms. Green and her stepdaughter (who is Mr. Lafond's daughter by his first wife). Ms. Green was dissatisfied with Ms. Cafik and expressed concern that Robert will harm himself or Mr. Lafond.

[35] January 30, 2020 – an adult friend who is a nurse reported to police that Robert told her that he had been abused by his father for 7 years and Robert did not want to go back to his house unless he had a knife or a gun.

[36] February 3, 2020 – Ms. Cafik discussed a safety plan with Mr. Lafond and the boys which includes that if they start fighting Mr. Lafond will not intervene but will record what is happening and call police or ambulance if necessary. A number of safety persons were identified, including Ms. Green. If a safety person was called, they were to come to the house and decide what should occur which could be that the boys leave to spend the night with the safety person or that the safety person remain while Mr. Lafond leave for the evening. Mr. Lafond agreed to abide by the decision of the safety person.

[37] February 11, 2020 – Matthew and Robert were fighting and Mr. Lafond could not make them stop. In accordance with the safety plan, he called the police instead of trying to physically restrain them himself.

[38] February 21, 2020 – Mr. Lafond was arrested, charged with assault and released subject to a recognizance prohibiting communication with Robert.

[39] February 26, 2020 – Justice Conlan granted *ex parte* temporary order that Ms. Green have custody.

[40] March 5, 2020 – the president of the youth hockey league called because Ms. Green had written to him, apparently seeking to have Mr. Lafond removed as a coach. Ms. Cafik advised him that Mr. Lafond was not a danger to children and the president indicated that Mr. Lafond would not be removed as a hockey coach.

[41] March 20, 2020 – the Crown withdrew the assault charge against Mr. Lafond.

[42] April 14, 2020 – Ms. Cafik had a private conversation with Robert. Robert hasn't talked to his dad and doesn't want to talk to his dad or see him. He will run away if he has to go back to his father's. He said if he has to go back, he will kill himself or his dad. He likes living at his mother's where there is no pressure and he feels safe. He is getting along much better with his brother and they are not fighting as much.

[43] April 17, 2020 – BGCFS provided a letter that stated:

Re: Position of the Society

I am writing you this letter in response to the recent motion and court order. I have been requested to clarify the Society's position regarding any current child protection concerns.

An investigation was initiated by the Society on January 24, 2020 and on March 24, 2020, the investigation was closed and the allegations were NOT VERIFIED.

As we discussed on April 14, 2020, the Society has been involved with the family due to parent-child conflict and parental post separation conflict. The Society is also aware that the children have been residing with you as a result of an emergency court motion. Although the Society remains concerned regarding the continuing level of conflict and the resulting emotional impact on the children, at this time the Society believes the children are not presently in need of protection while in the care of either parent such that more intrusive action from the Society would be warranted.

If you have any questions or concerns, I can be reached at 519-371-4453 ext. 4121.

[44] April 23, 2020 – a “Danger Statement” was drafted to be presented to the family. It included that Ms. Cafik has seen Ms. Green telling the boys what to say, telling the boys they are being abused, and confronting the boys about not sticking to their story. Robert and Matthew have told Ms. Cafik that they feel bad for their mom and want to make her feel better and that agreeing with her makes her feel better. Ms. Cafik is worried that as a result of Ms. Green telling the boys they are being abused over and over they will begin to believe this to be true and it will harm their relationship with their dad.

[45] Ms. Cafik also spoke with Matthew and asked him if there was anything he wanted to talk about. Matthew said, “If the judge says I have to go back to Dad’s, I will not be there for long. I’d go anywhere else but there”. Matthew wants to stay at his mother’s and doesn’t want to talk to his dad again. Ms. Green said the boys are fighting much less than usual.

IV. PETER MURDOCH NOTES

[46] Mr. Murdoch began seeing Robert on March 15, 2020. I summarize his notes as follows.

[47] March 15, 2020 – Robert said his Dad directs his anger at him. Robert has been doing better at school and feeling happier since he started living with his Mom full time.

[48] March 23, 2020 – Robert reported that he was feeling confused about his feelings for his Dad and is not sure if he wants to have any contact. Mr. Murdoch inquired whether Robert had any thoughts of suicide or hurting himself or wanting to give up on life. Robert said that he had felt like giving up but not killing himself.

