OCL FILE NO: # 02350.2017 Court File No: # FC-15-2446-0000

This is EXHIBIT "A" referred to in the Affidavit of Katherine Bobula, sworn before me on the 11th day of July , 2018.

A Commissioner etc.,
for the Government of Ontario
Une Commissaire etc.,
au service du gouvernement de l'Ontario,
Ministry of Attorney General
Ministère de la Procureure Générale

A Commissioner, etc.

SUPERIOR COURT OF JUSTICE, FAMILY COURT

BETWEEN:

JONATHAN WILLIAM KISKA APPLICANT

AND

DEIRDRE ANN MOORE RESPONDENT

REPORT OF THE CHILDEN'S LAWYER

CHILDREN:

Sean Kiska, born May 8, 2006 (12 years of age)

Cate Kiska, born November 30, 2007 (10 years of age)

On January 26, 2018, the Honourable Justice Englekin requested the involvement of the Office of the Children's Lawyer. This Office consented to provide services pursuant to section 112 of the *Courts of Justice Act* on March 12, 2018. On March 12, 2018, this matter was assigned to this clinical investigator.

This file was delayed as the Children's Aid Society of Ottawa required more time to provide disclosure.

A Disclosure Meeting was held on June 28, 2018.

Please note that the Sources of Information (Appendix A) & Collateral Information (Appendix B) are located at the end of the report.

LIST OF PARTICIPANTS

Children
Sean Kiska– 12 years of age – male- Biological son to the Parties
Cate Kiska– 10 years of age – female- Biological daughter to the Parties

Parent/Party
Jonathan Kiska– 57 years of age– Applicant /Biological father to the children– Self-employed/Consultant– Ottawa
Deirdre Moore– 52 years of age– Respondent /Biological mother to the children– Unemployed– Ottawa

SUMMARY OF SITUATION

Sean and Cate Kiska were born of the former union between Jonathan Kiska and Deirdre Moore. Sean is 12 years of age and Cate is 10 years of age. They attend the same school in Ottawa in French immersion. Both children were planned. The present access schedule is 2-2-3, with the Parties having joint custody of the two children. At the present time, the communication between the Parties is strained and problematic.

Mr. Kiska recalls that he and Ms. Moore met in 1996 and started cohabitating during the fall of 1997. Ms. Moore recalls starting to date in 1995. The former couple agrees that they separated more than once during their relationship, and attempted to reunite around April 2016. However, by November 2016, the couple separated for the final time. The parents entered an interim parenting agreement dated December 13, 2016. Both parents reside in Ottawa.

Mr. Kiska stated that the relationship between him and Ms. Moore deteriorated over time, related to her mental health issues. Ms. Moore reported that she was emotionally, psychologically, and sexually abused by Mr. Kiska, who denies any abuse. Ms. Moore has been admitted to hospitals a number of times since 2013 for mental health issues. She has been involved with the capacity board twice, which resulted in one Treatment Order. Mr. Kiska shared that there have been a number of incidents related to Ms. Moore's mental health instability that are concerning and that have impacted the children. He has called upon the assistance of the police and the Children's Aid Society to assist him with Ms. Moore's instability and the safety of the children.

The ongoing adult conflict between the Parties remains. The children are aware of the adult conflict between their parents and shared that previous to their parents'

separation, their parents argued often. The children report that since their parents' separation, the arguing has decreased and is much better.

Custody – Access - Issues (& Responses)

Ms. Moore is requesting sole custody of the children, Sean and Cate Kiska, and that supervised access occurs via third party between the father and the children. She is amenable to the present access schedule consisting of 2-2-3.

Mr. Kiska is requesting sole custody of the children, Sean and Cate Kiska. He is requesting that the present access schedule of 2-2-3 be maintained.

It should be noted that both Parties originally requested joint custody. However, with the ongoing adult conflict, the Parties changed their request to sole custody during their final interview.

