LEGAL PROFESSIONALISM AND ACCESS TO JUSTICE: LAWYERS AS CHAMPIONS FOR CHILDREN

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INTRODUCTION

Achieving justice for children is a critical benchmark for measuring how well a society treats its most vulnerable citizens. Recent reports on civil and family access to justice are troubling, however, in their conclusion that there is a serious access to justice problem in Canada, one which requires the legal profession to make this issue a central aspect of professionalism. The National Access to Justice Committee final report, A Roadmap for Change, for example, finds that the “...family justice system is too complex, too slow and too expensive....and too often incapable of producing just outcomes that are proportional to the problems brought to it or reflective of the needs of the people it is meant to serve.” As these challenges are particularly acute for children, this article focuses on access to justice for them within a family law context.

Together the reports indicate that the justice system is too often unable to provide just, timely and cost effective outcomes at a time when legal problems are pervasive in people’s everyday lives. These reports indicate that access problems intensify for vulnerable people who may face multiple disadvantages, such as poverty and inadequate education, health care, housing and child care opportunities. Legal problems can multiple, impacting all aspects of their lives. Laws can be complex and hard to understand, causing confusion rather than clarity about legal rights, responsibilities and legal remedies. Legal processes can be complicated, costly and take too long. Lack of financial and other resources can be significant barriers for individuals wanting access to justice. The legal aid system “is failing the people of British Columbia.” And, while these factors highlight access to justice challenges, it is also apparent that there is an urgent need for more evidence based research on access to justice issues, particularly research focused on children’s own experiences.

While the reports’ conclusions illustrate ways in which access problems can be problematic for children, as well as adults, those conclusions combine with additional problems for children, such as children’s (and their advocates) lack of understanding about their entitlements and inadequate meaningful participation in judicial and administrative processes. With respect to family law in particular, the Family Law Working Group report points out that, “the majority of family cases involve children, who are vulnerable, usually unrepresented non-parties [italics added] who seldom participate directly in the process.” This report notes that this situation exists despite the fact that promoting their best interests is the paramount objective and protecting children’s best interests must be central to decisions impacting their lives. These decisions can have significant consequences for the long term well-being of children.
Within this context, this article offers a ‘child-centred’ perspective on access to justice issues affecting children, proposing ways to improve access and outcomes for children. While lawyers who practice family law understand access to justice challenges and have led in reform efforts, opportunities remain to address these challenges and to ensure that children have meaningful access to justice. The B.C. Family Law Act (FLA), with its modern, research based approach to children and their best interests, represents an important step towards improving children’s access to justice and outcomes for children. This article demonstrates how the FLA can be used by lawyers and by others to reach those objectives. The article is divided into four parts: Part I proposes a holistic approach to access for justice for children; Part II emphasizes the need to recognize children as individuals; Part III examines access to justice issues from a systemic perspective; and Part IV concentrates on three FLA areas through which children’s access to justice can be enhanced: an individual approach to the best interests of children; children’s participatory rights and best interests; and considering other civil or criminal proceedings.

PART I: A HOLISTIC APPROACH

A holistic approach is one in which systemic barriers to children accessing justice are addressed concurrently with a focus on individual children and legal/judicial practices. The reports recommend, for example, a child (user) focused approach that looks at the broad range of every day legal problems that children face - from their perspectives. The reports recommend an approach that is expansive, focusing on and beyond the formal justice system (involving courts, tribunals, lawyers and judges) to provide the necessary institutions, knowledge, resources and services to avoid, manage and resolve civil and family legal problems dealing with children. And the reports recommend a concentration on children’s needs and entitlements rather than on justice system professionals and institutions. The Reaching Equal Justice Summary Report in particular, emphasizes the importance of taking a holistic approach, making the essential point that access to justice should be tailored to the individual child and that child's situation,”…responding holistically to both legal and non-legal dimensions so that access is meaningful and effective.” The Working Group on Family Law also emphasizes the importance of a holistic, problem solving approach to dispute resolution. These approaches are consistent with the holistic approach endorsed in the recent Commentary to the United Nations Convention on the Rights of the Child (2013) (UN Commentary) addressing children’s best interests. This commentary states that a best interests analysis requires the development of a rights-based approach engaging all actors to secure the “holistic physical, psychological, moral and spiritual integrity of the child and promote his or her human dignity.”

