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K.R.Y. v. P.J.P.T.

2015 BCSC 1903

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Supreme Court of British Columbia

DECIDED

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IN THE SUPREME COURT OF BRITISH COLUMBIA

Citation:

K.R.Y. v. P.J.P.T.,

2015 BCSC 1903

Date: 20151019

Docket: E47761

Registry: New Westminster

Between:

K.R.Y. aka K.R.G.

Claimant

And

P.J.P.T.

Respondent

Before: Master Keighley

Reasons for Judgment

In Chambers

Counsel for the Claimant:

R. Darnell

Counsel for the Respondent:

M. Campbell

Place and Date of Hearing:

New Westminster, B.C.

July 15, 2015

October 8, 2015

Place and Date of Judgment:

New Westminster, B.C.

October 19, 2015

- [1] This is a high conflict family case focused on the parties' differing opinions as to what parenting arrangement would best suit their only child, E., age 7.
- [2] I heard this application over two days and have been referred to 18 affidavits. It might fairly be said that I am now conversant with almost every detail of the parties' interactions with each other since their separation. I have been referred to and have read page after page of text messages between them which, in addition to providing some insight into their respective character traits, also suggest that their attempts to communicate with each other regarding parenting issues will continue to face challenges.
- [3] Both parents are in their late 20's. They married near the end of 2007 and had separated by the fall of 2009, a little over a year after E.'s birth. They are now divorced.
- [4] Both have re-partnered. The claimant is now married to S. and they have young children of their own. The respondent is now in a relationship with T., who has a young daughter, A., close in age to E. I have formed the impression that both S. and T. are solid, supportive, individuals whose impact on E.'s life is positive and beneficial.
- [5] In the immediate aftermath of the parties' separation, both the claimant and respondent characterized the respondent's circumstances as "unstable". They entered into a form of separation agreement drawn by, or on behalf of the claimant, which ceded custody of E. to her. The respondent says that he did not have independent legal advice with respect to the agreement (indeed, he rejected the notion of advice in the most emphatic, profane and distasteful terms) and says that the claimant had promised to revisit the issue of custody once he achieved stability.
- [6] Until September 2014, parenting appears to have gone smoothly enough. That month, however, an event took place which the claimant has come to regard as a "turning point". The claimant had brought E. to the respondent's home and E. became upset, screaming and shouting. The respondent put his hand over E.'s mouth and may have sworn at her. The claimant made no issue of this at the time, but subsequently, in the context of historic text messages from the respondent threatening violence to S. and what she alleges was the

respondent's emotionally abusive behaviour throughout their brief relationship, relied on it as the basis for an application before Master Caldwell on December 2, 2014, which led to an order suspending the respondent's contact with the child.

- [7] Thereafter, the respondent was allowed one and a half hours each week with the child, supervised by his mother, A. When the claimant became concerned that the respondent, A., and other members of the family were "grooming" the child for upcoming interviews related to the s. 211 report which has now been prepared, the respondent's parenting time was, in June of this year, terminated again, this time, unilaterally by the claimant.
- [8] I should pause at this point to summarize, perhaps with unflattering brevity, the parties' opinions of each other gleaned from the extensive affidavit material referred to earlier. Essentially, the claimant characterizes the respondent as an immature, emotionally and abusive lout whose attitude towards his parenting responsibilities takes a distant backseat to his primary goal of continuing his emotional abuse of her.
- [9] The respondent, for his part, characterizes the claimant as a highly intelligent and manipulative individual who is capable of running rings around him intellectually and who is capable of "pushing his buttons" with the goal (and effect, as his text communications have indicated) of eliciting wild, unflattering responses.
- [10] The s. 211 report prepared by Dr. Rebecca England was completed on September 3, 2015. It appears that Dr. England had an opportunity not only to assess the parties themselves but to review a portion of the materials to which I have been referred.
- [11] Her report impresses me as a comprehensive and insightful assessment of the parties' and E.'s circumstances. Many conclusions reached by Dr. England accord with those I have reached from a review of the materials alone, albeit without the benefit, on my part, of the specific expertise which she brought to the mix.
- [12] Dr. England's "immediate" recommendation is as follows:

At the outset, it is recommended that [Mr. T.] resume having alternate weekends with [E.] from Friday after school until Monday morning, in addition to an overnight on the alternate week from Monday after school until Tuesday morning. Prior to this occurring, it is recommended that [Mr. T.] have two private sessions with Dr. Ferrari (or whoever the parenting therapist will be) in order to go over the concerns [Ms. Y.] has expressed regarding communications in the home. It will be his responsibility also to ensure that no one associated with him (e.g. his mother, etc) convey any inappropriate messages to [E.]