Ms. Moore raised the following issues and concerns:

- She questions the father's ability to parent, as he has refused to support Cate's academic needs and her tutoring this summer. *It is the father's opinion that his daughter has time ahead of her to catch up and that she should benefit from the summer months. He does not believe that Cate requires tutoring during the summer and that providing her with supports during the next academic year would be sufficient.*
- She is concerned about the father's behaviors with Cate, as the father will sit in bed with Cate, while watching a movie, and stroke Cate's hair. Ms. Moore adds that the father has also hugged Cate with his hands touching the side of her breast. Additionally, Cate has served her father coffee and toast in bed. The mother is of the opinion that the father is treating his daughter as he would his "girlfriend". *The father denies that he is treating his daughter as a girlfriend. The father shared that he has a close relationship with both his children and is affectionate towards them. He feels this is an indication of the mother's mental health and how it can impact the children, and his relationship with the children, as the mother seems to think of the worst of him.*
- She is concerned with the father's manipulation towards Cate and is of the opinion that the father is creating similar situations with Cate that he has done with Ms. Moore. For example, Ms. Moore explained that messages were sent in Cate's name that Cate adamantly denies sending. Another example is when Cate's glasses went missing. According to Ms. Moore, Mr. Kiska had Cate's glasses but blamed Cate for misplacing them. However, Cate reported that her

father was cleaning them at the house and then placed them in his shirt pocket. Upon arrival at school, Cate asked for her glasses and her father replied that she had them and that he gave them to her at the house. Cate was adamant that her father last had the glasses in his shirt pocket and never gave them to her on the way to school. Ms. Moore arranged to replace Cate's glasses at her own expense, as Ms. Moore felt that Cate's glasses are essential for her, especially given her eye condition. Ms. Moore did not want Cate going to school with a patch over her eye at her age, and especially given Cate's anxiety and school drama. *The father is of the opinion that he gave the glasses back to Cate at the house and that she forgot. Regardless, the father is concerned about how a minor incident, such as misplacing glasses, became a huge issue, and how he is being blamed again by the mother.*

- She is concerned that the father will continue to perpetuate the ongoing adult conflict to trigger a psychotic episode on her part, which has been Mr. Kiska's pattern. *Mr. Kiska stated that he is not trying to "trigger" Ms. Moore, and that she makes up allegations and blames him for all her problems, and does not hold herself accountable for events that happen in her life.*
- She is concerned that the father will continue to provide false information regarding her to those who will listen, including professionals. She cites that when she was admitted for a psychotic episode in 2013, Mr. Kiska made alleged false statements to medical professionals, police, Children's Aid and others that have created a false representation of her, and that have been detrimental to her and her children. She is of the opinion that Mr. Kiska's intention is to get sole custody of the two children by damaging her character and using her mental health as the rational. *The father is of the opinion that the information he provided at the hospital in 2013 was accurate. He was being supportive and wanted the best for the children and Ms. Moore, whom he loved very much then. The father is of the opinion that Ms. Moore's mental health is unpredictable, and as such is a risk to the children.*

Mr. Kiska raised the following issues and concerns:

- He is concerned that the mother is unable to manage her mental health challenges. He cites that the mother accused him of placing bacon on her doorstep, being involved in her LinkedIn account, and involved with her aps on her electronics. He is concerned that although the mother is involved in counselling with Dr. Jackson, whom Mr. Kiska has no "credence in", that she is not getting the support she needs. *The mother received a number of diagnoses that demonstrate the difficulties with diagnosing mental health. However, she stated that her consistent and more recent diagnosis is Brief Psychotic Episodes. The mother adds that she is involved with regular supports and counselling, and*

has on her own accord attended the hospital and requested to be admitted. Her episodes are triggered by the stress related to the ongoing conflict between her and Mr. Kiska. She alleges that Mr. Kiska is using "gaslighting", which has also been suggested by Dr. Jackson.