From the point of view of children as family members, many decisions made about the family or any of its members have a direct and significant impact upon them. Whether decisions are being made within a family law context or in one or more criminal, child protection or immigration proceedings (multiple proceedings), decisions will affect the resolution of questions such as: where the child will live and with whom; if, when and
how the child will have contact with one or both parents; how the child will be kept safe and secure; how and where the child will go to school; how their physical and mental health care will be dealt with; and how will they be supported financially.

There are two dimensions to a holistic approach to improving access to justice for children, namely, individualized and systemic. Adopting a holistic approach to address these two dimensions requires concurrent, harmonized and informed strategies for improving outcomes for children and for attaining resolutions for children that are meaningful to them and their advocates. This approach necessitates creating opportunities for children to participate in judicial and administrative decision-making processes impacting their lives. A holistic, child centred and rights-based approach needs to be directed at seeking the best experiences, decisions and outcomes for children who have experiences with judicial and administrative processes.

PART II: CHILDREN AS INDIVIDUALS

Seeing children as individuals, and not as possessions of parents, is critical to facilitating children’s access to justice. This section highlights how contextual analysis, with its focus on diversity, encourages lawyers (and judges) to ‘see’ children in individualized ways with their own views and experiences that may, or may not, coincide with the adults around them. It also examines contextual analysis in relation to legal policy and practices as systemic factors pertinent to facilitating access to justice.

Contextual analysis: understanding social context

The Chief Justice of Canada, Beverley McLachlin, described contextual analysis in a keynote address entitled Judging: the Challenges of Diversity and repeated her main points in a speech to British Columbia judges. In both speeches the Chief Justice emphasized understanding “the social context of legal issues and disputes…”. To truly understand and appreciate the various perspectives necessary to reach a just result, she stated, judges must understand facts, law, and the social context from which they arise. She indicated that judges apply rules and norms to individuals embedded in complex social situations. To “judge justly”, therefore, they must “appreciate the human beings and the situations before them, and appreciate the lived reality of the men, women and children who will be affected by their decisions.” Chief Justice McLachlin’s comments have relevance beyond judicial decision-making to general legal analysis.

Explicating social context has associations with Canada’s commitment to equality as such explication advances equality through law. Former Supreme Court of Canada Justice Frank Iacobucci explained, for example, how legal principles dealing with equality relate to social context. He said, “…understanding the Canadian social context and incorporating this into the process of adjudication requires that we always bear in mind the moral underpinnings of our Constitution and in particular the fundamental principles of equality.” This contextual approach is not new; the National Judicial Institute, which develops judicial education programming for judges, has, since the mid-1990s, included education about social context as an integral part of its programming.
Lawyers who practice family law, more than most, see the consequences of what happens to individuals, including children, when access to justice is difficult or denied and they may struggle, without support, to provide what children require. These lawyers are among those practitioners Chief Justice McLachlin praised when she stated that many individuals, groups and government have engaged in initiatives aimed at improving access to justice. And while lawyers, as policy makers and legal reformists, have been leaders in preparing the access to justice reports, improving children’s access to justice through policies, legal reform and practices remains challenging for them. Contextual analysis can help lawyers make important contributions in their day to day legal work.

It can be applied to all aspects of legal analysis: proposed laws and policies; the common law as it develops; existing laws and the way they are both interpreted and applied; and the practices and procedures that exist and are developed. It recognizes that differences should be respected and pays particular attention to diversity associated with disadvantage and stratification. It requires a constant examination of whether each of these aspects of analysis takes into account the Charter of Fundamental Rights and Freedoms (Charter) and other human rights, such as those found in the UN Convention on the Rights of the Child (UNCRC) to ensure that inequality is not created or perpetuated.

Lawyers responsible for developing policies and laws or for interpreting specific laws that may impact children can use contextualized analysis to obtain relevant information, including information about inequities and disadvantage that children may experience, to ensure that developments take account of children’s entitlements. Lawyers working with children can use contextualized analysis to obtain general information about children’s realities and determine how that information might be relevant in individualized circumstances. In both instances, contextual analysis provides the opportunity to identify a standard by which it is possible to assess the realities of children’s lives against what those realities should be and what may be required to remedy, or improve, children’s circumstances if needed.