- [13] Her "long term" recommendations are as follows:

Before moving to an equally shared parenting plan, it is recommended that [Mr. T.] fully complete every session of the S.T.E.P. parenting course. Once this is completed, it is recommended that [E.] go between her parents on a 2-2-5-5 schedule. With this plan, one parent has Mondays and Tuesdays (beginning with the drop off at school on Monday morning) the other

parent has Wednesdays and Thursdays (beginning with the drop off at school on Wednesday morning) and they alternate the weekends from Friday morning to Monday morning. This plan is described as a parallel parenting plan as it requires minimal communication and cooperation between parents. With the fixed assignment of days, each parent can make their own decisions about what will happen on those days. The parents equally share in school days and weekend days, the weekends are uninterrupted which allow for short trips, and all transitions can occur at school. The plan is relatively easy for children to keep track of, and as the longest time away from either parent is five days which occurs over a weekend, there is not the same need for communication between children and the absent parent.

With respect to holidays, it is recommended that special single event days (e.g., Mother's Day, Father's Day, and parent birthdays) be assigned to the respective parent, other single event days (e.g. Halloween and [E.'s] birthdays) be alternated, and longer holidays (e.g. Winter Break, Spring Break) be either divided and shared, or alternated as the parents see fit. During the summer it is recommended that the basic plan continue with allowance made for both parents to have more extensive uninterrupted time in order to have a vacation with [E.]

Decision Making

In the writer's opinion, [E.'s] best interests are not served by having one parent with no guardianship rights, and this legal situation has likely lead to increased conflict to the extent that it is perceived as a power struggle.

It is recommended that the parents share joint guardianship and both have the right to obtain information concerning [E.] directly from third parties (e.g., teachers, medical professionals, tutors, counsellors, etc.). Both parents should be fully involved in [E.'s] care and in decision making on significant issues. Although the following is taken from the 'Joyce Model' which is not being recommended at this point, the directives outlined for parental cooperation are applicable for this family, particularly [Ms. Y.] in her shift from sole guardianship to joint guardianship. In joint guardianship, both parents have obligation to:

- 1) advise the other parent of any matters of a significant nature affecting the child,
- 2) discuss with the other parent any significant decisions which have been made concerning the child, including significant decisions concerning the health (except emergency decisions), education, religious instruction and welfare of the child, and
- 3) try to reach agreement on these major issues.

If they cannot agree on a decision despite their best efforts, it is recommended that they have sessions with the parenting therapist to assist them. Should this fail, mediation should also be attempted.

Communication

To date, it does not appear that communications between [E.] and an absent parent have been an issue of significant conflict. Such communications do however create the potential for conflict and it may be advisable that until [E.] settles in to her parenting plan and things are less acrimonious between the parents, little communication between [E.] and an absent parent take place.

With the 2-2-5-5 plan, contact is recommended except for one telephone call in the middle of the five-day span. For example, the parent who has Mondays and Tuesdays would have a telephone call on Saturday evening. If things settle down in the family and communication does not increase conflict, certainly this could be changed at the parents' discretion.

With respect to communications between the parents, it appears they have had times of good communication, and times of damaging communication. Notably it has been [Mr. T.] who has engaged in the most damaging communications.

The comments of The Honourable Justice Joyce (2011 BCSC 1279 A.C.V. v. S.J.R.) may be helpful to consider in this family situation. Justice Joyce noted:

Texting is a modern means of communication that is great in many situations but not, in my view, in a situation such as this. It is too fast. It does not encourage calm reflection. A person can too easily make hurtful and unhelpful comments from a distance. In my view, email communication, while not as good as calm, courteous personal discourse, is the preferred option. It should be limited to matters concerning J.R. upon which it is truly necessary or helpful to communicate. I encourage the parents to compose when they are calm, always to re-read what they have written and, before hitting the send button, ask this question: Do I want this message being read in Court?

Justice Joyce suggested the parents use a basic template (see attached) in which they complete the minimal information necessary regarding such things as; medical/health issues, school and homework, and recreational activities.