- He is concerned with the overabundance of inappropriate and accusatory communications from Ms. Moore. The father shared that Ms. Moore is abrasive and critical in her perpetual emails to him, and that she has sent the same emails to others, thus involving them in the family's personal affairs, and tarnishing his reputation and possibly impacting the children and their relationship with those individuals. *The mother acknowledges that she has sent emails that have been aggressive in nature but is of the opinion that her emails protect her should anything occur to her or the children, which Dr. Jackson is supportive of. She was advised by Dr. Jackson to change her style in her communications, along with who she sends her communications to, which Ms. Moore reports having done more recently.*
- He is concerned with what the children witnessed last August, September and October, and how these events may negatively impact them. *The mother shared that the situation at Best Buy was unfortunate and that Cate was not present at the time the police arrived. There was an incident when the father was called to pick up the children at the hospital at 05:00 in the morning. The mother attended the hospital on her own accord to be admitted and was concerned at that time for the safety of children if returned to the father. The mother explained that she has developed insight in to her illness and has attended the hospital on her own accord for admission or supports. She has additionally asked the Children's Aid Society to keep her file open to support the children and their needs. She adds that the father has been escalating the situation to trigger admissions, so that he can make the argument that he should have sole custody. The mother feels that if the father is so concerned about the children, that he would stop triggering her, should financially contribute for Cate's tutoring and her replacement glasses, none of which he has done.*
- He is concerned that the mother involves the children in the adult conflict, as she has taken Cate to court in January 2018 and has shared information relating to the custody access with the children. *The mother has not involved the children in the ongoing adult conflict. The children are aware of the conflict between the parents. The mother has kept all her documents away from the children and feels the children should not be involved. However, both children are smart and observant and are aware of the situation.*
- He is concerned that the mother blames him for everything including Cate's mathematic challenges. *The mother explained that the father has been triggering her to have psychotic episodes, so in effect he is to blame for the perpetuated*

stressors. With regards to Cate's mathematics, the father has made it quite clear that he is not supportive of summer school for Cate, even with the teacher's recommendations, Cate's report cards and the assessment that indicates that she is almost two years behind and needs supports.

- He is concerned that Ms. Moore's delusions may be directed to Sean as he ages. *The mother is not concerned about her delusions being directed towards the children. She feels that the father is trying to create a situation in order to get custody. This is a made up concern and shows how desperate Mr. Kiska is to create a false representation of Ms. Moore's mental health illness.*
- He is concerned as Dr. Jackson and Dr. Mercer only have one side of the story. He feels that Ms. Moore isn't providing these doctors with all the "real" information. *The mother has been upfront with her physicians and suspects that Mr. Kiska would like to have the opportunity to meet with her physicians to convince them that his perception and information is the truth. She has provided documentation to Dr. Jackson demonstrating the lies that Mr. Kiska has made about her.*

INTERVIEWS WITH MOTHER

Ms. Moore shared that she was born and raised in Ottawa. She graduated from high school and attended one year at Sheridan in retail management. Ms. Moore reports that she graduated with Honors with a Bachelors in Business at Wilfred Laurier and is a Chartered Financial Analyst.

Ms. Moore explained that she left home at the age of 16 or 17. She was involved in shoplifting. She reports that she slit her wrists and was involved with CHEO for a brief period. Ms. Moore has a sister in Kingston and another sister who resides in Ottawa. Her parents remain together and reside in Ottawa. Ms. Moore explained that her relationships with her family members are presently strained due to the adult conflict between her and Mr. Kiska, who has been actively trying to convince her family members that she is mentally unstable. Ms. Moore added that Mr. Kiska has gone so far as to approach her family members to support his position that she is unstable. He has additionally asked her father to have her deemed incapacitated.

Ms. Moore explained that Mr. Kiska has been abusive towards her for a long time and that she did not recognize it at first. She accuses Mr. Kiska of "gaslighting" and providing false information to the professionals that she has been involved with. According to Ms. Moore, Mr. Kiska gave false information that resulted in her being diagnosed with Bipolar in 2013. This has resulted in her misdiagnosis, which has been

problematic, as this misdiagnosis has been referred to and applied with her other hospital involvements.