Using a contextual analysis can also guide lawyers in their discussions with children and in their assessments about what special considerations might arise. It is possible, for example, that children may be harmed by discussions, processes and/or by others. Contextual analysis assists lawyers with identifying support services that may be needed and with determining whether they have child protection reporting obligations under BC child protection legislation. And, contextual analysis can also inform lawyers about how to ensure children have the opportunity to participate in ways that are meaningful to children and to express their views about what matters to them.

The UN Commentary offers particular guidance on how contextual analysis can be applied in practice, noting that child impact assessments can be utilized to guide decision-making affecting children. It describes the UNCRC best interests principle (see Article 3), employed as a guide in decision-making and impact assessments, as a
threefold concept comprised of a substantive right; a fundamental, interpretative legal principle; and a rule of procedure. The UN Commentary states that if a legal provision has more than one interpretation, the interpretation which most effectively serves the child’s best interests should be chosen; the rights enshrined in the UNCRC provide the framework for interpretation.24 Whenever a decision affects a child, an identified group of children or children in general, the decision-making process must include an evaluation of its possible impact, positive or negative, on the child or children concerned.25

PART III: A SYSTEMIC OVERVIEW

The following section highlights key systemic issues that, if addressed, can improve children’s access to justice within the FLA framework.

Making the FLA meaningful for children

The FLA enactment is an important step along the path leading to access to justice for children. Its provisions are significant: the focus on individual justice for children, with no presumption of equal parenting; the inclusion of children’s participatory rights; making children’s safety, security and well-being an over-arching best interests consideration; using a broad definition of family violence; the comprehensive analysis of parentage and assisted reproduction technology; requiring courts, lawyers and parents to consider other civil and criminal proceedings; focusing on out-of-court resolutions (but not at the expense of safety, security and well-being); and requiring courts to ensure proceedings are conducted with as little delay as possible, recognizing that the passage of time can be particularly detrimental to children. The FLA provisions can improve access to justice for children, and the realization of their rights, if its provisions are understood and advanced within the broader analytical framework described above.

Coordinating legal professionalism with access to justice

Efforts to improve meaningful access to justice are tied to discussions about the evolving nature of legal professionalism. A Roadmap for Change says, for example, that access to justice must be a central aspect of professionalism rather than a vague and aspirational principle; lawyers and law societies “must see it as part of a modern – ‘sustainable’ notion of professionalism.”26 The B.C. Law Societies’ Code of Professional Conduct reflects that view and provides that lawyers have professional responsibilities to encourage public respect for the justice system while improving its administration.27 Professional responsibility also requires lawyers to apply the principle that “admission to and continuance in the practice of law implies a basic commitment to the concept of equal justice for all within an open, ordered and impartial system…”28 By taking such a professional approach with children, and ensuring their equality before the law, lawyers can improve children’s access to justice through their practices and policy development.

Improving children’s access to justice through legal professionalism requires lawyers and judges to partake in ongoing professional development focused on children and human rights. Children, like adults, are entitled to the best possible legal representation made by well qualified, skilled lawyers who understand what ‘special considerations’
may arise when children are impacted by laws and proceedings. Professional
development in child-centred areas can assist lawyers and judges with understanding
how to address such issues as competing rights among children and adults and how to
work collaboratively with non-legal services associated with children. Evidenced-based
research, informed by children’s own experiences, is critical to informing the
development of those professional courses and ensuring the courses have relevance to
individuals, practitioners, policy-makers and decision-makers. Applied research can
identify how legal practices, systems and processes can be improved and can be used
by policy-makers to develop and implement changes intended to benefit children.

Adopting a human rights approach

While fundamental legal principles and rights apply equally to adults and children,
children’s legal rights may or may not be considered. These rights are found in the
Charter and other domestic laws, and informed by Canada’s legal obligations under
international human rights instruments, including but not limited to the UNCRC. Children have rights to:
- equal protection and equal benefit of the law, without discrimination and in particular without discrimination based on various grounds, including but not limited to age, national or ethnic origin, colour, religion, sex, and mental or physical disability;
- fully participate in all decisions that affect them;
- be protected from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment maltreatment or exploitation, including sexual abuse;
- education;
- the highest attainable standard of health;
- a standard of living adequate for the child’s physical, mental, spiritual, moral and social development;
- and the benefit of social security.