[49] April 3, 2020 – Ms. Green texted Mr. Murdoch to advise him Robert had cut his arm a few days last week. Robert said he was feeling positive but feels badly for his Dad and pictures him crying at home because he misses the boys. Robert blames himself for the pain and sadness he may be causing his father.

[50] April 6, 2020 – Ms. Green advised that Robert has said he would kill himself if he had to go back to Dad's.

[51] April 8, 2020 – Robert was cutting himself the night he told me he wanted to give up and he did this 3 – 4 other times when at Dad's. He felt like giving up or wanting to die. The day Mom told him that his Dad had applied to court to regain custody. Robert told his Mom "he would rather kill himself or his Dad rather than live with him again". Robert said that if he had to go back to living with Dad, "it would not go well – let's just put it that way". Robert said he had cut himself because he was "done" and wanted to be dead.

[52] April 16, 2020 – Robert advised that he told CAS worker that if he had to go back with his Dad, he would kill himself or his Dad. Robert, however, said that he does not presently have any suicidal or self-harm thoughts.

[53] April 23 – 2020 – If the court orders Robert to go back to his Dad "I'll pack up some things and leave and I won't come back."

V. OTHER EVIDENCE

[54] At the hearing on May 2, 2020 Ms. Cafik and Mr. Murdoch gave evidence which I will summarize.

Ms. Cafik

[55] Ms. Cafik testified that the fist fighting between the boys started approximately one year ago. It gets worse when there are investigations into the family. The boys tell her that they still fight when they are at Ms. Green's, however, Ms. Green reports that they do not fight when they are with her.

[56] Ms. Cafik takes any complaint of suicidal thoughts or self-harm seriously. The comments that Robert made on April 14, that if returned to his father's home he would kill himself or his father, appeared to be an afterthought and were said with little emotion. It sounded as if he had told the counselor something and so he had to tell her the same thing.

[57] Robert has a very skewed perception of events. He has exaggerated and falsified statements. He often uses bravado and says things he doesn't mean. She is concerned that these statements by him are being made into more than they really were.

[58] She has worked with Matthew and Robert for three years. She sees them at least once a month and often 1-3 times a month. She said that she has a very honest relationship with them, and they are extremely comfortable talking to her.

[59] She has seen Robert when he has been upset, passionate, and when he feels something wrong has been done to him. In her view the statements on April 14 were an afterthought or not anything to attach importance to. She is taking into

account not just the words spoken but three years of experience with Robert in coming to that conclusion.

[60] A year ago she would have described Robert as emotionally immature. In the last year he has started to develop an insight into his behavior and how it impacts on his relationships. She described Robert as very caring, loving, athletic, funny and a really great kid.

[61] She rejected the suggestion that she was minimizing the concerns expressed by Robert. She referred to the number of investigations that she had done and the fact that the boys had falsified or fabricated events. She said she had witnessed Robert punch Mr. Lafond. She made reference to one incident in which Robert claimed that his father had kicked him in the chest which propelled him across the room resulting in him hitting and breaking a mirror and a mark being left in the wall. She said when she went to the home the mirror was intact and there was no indication of any damage to the wall.

[62] She said that the number of investigations into this family is extremely rare. There are been 78 "openings" which means something has been brought to the attention of the Society that requires investigation or attention.

[63] Mr. Lafond questioned Ms. Cafik. She said that when she meets with the boys she views them as being 100% comfortable and open. The boys have never indicated that they are afraid of their father. They have expressed concern as to how he will react and afraid that he will be angry when they are overdue being returned home as a result of Ms. Green not returning them pending an investigation. But the boys have never reported to her that Mr. Lafond in fact has been angry. In fact, on one occasion Matthew told her that when they got home Mr. Lafond told the boys it was not their fault and that he was not angry.

[64] She agreed that after a February 14, 2019 court order that Ms. Green return the boys to Mr. Lafond the boys were at the courthouse, however, she refused to turn them over until the Owen Sound police were called.

[65] Ms. Cafik described Robert and Mr. Lafond as having a very affectionate relationship even though at times they would butt heads. Very often on the home visits she sees both boys being physically affectionate with Mr. Lafond.

[66] Based upon what the boys have told her, Ms. Green has been engaging the boys in conversation about the court system, their rights and upcoming court appearances.