Another template for email communication was developed by Bill Eddy who describes BIFF communications (brief, informative, friendly, firm). This can be found on the internet at: http://www.billeddy.com/articles/hostile_email.htm

It is recommended that [Ms. Y.] and [Mr. T.] have joint sessions with the parenting therapist to agree on a communication template and on terms for their communication with one another. Any problems with communication should be referred to the parenting therapist.

As a closing comment, at this point the writer is not recommending a parenting coordinator. It is hoped that if both parents cooperate with the parenting therapist in terms of attending appointments, etc., then a parenting coordinator may not be needed. If however one or both parents resist this less intrusive intervention plan, a parenting coordinator may be needed to make decisions as needed to heighten compliance.

I hope the above will be of assistance in this matter.

[14] The respondent urges me to implement these recommendations. The claimant says that Dr. England's conclusions are not justified by the evidence and her counsel says that she intends to vigorously cross-examine on the report at trial. Ms. Darnell cited several authorities to advance the position, which I accept, that the Court must reach its own conclusion as to the appropriateness of a proposed parenting arrangement and not merely "rubber stamp" the recommendation of the expert.

[15] The respondent's application, which is essentially to "lift" the suspension of his parenting time refers only to the "Supreme Court Family Rules, Rule 10-6 and Rule 13-5(5) and (8)" as its basis. As the parties are divorced I am not aware of any provision for corollary relief in divorce proceedings, I am treating this application as an application under part 4 of the Family Law Act, S.B.C. 2011, c. 25 (FLA).

[16] Section 37 of the FLA reads as follows:

Best interests of child

37(1) In making an agreement or order under this Part respecting guardianship, parenting arrangements or contact with a child, the parties and the court must consider the best interests of the child only.

- (2) To determine what is in the best interests of a child, all of the child's needs and circumstances must be considered, including the following:
- (a) the child's health and emotional well-being;
 - (b) the child's views, unless it would be inappropriate to consider them;
 - (c) the nature and strength of the relationships between the child and significant persons in the child's life;
 - (d) the history of the child's care;
 - (e) the child's need for stability, given the child's age and stage of development;
 - (f) the ability of each person who is a guardian or seeks guardianship of the child, or who has or seeks parental responsibilities, parenting time or contact with the child, to exercise his or her responsibilities;
 - (g) the impact of any family violence on the child's safety, security or well-being, whether the family violence is directed toward the child or another family member;
 - (h) whether the actions of a person responsible for family violence indicate that the person may be impaired in his or her ability to care for the child and meet the child's needs;

- (i) the appropriateness of an arrangement that would require the child's guardians to cooperate on issues affecting the child, including whether requiring cooperation would increase any risks to the safety, security or well-being of the child or other family members;
- (j) any civil or criminal proceeding relevant to the child's safety, security or well-being.
- (3) An agreement or order is not in the best interests of a child unless it protects, to the greatest extent possible, the child's physical, psychological and emotional safety, security and well-being.
- (4) In making an order under this Part, a court may consider a person's conduct only if it substantially affects a factor set out in subsection (2), and only to the extent that it affects that factor.

[17] From that list, the following seem most applicable to this family's circumstances:

- (b) The child's views, unless it would be inappropriate to consider them; and
- (c) The nature and strength of the relationships between the child and the significant persons in the child's life. E. is now 7 years old. At page 31, Dr. England, noting the close attachment between E. and A. says which with respect to both considerations:

Typically what is understood when one refers to the 'views of the child' are the child's verbal statements. These may be consistent or inconsistent with a child's true feelings, as children are highly susceptible to certain influences, particularly individuals as important to them as their parents. A more comprehensive understanding of a child's views would consider not only their verbal statements but also other sources of information such as the behavioural observations from the parent-child interactions, and reports from others where appropriate. For the purposes of this report, [E.'s] statement will be summarized first, followed by the writer's impressions. These will next be integrated to form opinions regarding [E.'s] views.

[E.] described her mother in positive terms, and did not identify anything negative. When asked to identify something positive about her father, she only mentioned that he will buy her a Slurpee on a hot day. With respect [sic] to negative characteristics, she said her father has an "anger problem" and swears. [E.] reported that both parents have spanked her, but describes his [sic] as very infrequent with her mother, and frequent with her father. [E.] reported that she is not scared of her mother's anger, but is scared of her father when is angry. When asked about her relationship with her parents, [E.] said that her mother both welcomes times when [E.] with her, and also "gets sad and misses me" when [E.] is with her father. [E.] said she looks after her brothers when at her mother's home, and expressed concern that her mother is without this help when [E.] is with her father. She said it would be easier for her to spend time with her father if she was not worried about her mother. [E.] did not report any awareness of acrimony between her parents, but indicated an awareness that her father does not like [Mr. Y.]. [E.] reported that she did not miss her father, and only missed her "sister" [A.]. She did not express a desire to spend any more time with her father, but said she would like to return to having alternate weekends at his home because "I want to spend time with my sister".

