

More on the politics of parental alienation

By **Gary S. Joseph**

Law360 Canada (March 13, 2026, 10:56 AM EDT) -- The recent article by Rina Groeneveld in Law360 Canada is an articulate summary of her position in support of Bill C-223, the *Keeping Children Safe Act*. Described by the writer as a "more nuanced" approach to the issue, my view is that, with significant respect, the article misses the point entirely. She writes from one vantage point, a former abused woman who provides support to other women who have shared her lived experience.

OK, stop right now! Before you jump all over me as some kind of misogynist, I have spent a lifetime in practice representing both men and women in family law disputes. I have spoken in support of victims of intimate partner violence at conferences and have advocated vigorously for client victims of same. However, unlike the writer of the article in question, I have seen and professionally experienced this issue from all sides. I have spent hours in court listening to the foremost experts on this subject and have cross-examined many. I have interviewed noted experts in the field for presentation of their evidence on the subject in court. I have read extensively on the subject.



Gary S. Joseph

Of particular concern is that the writer seems to be unaware of the recent (relatively) amendments to the federal *Divorce Act* (that includes the writer's home jurisdiction of Quebec) and the provincial *Children's Law Reform Act*. The very type of conduct that the writer wishes to be addressed in these cases is indeed mandated with the amended provisions of these acts. Further, the writer seems to think that parental estrangement is some kind of gender-specific conduct. It is not. Our courts and this writer have seen it from all sides in all forms of relationships. It is non gender-specific.

Victims of intimate partner violence do not benefit from one-sided views. Women are very often the victims but not always. Parental misconduct is not gender-specific. Children are always the victims. Parental estrangement cannot be properly addressed by restricting the tools available to judges tasked with sorting out the best interests of children in high-conflict parenting disputes. Bill C-223 contains provisions to silence certain elements in the dispute process involving children. I oppose cancel culture and its continued attempts to have us all "sing from the same hymnbook."

Gary S. Joseph is counsel to the firm of MacDonald & Partners LLP. A certified specialist in family law, he has been reported in over 350 family law decisions at all court levels in Ontario and Alberta. He has also appeared as counsel in the Supreme Court of Canada. He is a past family law instructor for the Law Society Bar Admission Course and the winner of the 2021 OBA Award for Excellence in Family Law.

The opinions expressed are those of the author(s) and do not necessarily reflect the views of the author's firm, its clients, LexisNexis Canada, Law360 Canada or any of its or their respective affiliates. This article is for general information purposes and is not intended to be and should not be taken as legal advice.

Interested in writing for us? To learn more about how you can add your voice to Law360 Canada, contact Analysis Editor Richard Skinulis at Richard.Skinulis@lexisnexis.ca or call 437-828-6772.