[67] Of the two boys Robert is the one who seems more excited to be with his mother because at her house he has a motorbike, receives gifts and has a cell phone.

[68] When she visited the home on April 14 Robert did not tell her anything about cutting himself. She definitely would have explored that with him. She is shocked that if that occurred Ms. Green would not have taken him to the hospital. She is not aware of this ever being reported to the Society.

[69] She believes that the boys are extremely conflicted. It is easier for them to stay at Ms. Green's because then they don't have to deal with this conflict anymore. She described the boys as being emotionally drained by the investigations that they have had to endure.

Mr. Murdoch

[70] Mr. Murdoch testified that when he started counseling Robert, he asked Ms. Green if he could call the Society to get information. Ms. Green told him she

preferred that he not do that because the Society had let Robert down and had not believed him.

[71] In response to questions from Mr. Lafond, Mr. Murdoch indicated that his role was to believe what he was being told by the victim and not his role to verify or second-guess. His role was to provide emotional support.

[72] He has not seen any evidence that Robert was being coached. He was impressed by Robert and found him upfront, outgoing, open and he believed him to be honest. He also thought that Robert was very mature. He seemed capable of speaking for himself. He did not see anything that indicated to him that Robert was not telling him the truth.

[73] On April 2 Ms. Green texted him about Robert cutting himself. She asked him to keep that confidential and not bring it up himself. This would avoid Robert thinking that she was talking about him behind his back. Mr. Murdoch, however, consulted his supervisor the decision was made that he needed to bring this up with Robert.

[74] On April 8, 2020 he raised the issue and Robert told him that he was cutting himself on the same night that he had told Mr. Murdoch that he was “done” and wanted to give up (This would appear to be on March 23).

[75] It did not surprise him that Robert would not have told him immediately about cutting himself as he was not someone that Robert had known for a long time.

Ms. de Matteis

[76] After I had directed Ms. Cafik and Mr. Murdoch to produce documentation and give evidence, Mr. Shankar sent the court a letter dated April 17, 2020 from Ms. de Matteis. She is a registered psychotherapist who Victims Quick Response Program of Bruce, Grey and Perth referred Matthew to. She had two video

sessions with Matthew and recorded him as indicating fear at living with Mr. Lafond and reporting that he has run away from Mr. Lafond's house on a number of occasions to go to Ms. Green's house where he felt safe.

[77] I did not think it helpful to require Ms. de Matteis to provide evidence as she had a very limited involvement and the complaints she recorded are similar to those recorded by Ms. Cafik and Mr. Murdoch. While I do not, therefore, rely on this letter, I refer to it for the sake of completeness.

VI. SUBMISSIONS

Mr. Lafond

[78] Constant allegations by Ms. Green have resulted in the boys being put under a microscope. The greatest cause of stress has been caused by the failure of Ms. Green to follow the court orders. The boys are in an awful place feeling they have to report to make their mother feel better.

[79] He is a great relationship with the boys they both are they all enjoy the outdoors and sports. He puts the boys ahead of everything else in his life.

[80] The boys need to know that they do not need to pick sides-they need to know that both of their parents love them

Ms. Green

[81] Mr. Murdoch found Robert to be truthful and saw no sign of coaching. The wishes of the boys should be given substantial weight. Ms. Green has complained to the Society and asked that Ms. Cafik be removed from the file which may have biased her views. Ms. Cafik is no longer objective and is convinced that Robert is not telling the truth. As a result, Robert feels helpless. It is difficult for a court order to rein in children of this age against their wishes.

[82] The Court should ask the OCL to appoint counsel to present the views of the Robert and Matthew to the Court. In the interim Mr. Lafond should have such access as Robert wishes or, in the alternative, access every other weekend with unlimited telephone access.

VII. ANALYSIS

[83] The law recognizes that it is generally in the best interests of children to maximize contact with both parents.

[84] The evidence is clear that Ms. Green has coached the boys leading to a series of fabricated or exaggerated allegations against Mr. Lafond. The boys themselves have admitted to doing this because it was what Ms. Green wanted.

[85] The boys needed consistency and stability. Ms. Green has undermined this and, no doubt, caused or contributed to great stress for all concerned by repeated allegations which then required CAS and police intervention.