Determining the relevance and application of these rights can be complex and multiple
rights violations may exist. As Canada’s evolving Charter jurisprudence has shown, as
well, it can be particularly challenging to balance conflicting and competing rights.
Professor Cheryl Milne, in Children’s Charter Rights, states that the “general tendency,
with some notable exceptions, has been either a disregard for children’s rights
altogether or a somewhat reluctant acknowledgement of them although in a diminished
form.” The paper Making Human Rights Relevant for Children, makes a similar point
noting that, “[w]hile the existence of international human rights law has contributed to
some children in some places realizing their human rights, there is overwhelming
evidence that vast numbers of children throughout the international community are
subjected to human rights violations on a daily basis.” Children in Canada, particularly
our most vulnerable and marginalized children, are no exception.

Adopting a rights-based approach, therefore, is critical to protecting and promoting
children’s fundamental entitlements to access justice and to seek redress for rights
violations they have experienced.

Addressing issues within a multi-layered legal system

There is wide recognition among those concerned about children’s access to justice that
a consistent, coordinated approach is required throughout the justice system. Achieving access to justice, however, is especially challenging in a multi-layered legal
system in which both federal and provincial laws may apply and in which more than one court is involved.

The FLA and the federal Divorce Act, for example, may both apply to children. A family law court case involving their interests may be heard in the Supreme Court or the Provincial Court or both. Children’s legal situations may be complicated when more than one court proceeding takes place relating to the same family and set of circumstances. There may be criminal charges, heard in the Provincial Court, the Supreme Court, or both, and/or child protection proceedings, heard in Provincial Court. Immigration and tribunal proceedings, such as those instituted by the Human Rights Tribunal or Ombudsperson, can add yet another level of complexity. Protection Orders granted in family proceedings either by the Provincial Court or the Supreme Court must be enforced in criminal proceedings. If there is one proceeding, there is always the potential that another proceeding will be commenced at any time. Different legal principles can apply to the same set of circumstances in any of these different proceedings.

Significant problems can arise with multiple proceedings underway when each proceeds in isolation, and when there is little or no information about other proceedings. This can lead to fractured decisions affecting the same parents and children. Inconsistent approaches and orders made with incomplete information can increase the risk of harm to individuals, including children. Multiple proceedings can cause delay and increase conflict, exacerbating and escalating possible harmful consequences, particularly to children. There may be ineffective use of valuable and limited resources that can assist children and their families. The time, energy and resources, including financial resources, required for multiple proceedings can discourage people from using the courts and undermine confidence in the justice system. There can be a focus on which court makes a decision first rather than on co-ordinated, fully informed decisions that consider children from a holistic perspective.

The Ontario Court of Justice, in a bold move, has taken steps to address the effects of multiple proceedings by devising its Integrated Domestic Violence Court. That Court concluded that “the system in its current form is not providing families with a coherent and comprehensive response to their problems when family and domestic violence issues coincide.” In Enhancing Safety: When Domestic Violence Cases are in Multiple Legal Systems, Dr. Linda Neilson points out that, “[n]umerous researchers have cited court-system fragmentation as one of the leading causes in failure to protect adults and children.” Addressing issues within a multi-layered legal system, therefore, is critical to ensuring that children have access to justice.

PART IV: ACCESS TO JUSTICE FOR CHILDREN AND THE FLA

The following section demonstrates how three areas within the FLA can be used to promote greater access to justice for children. It applies the principle that the British Columbia legislature, when enacting legislation such as the FLA, is presumed to reflect principles enshrined in the UNCRC: Baker v. Canada (Minister of Citizenship and Immigration).


**Recognizing children as individuals and their best interests**

Children are individuals with their own unique circumstances that differ from other individuals around them. The UN Commentary states that “[d]etermining what is in the best interests of the child should start with an assessment of the specific circumstances that make the child unique.” The FLA reaffirms the principle that children must be viewed as individuals and their best interests made the only consideration: s. 37(1). 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: s. 37(3).

The FLA, in s. 40(4), is specific, stating that “[i]n the making of parenting arrangements, no particular arrangement is presumed to be in the best interests of the child.” Parents who have resided with a child do continue to have guardianship rights after separation, and each guardian may exercise all parenting responsibilities, (in consultation with the other guardian unless consultation would be unreasonable or inappropriate in the circumstances), s. 40(2). This provision properly ensures that there is not a gap in parenting responsibility between the time of separation and the making of an agreement or order. There is no such provision with respect to parenting time.