In terms of impressions, overall the writer found [E.] to be fairly reserved during the interviews. At her mother's home, [E.] presented as more at ease both during the family observation and during the interview. At her father's home, [E.] presented initially very reserved. She did not initiate contact with anyone, even [A.] - the only individual about whom she consistently expressed strong positive feelings. Over the course of time, she became more comfortable and lighthearted, and this reversed again when it was time to transition back to her mother.

Taken together, the writer's opinion is that [E.'s] expressed views are not highly valid with respect to her true feelings. Rather, they are likely the result of several factors operating in such a manner as to produce a state of conflict. Therefore, her verbal statements are a mixture of her true feelings, combined with her efforts to resolve conflict with respect to competing demands. [E.] expressed discomfort at how her father behaves when angry, and this is likely to have an element of validity with respect to her feelings. [E.] denied any feelings of attachment towards her father and showed little engagement with him during much of the observation session. At the same time, she presented as ill at ease. Notably she was also very reserved with [A.], who showed warmth and attachment towards [E.], while [E.] remained passive and reserved. Therefore, [E.] made clear verbal statements about her attachment towards [A.], but she did not manifest this behaviourally. In the writer's view, [E.'s] behaviours at her father's home indicate that she may not feel free to show love and attachment. While it is unknown to what extent [E.] truly helps her mother, or that is simply her view of herself as an indispensable helper, the issue is still ongoing. [E.] presents as conflicted about leaving her mother's home, and this would also make it harder for her to at ease and more openly express feelings of attachment towards her father.

- (d) The history of the child's care. E. has been primarily cared for by her mother since the parties' separation. E.'s contact with her father has been quite limited in the past year. She has also had only limited contact with T. and A. and it appears that both relationships are important to her.
- (e) The child's need for stability given the child's age and stage of development. With respect to this item, Dr. England says at page 32:

With respect to stability, children whose parents have separated experience more disruption in their lives than children from intact families. Not only is there a change in residence and all that this entails for the children, but also changes in relationships with both adults and other children. Changes in economic status between households may translate into changes regarding activities, and numerous other factors. For this reason, children of separated parents have a heightened need for stability. In this family situation, the parents live within a brief commute to each other, which facilitates their ability to have regular contact with [E.]. [E.] has already gone through one school change part way through Grade 1 when [Ms. Y.] transferred her from the school she attended with [A.], to her current school. Each disruption can be stressful for children, and any future changes of school should be avoided unless both parents agree, or it is ordered by the Court.

[E.] does not present with any special needs that require additional parental involvement. However, both parents describe her as having a more emotional and sensitive temperament. With such a temperament, [E.] would have a greater need for calm and structured parenting, perhaps even especially when discipline is required.

- (f) The ability of each person who is a guardian or seeks guardianship of the child, or who has or seeks parental responsibilities, parenting time or contact with the child, to exercise his or her responsibilities Dr. England says:

Related to the above point, Section 37 refers to children's physical, psychological and emotional safety, security and well-being. [Ms. Y.] asserts that these needs will not be met by [Mr. T.]. While there are some concerns with respect to [Mr. T.'s] behaviour (described in more detail below), in the writer's opinion they do not reach the threshold such that [E.'s] safety and security would be a concern while in [Mr. T.'s] care. With respect to [E.'s] well-being, this is more subjective and complex, and requires a consideration of the positives and negatives that each parent brings to their relationship with [E.].

Both parents, it seems to me, are motivated to provide a safe, nurturing environment for E. Both face challenges, however. The claimant is charged with the responsibility of caring for her other infant children (and sometimes, perhaps, relying on E. for assistance) with the possible result that E. does not always receive the attention she requires. Some of the behaviours noted by Dr. England suggest to me that E. may be craving attention and may feel displaced by the young additions to the claimant's family. The respondent, on the other hand, has displayed in his demeanour, language and online communications, a level of immaturity and a lack of insight which must surely impact his ability to act as a responsible parent.

