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VULNERABLE PERSONS: PROTECTION AND REMEDIES IN CANADA

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This reference work guides the practitioner through all aspects of law and practice related to vulnerable persons in Canada. This book is the first Canadian legal text on this subject, and is conveniently organized so the user can quickly access the legal remedies available for the protection of persons in vulnerable circumstances in the common law provinces of Canada. The four types of vulnerable persons are discussed in this book and organized by chapter: youths who fall outside the scope of child protection laws and adults who suffered child abuse, spouses, the elderly, and medical patients and persons with disabilities.

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What's New in this Update:
This release includes updates to Chapter 3: Spousal Protection and Remedies and Appendix Words & Phrases.

Highlights:

The Supreme Court of Canada decision in *Ahluwalia v. Ahluwalia*, 2026 CarswellOnt 7706, 2026 CarswellOnt 7707, 2026 SCC 16, 2026 CSC 16, 10 C.C.L.T. (5th) 1, 2026 A.C.W.S. 809, 29 R.F.L. (9th) 1, 514 D.L.R. (4th) 1 (S.C.C.) upheld a trial decision that first identified the tort of intimate partner violence. This claim initially arose in the context of divorce proceedings for relief including a divorce judgment, support and property division. The plaintiff also claimed damages in the tort of intimate partner violence for the physical, emotional and financial abuse her spouse subjected her to over the course of the marriage. At trial, the plaintiff was awarded damages in the amount of $400,000.00, which including punitive and aggravated damages. On appeal, the Supreme Court of Canada identified the 3 elements of the tort of intimate partner violence: first, the acts of domestic conflict arose during the during an intimate partner relationship or its aftermath; second, that the plaintiff must prove the acts of abusive conduct were intentionally committed by the defendant; and third, on an objective basis, the plaintiff must prove that the abusive conduct constitutes coercive control. The decision in *Ahluwalia v. Ahluwalia* is a significant development in the law of domestic conflict and has far-reaching consequences across Canada. The growing case law and procedural rules that develop in each province and territory will develop in tandem with other, recent developments in the law relating to domestic conflict, including recent amendments to the Criminal Code of Canada giving rise of the offence of intimate partner violence in section 263.1.