While some individuals believe that s. 16(10) of the Divorce Act is a form of presumption of shared parenting, referring to it as the ‘maximum contact rule’ it does not create a presumption, and it has been interpreted as requiring an individual analysis. It says that the court shall give effect to the principle that a child “should have as much contact with each spouse as is consistent with the best interests of the child…”. The Supreme Court of Canada in *Gordon v. Goertz*, in rejecting the argument that a presumption is created, said that Parliament entrusted the court with the best interests not of most children, but of the particular child whose custody arrangements were being determined. Though that was a mobility case, the British Columbia Court of Appeal, in *Robinson v. Filyk*, confirmed that it applied generally, and concluded that presumptions detract from the individual justice to which every child is entitled. That case has consistently been followed by BC courts.

The UNCRC articles, UN Commentary and court cases referred to above illustrate how an individualized approach focused on children’s best interests is required so that children fully realize their entitlements within the justice system.

**Recognizing children’s participatory rights and their best interests**

Access to justice for children can be enhanced when parents, guardian, lawyers and other dispute resolution professionals and judges apply the legal principle that there is a direct relationship between children’s best interests and their participatory rights. Articles 3(1) and 12 of the UNCRC state:

3(1) In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.
12(1) State Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

12(2) For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

The UN Commentary describes “the inextricable links between articles 3, paragraph 1, and 12." It explains how the assessment of a child’s best interests must include respect for the child’s right to express his or her views freely and due weight given to those views in all matters affecting them:

…The two articles [Article 3 and Article 12] have complementary roles: the first aims to realize the child’s best interests, and the second provides the methodology for hearing the views of the child or children and their inclusion in all matters affecting the child, including the assessment of his or her best interests. Article 3, paragraph 1, cannot be correctly applied if the requirements of article 12 are not met. Similarly, article 3, paragraph 1, reinforces the functionality of article 12, by facilitating the essential role of children in all decisions affecting them. (italics added)

In A.C. v. Manitoba (Director of Child Services), the Supreme Court of Canada applied this principle specifically to the best interests of children, noting that the UNCRC “sets out a framework under which the child’s own input will inform the content of the ‘best interests standard’, with the weight accorded to those views increasing in relation to the child’s developing maturity.” All the child-related provisions of the FLA, therefore, should be interpreted in ways that ensure compliance with UNCRC principles and, in particular, the two fundamental principles specific to children’s best interests and participation so that children’s access to justice can be enhanced.

The FLA provides that parents, in making an agreement, and the Court must consider the child’s views unless it would be inappropriate to consider them: s. 37(2)(b). In NMK v. RWF, the BC Supreme Court said that children in Canada have a legal right to be heard in all matters affecting them, concluding that the right is rooted in both the UNCRC and Canadian domestic law. Applying the principles found in the UNCRC and in NMK v. RWF to s. 37(2)(b), the words “unless it would be inappropriate to consider them” should be interpreted in light of the provisions of Article 12. That is, hearing the views of children would be inappropriate only if they do not want to be heard or are incapable of expressing their own views; once the views are heard, in whatever manner, the child’s guardians or the court would decide what weight will be attached to the views of the child, given the child’s age and maturity: BJG. v. DLG.
Considering other civil and criminal proceedings

Previous sections identified concerns relating to children’s safety, security and well-being in a multi-layered justice system, and argued that access to justice for children requires a holistic approach to children’s circumstances. The FLA has the potential to address issues arising for children by providing that parties, in making an agreement, and the Court, when making an order, consider any civil or criminal proceedings relevant to the child’s safety, security or well-being: s. 37(2)(j). Significant work is being done to assist parents, lawyers, judges and others to ensure that decisions made among systems lead to harmonized results that provide justice for children. A Federal/Provincial/Territorial Working Group, for example, recently completed a long term project that examined the intersection of different justice system responses to family violence. The comprehensive and very helpful report, Making Links in Family Violence Cases: Collaboration among the Family, Child Protection and Criminal Justice Systems, which was released in February 2014, covers a number of topics: risk assessment, the existence of multiple - potentially conflicting – orders from different justice sectors, the identification and coordination of related proceedings, evidentiary and privacy issues, as well as issues related to out-of-court dispute resolution and services for families where there has been family violence.54

Lawyers are well placed to play a major role in advancing this important aspect of children’s access to justice.