- (g) The impact of any family violence on the child's safety, security or well-being, whether the family violence is directed toward the child or another family member. With respect to family violence, s. 38 of the FLA provides as follows:

38 For the purposes of section 37 (2) (g) and (h) [best interests of child], a court must consider all of the following:

- (a) the nature and seriousness of the family violence;
- (b) how recently the family violence occurred;
- (c) the frequency of the family violence;
- (d) whether any psychological or emotional abuse constitutes, or is evidence of, a pattern of coercive and controlling behaviour directed at a family member;
- (e) whether the family violence was directed toward the child;
- (f) whether the child was exposed to family violence that was not directed toward the child;

- (g) the harm to the child's physical, psychological and emotional safety, security and well-being as a result of the family violence;
- (h) any steps the person responsible for the family violence has taken to prevent further family violence from occurring;
- (i) any other relevant matter.

Dr. England says at page 33 of her report:

The central issue in this family is [Ms. Y.'s] concern that [Mr. T.] has been, and is likely to continue to be, physically and emotionally abusive towards [E.]. Prior to [E.'s] birth, [Ms. Y.] described a pattern of behaviour where [Mr. T.] would engage in verbally abusive behaviour towards her. She denied any physical aggression on his part, and did not raise this as an issue of concern. Subsequent to [E.'s] birth, and following the separation, [Ms. Y.] noted that [Mr. T.'s] tendency to lash out at her persisted, and numerous examples of this are contained in their correspondence. Understandably, she raises this as an indicator that co-parenting with [Mr. T.] is not feasible.

In addition to her report of [Mr. T.'s] verbal abuse with her, [Ms. Y.] also reported that he has been verbally abusive with [E.]. Primarily this takes the form of him becoming frustrated when [E.] is upset, and yelling at swearing at her. Along with this is her concern of physical abuse. While [Ms. Y.] does not object to physical discipline of a child, she expressed that [Mr. T.'s] frequency of spanking [E.], and the intensity with which he responds, is at the level of being abusive to her. This concern peaked when [Ms. Y.] witnessed [Mr. T.'s] treatment of [E.] during a transition on September 5, 2014. She described this incident as a "game changer" and said [E.] reported to her that this had also happened on another occasion.

In terms of the nature and seriousness of the family violence, while [Ms. Y.] described [Mr. T.] as "prone to extreme emotional abusiveness" in the writer's view this is an overstatement regarding nature and seriousness. In reviewing the text messages, it appears that [Mr. T.] has a long standing pattern of engaging in unrestrained verbal rants. They appear to be more pronounced at times when he is hurt or thwarted, and are not consistent with coercive controlling behaviour. Rather, his style of outbursts seems to be driven by feelings of impotent frustration coupled with a lack of skills in terms of how to manage his emotional state. This does not appear to be characteristic of how he behaves in other environments, but at the same time it is very likely linked to the license he gives himself to show frustration, yell, swear and be physical with [E.]. With respect to the September 5th incident, [Mr. T.] asserts that [Ms. Y.] did not interpret his actions as abusive, as she was quickly reassured about [E.'s] wellbeing after the event, and she continued to allow [E.] to spend time with him, up until he and [Ms. Y.] had conflict in late October. By this point, he had repeatedly expressed his desire for a change in the parenting agreement.

In reviewing the text messages, while [Ms. Y.] did express concern that [Mr. T.] did not handle the situation well and was too reactive to [E.], there is no indication that she considered the incident abusive at the time, or in the several weeks following. She agreed with Ms. Copland on September

8th that overall things had been going well until recently, and on September 15th talked about separation anxiety triggered by a new stage of cognitive development. She referenced articles regarding separation anxiety and noted "a couple months before [T.] came it all started". No report was made to Ms. McNaughton that [Mr. T.] was abusive as a reason for [E.'s] emotional distress, until late November when [Mr. and Ms. Y.] presented this to Ms. McNaughton in private.

In the writer's opinion, the incident on September 5th was distressing and poorly handled by [Mr. T.], however, it would appear that it has been seized upon and amplified in [Ms. Y.'s] desire to maintain sole guardianship. There do appear to be valid concerns regarding aspects of [Mr. T.'s] parenting, but not to the extent that would support a need for supervision or a significant limitation of his parenting time on the basis of concerns regarding family violence.