[86] Keystone has concluded that services to Robert at this time will not be helpful as he has a fixed, although inaccurate, perception of Mr. Lafond. While there may be a question as to the extent to which this perception was the creation of Ms. Green it remains that this perception is real to Robert. It appears that to some extent Matthew shares this perception which is real to him.

[87] Given that professional counselling has not altered this perception, a court order is certainly not going to do so.

[88] While it may be due to Robert's skewed perception, there are numerous indications that this is a volatile and, therefore unpredictable situation.

[89] My decision must focus on the best interests of Robert and Matthew today. While there may well be an element of coaching or influence by Ms. Green, the

statements by Robert that he would not want to return to Mr. Lafond unless he had a weapon and that he would kill himself or his father, and the reports of self-harm, are very disturbing. Matthew's threat to run away if forced to return to Mr. Lafond are also disturbing. While it is possible that these are simply empty threats calculated to support Ms. Green's effort to regain custody, I cannot be confident of that.

[90] I am also concerned about the level of violence and aggression exhibited by Robert and Matthew while in the care of Mr. Lafond. Fist fights, sometimes on a daily basis, are indicative of serious problems. In making his submissions Mr. Lafond referred to Robert hitting Matthew with both fists. In other words, in a manner calculated to cause serious injury.

[91] The skewed perception that Robert and Matthew have, the threatening comments they have made and the periodic episodes of violence all support the conclusion that a court order that they be returned to the primary custody of Mr. Lafond could well be a recipe for disaster. Given the age of the boys, an order for police apprehension and enforcement would be problematic putting Robert or Matthew into the position of a possible physical confrontation with the police. This would certainly not be in their best interests.

[92] I am not prepared to request that the OCL appoint counsel to represent the interests of Robert and Matthew. I have no confidence, given the evidence I have reviewed, that they will be able to express their views and preferences without undue influence by Ms. Green. To appoint counsel would likely just subject them to pressure by Ms. Green to say the right things and give the right instructions to counsel.

[93] The alternative is to request the OCL to undertake a clinical investigation. This raises the concern expressed by Mr. Lafond that the boys are repeatedly

being put under a microscope. Further, as Ms. Cafik observed their behaviour worsens around the time of interventions by various authorities which is not surprising. I will not, therefore, request an OCL investigation at this time.

[94] I, therefore, conclude that it would be in the best interests of Robert and Matthew to have alternate weekend access with Mr. Lafond to attempt to repair their relationship. For now, this access will be from 5:00 p.m. Friday to 8:00 a.m. Monday commencing Friday, May 15, 2020 with Ms. Green to drop off Friday and Mr. Lafond to return the boys Monday. When school resumes the access shall be pick up at school Friday to drop off at school Monday by Mr. Lafond.

[95] Ms. Green shall promote and facilitate this access to occur. Ms. Green shall also encourage Robert and Matthew to have telephone – video communications with Mr. Lafond starting immediately.

[96] The June 18, 2013 Final Order of Justice Gray refers to access as set out in minutes of settlement. The March 25, 2013 order of Justice Hourigan was on consent and it references the minutes of settlement. Paragraphs 6 – 11 of that order, respecting summer holidays, Christmas, Mother's Day, Father's Day, Easter and Thanksgiving shall continue to apply.

[97] The parties shall not change the school attended by Robert and Matthew except upon written agreement or court order.

[98] Neither party shall schedule extra-curricular activities for Robert for Matthew to occur during the other parent's time with the children.

[99] The orders incorporated in these reasons are in full force and effect immediately and regardless of whether a formal court order has been issued and entered.

VIII. NEXT STEPS

[100] From this day forward I will case manage this proceeding as I believe that to be necessary having regard to Family Law Rule 2(2)-(5). I will convene a case conference in approximately two months time.

[101] Ms. Green should understand that she is required to promote and facilitate the court ordered access. If that does not happen it could lead to an order that would be less favourable to her.

[102] Mr. Lafond should understand that my order is not at all a criticism of his parenting. I think he has done an admirable job in very difficult circumstances.

[103] If either party is seeking costs, they should serve the other side and file electronically with the court a cost submission within 10 days. The other side should file any response within a further 10 days.

[104] A copy of this endorsement will be sent to Ms. Cafik, Mr. Murdoch and Ms. de Matteis.

“Signed original in court file”

Date: May 8, 2020