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PARENTING LAW AND PRACTICE IN CANADA

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Parenting Law and Practice in Canada guides the practitioner through all aspects of law and practice related to custody and access in Canada, including the impact of the changes to the *Divorce Act*. The expert commentary covers the stages of a custody access proceeding including interim proceedings, and decisions on the merits, enforcement, variation, and appeals. This work examines the substantive and procedural law as well as negotiation, tactical, and advocacy skills. Alternative dispute resolution methods are considered, as are other topics of current interest such as the expansion of access rights, including access for grandparents, child representation, mobility rights, and the effect of religion upon custody and access.

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What's New in this Release:

In this release Chapter 18. The Impact of Family Violence on Parenting Arrangements has been updated. Topics covered include family violence provisions in provincial legislation, actions that constitute family violence, the ability to parent in light of family violence and family violence as it relates to Article 13(b) of the *Hague Convention*.

Most notably, the section on torts related to family violence has been updated to include the 2026 Supreme Court of Canada case of *Ahluwalia v. Ahluwalia* in which the Supreme Court recognized a new tort of intimate partner violence. This new tort differs from the existing torts of battery, assault and intentional infliction of emotional distress relied on by the Ontario Court of Appeal in that, in addition to including physical acts of violence and psychological abuse, the tort of intimate partner violence considers tactics of isolation, manipulation, humiliation, surveillance, economic abuse, sexual coercion, and intimidation that can control and entrap intimate partners. The Supreme Court further found that a new tort of family violence as proposed by the trial judge was too broad and would not address the specific wrongful conduct and unique character of coercive control between intimate partners. The wrongful conduct perpetrated by the husband in *Ahluwalia* was specific to the parties' intimate relationship and would not apply to all family relationships.

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