CONCLUSION

Children are entitled to the full realization of their rights, including their right to obtain justice under complex circumstances. This article illustrates how the FLA, together with shifts in legal practices and systemic reform, provides opportunities through which improvements can be made to children’s experiences with the legal system and to decisions made about and with children. As recent reports indicate, there are significant access to justice problems for all individuals, including children, who seek justice. It is incumbent upon all of us to uphold our professional and moral responsibilities to children by embracing any and all opportunities for making our world a better place for them.

1 Co-chairs of the Children, Law and Human Rights Initiative, which they co-founded in 2013. Dr. Nancy Bell is an Adjunct Professor, University of Victoria, and a children’s human rights researcher and consultant. Donna Martinson, a retired Justice of the British Columbia Supreme Court is now a Visiting Scholar at the University of British Columbia, Faculty of Law, and an Adjunct Professor at Simon Fraser University’s School of Criminology. She chairs the Canadian Bar Association United Nations Convention on the Rights of the Child Sub-Committee, a part of the Children and the Law Committee.

3 A Roadmap for Change, above, note 2 at p. 01.

4 Foundation for Change above note 2 at p. 12.


6 Meaningful Change for Family Justice: Beyond Wise Words, above, note 5 at p. 16.


8 For example A Roadmap for Change, above, note 2 at p. 02.

9 For example, A Roadmap for Change, above, note 2 at p. 02.

10 Canadian Bar Association summary report, above, note 2 at p. 14; Beyond Wise Words, above, note 5 at p. 10.

11 Canadian Bar Association, equal justice, balancing the scales, above, note 2 at p. 59.


13 General Comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration (art. 3 para 1), Committee on the Rights of the Children, adopted at its 66th session (14 January – 1 February 2013).

14 General Comment No. 14, above, note 13 at para. 4, citing General Comment No 5 at para. 12.


16 Judging: the Challenges of Diversity, above, note 15 at p. 14. See also the cautionary comments at p. 16.


19 Law Society of British Columbia Code of Professional Conduct for BC, Commentary 2 to s. 5.6-1

20 A Roadmap for Change, above, note 2 at p. i.


24 Above, note 13 at para. 6(b).
25 Above, note 13 at para. 6(c).

26 A Roadmap for Change, above, note 2 at p. 15. (citation within quote omitted)

27 Code of Professional Conduct for BC, s. 5.6-1.

28 Code of Professional Conduct for BC, Commentary 2 to s. 5.6-1.

29 Above, note 20.

30 S. 15 of the Charter, above, note 19.

31 Article 12.

32 Article 19. See also section 7 of the Charter.

33 Article 28.

34 Article 24.

35 Article 27.

36 Article 26.

37 Executive Director, David Asper Centre for Constitutional Law, prepared for the Ontario Court of Justice Annual Family Law Program, September 10, 2010.


40 RSC, 1985, c. 3 (2nd Supp.)


Above, note 13 at para. 49.

[1996] 2 SCR 27 at para. 44.


Above, note 13 at para 43.

Above, note 13 at para. 43.

2009 SCC 30 at para. 92.

Above, note 50 at para. 93.

2011 BCSC 1666.

\textit{BJG. v. DLG}, 2010 YKSC 44 at para. 44. (Martinson J.)

Executive summary: \url{http://canada.justice.gc.ca/eng/rp-pr/cj-jp/fv-vf/mlfvc-elcvf/index.html}. Dr. Linda Neilson’s article, referred to above, at note 42, provides a comprehensive look at both the need for coordination, and the challenges that arise. Cooperation among courts and judges is being discussed: \textit{Judicial Coordination of Concurrent Proceedings}, above, note 40. The BC government created in March 2012 a Provincial Office of Domestic Violence, which is responsible for ensuring that all provincial policies, programs and services related to domestic violence are coordinated. The End Violence Association of British Columbia has an ongoing Community Coordination for Women’s Safety Committee to ensure that all services work together as effectively as possible. The Ontario Court of Justice Integrated Domestic Violence Court has been evaluated favourably: See Dr. Rachel Birnbaum, \textit{Promising Practices in the Family Justice Responses to Children Living with Domestic Violence}, September 20, 2013. \url{http://www.learningtoendabuse.ca/sites/default/files/Rachel_Birnbaum.pdf}. 