With respect to steps taken to prevent further instances, it is noted that [Mr. T.] attended counselling with Mr. Elterman, however the results of this have not been tested with respect to [Ms. Y.] as the restraining order is still in effect. Given [Mr. T.'s] long standing history of emotional reactivity and impulsivity, in the writer's opinion he should never engage in any physical discipline of [E.]. With his temperament and history, in any given instance he may well be simply acting out his own frustration and anger, rather than engaging in a behaviour that is best for [E.].

(h) Whether the actions of a person responsible for family violence indicate that the person may be impaired in his or her ability to care for the child and meet the child's needs. With respect to this issue, Dr. England says at page 34:

Both [Ms. Y.] and [Mr. T.] present with certain strengths that they bring to their parenting. [Ms. Y.] is an intelligent, articulate young woman who not only is a parent to three young children, but is also someone who has completed two Bachelor's degrees and is poised to begin a career as a teacher. She embraced the responsibility of caring for [E.] in the midst of a deteriorating marriage, and in many ways has shown herself to be appreciative of maintaining [E.'s] connection to her father, and her paternal extended family. [Mr. T.] presents as a man who has been somewhat slow to mature, but who has grown into an individual who is warm, personable, and creative. He also presented as candid, non-defensive, and able to reflect on aspects of himself which could use improvement. [Mr. T.] is a man who is unconstrained by conventional masculinity, and comfortable and willing to engage in a wide range of activities with his daughter, such as playing Barbies.

At the same time, both parents present with challenges which have played a role in the demise of their marriage, and which are likely to occur as challenges in parenting. [Ms. Y.] presents as a young woman with a very high opinion of herself. She is remarkably articulate, although stylistically she tends towards somewhat extreme and dramatic statements. It is easy to envision that she might 'talk circles' around [Mr. T.], and enjoy the disparity she perceives between them. Psychological test results indicate that making a positive presentation to others may occur at the cost of honesty and critical self-examination. This would be consistent with a reluctance to essentially share power regarding [E.], in the form of allowing [Mr. T.], to have joint guardianship. [Ms. Y.] appears to be similarly partnered with [Mr. Y.], who despite having suffered the

consequences of having a narcissistic parent, presents as somewhat narcissistic himself. Neither adult impressed as having much ability to adopt a perspective that would assist in dampening conflict with respect to the issues regarding [E.].

On the surface, [Mr. T.'s] challenges are more readily apparent in keeping with his more open and transparent presentation. Notably, he has a long standing pattern of lashing out when hurt and this has caused significant damage in his relationship with [Ms. Y.], and to some extent also with his daughter. He has made serious mistakes out of impulsivity, probably the most significant of which was signing away his parental rights to [E.]. Regardless of the anger he felt, his text messages to [Ms. Y.] were of such a nature that it resulted in him being subject to a restraining order. He loses sight of the important things in moments of emotional reactivity. With respect to parenting, [Mr. T.'s] swearing and use of bad language, in addition to using corporeal punishment, are issues that need to be addressed.

- [18] Time will tell as to whether the "long term" recommendations of Dr. England can be implemented. In the short term, I am faced determining what arrangement would best facilitate the re-integration of this young, sensitive, highly-strung child with her father, with whom she has had little contact in the last year.
- [19] I am satisfied that the respondent, particularly with T.'s assistance, is able to minister to E.'s physical needs. I am less certain, in light of his past behaviour, that he is able to act like an adult and less in his own self-interest when she is in his care. That said, I am impressed by the insight he has expressed in his materials and by his action in seeking help for his anger issues. I also note that he has already booked appointments under the supervision of Dr. Ferrari and that he has registered for the S.T.E.P. program effective September 24, 2015. I am satisfied that that a slightly modified version of the "short term" arrangement suggested by Dr. England will allow a gradual reintroduction of both father and daughter and will afford a basis for a review of their progress or otherwise in the New Year.

Result

- [20] Commencing Friday, October 23, 2015, the respondent will resume contact with E. on alternate weekends, commencing Friday October 23, 2015 from Friday after school until Sunday at 7:00 p.m. Over the Christmas season, 2015, the respondent will have contact with E. for five consecutive days including either Christmas Eve or Christmas Day. In the event the parties are unable to agree on a suitable arrangement, they may schedule a telephone application before me.
- [21] The provisions of this order may be reviewed, without proof of a change in circumstances, at any time after January 31, 2016.

"Master Keighley"

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