Ms. Moore shared that she has had several hospitalizations since 2013 and has been assessed by several physicians. She does not deny that she has experienced psychotic episodes and states that these have been triggered by the stress of the custody battle between her and Mr. Kiska, and also by his behaviors. Ms. Moore explained that the alleged abuse by Mr. Kiska is not so evident. She explained that in order to protect herself, she has copied others with her communications to Mr. Kiska, which Dr. Jackson is aware of and supports. Ms. Moore explained that recently her communications have been limited to those she trusts.

Ms. Moore has compiled documents to support her allegations against Mr. Kiska, which she reports Dr. Jackson has seen and believes her. Mr. Kiska has made claims regarding Ms. Moore's behaviors that Ms. Moore has evidence to the contrary. She has alleged that Mr. Kiska and his counsel have lied to the Judge.

With regards to her involvement with the justice system, Ms. Moore reports being "apprehended" by the police in 2013 and 2014. She denies having any convictions. These incidents are related to the stress of the ongoing custody battle and have been brief in duration.

As for substances, Ms. Moore explained that she tried marijuana as a teen and disliked it. She enjoys wine when the children are in bed, but does not drink to excess.

Ms. Moore reports being involved in supports and counselling, and remains in contact with Dr. Jackson on a regular basis. She reports having developed insight in to her mental health, and has developed and continues to develop strategies and coping skills to support her mental health.

Ms. Moore shared that Cate has anxiety and was considered "blind" with her right eye. She wore a patch for some time and now has prescribed eye wear. Cate can be defiant at times, which results in a time out. She is also known to "lie". As for Sean, Ms. Moore explained that Sean is quiet and although she tries to engage him in sharing his feelings and such, Sean shares little. Although Sean and Cate have some minor disputes now and then, they remain very close and support one another. They are also very protective of each other.

Ms. Moore explains that she "lost" her family, friends, and professional contacts, and has been unable to secure work, which has resulted in financial struggles.

Parenting Plan

Ms. Moore shared that she has been and will continue to try to secure employment. She is considering a number of options but acknowledges that she has not been successful as yet. She has no plans to move from Ottawa and will continue to be present for the children and support their needs, including paying for Cate's tutoring alone if Mr. Kiska continues to refuse to contribute. She recognizes that the children have a close relationship with their father and will ensure that the children have a healthy and safe relationship with him and his family. She has developed a safety plan in the event that a psychotic episode develops. Ms. Moore further plans on remaining involved with Dr. Jackson and seek supports, including hospital admission when indicated. She hopes that she and Mr. Kiska will resolve their issues soon and that the family can heal and move forward.

INTERVIEWS WITH FATHER

Mr. Kiska was born in Hamilton and raised in Ottawa. He graduated from high school and attended Carlton University in business, followed by a Master in Business in Burnaby. He is a Chartered Professional Accountant (CPA).

Mr. Kiska has two sisters that reside in Ottawa and with whom he has a good relationship. They have been supportive with regards to the custody situation and Ms. Moore's mental health issues. Mr. Kiska reports that his parents are deceased. As a child, his father had a pizza franchise and Mr. Kiska worked during various periods and occasions, such as the Calgary Stampede and carnivals. He reports leaving home when he attended university.

Mr. Kiska denies involvement with the justice system with the exception of requiring their support related to Ms. Moore's mental health issues. Mr. Kiska explained that he drinks a beer a day or a couple of glasses of wine with pizza, but never to excess. He denies mental health issues.

Mr. Kiska expressed that he and Ms. Moore had a very good life and partnership with their consulting business prior to Ms. Moore's mental health illness. They secured government contracts, among others. He shared that he loves his wife but that her mental health illness and her repeated accusations and allegations against him have created a strained relationship that has resulted in limited productive communications and problematic co-parenting. He feels very hurt by her actions. His main goal is to protect the children and makes sure they are safe.

Mr. Kiska is of the opinion that the children need their mother in their lives, but wants to make sure that their mother is stable and able to care for the children, and that the children are not negatively impacted by her mental health challenges. With the repeated hospital admissions and the mother's continued denial of her illness, it's challenging to trust that the children will be safe in her care, especially when the mother's psychotic episodes are unpredictable. The father shared that the children have been through a lot this past August, September and October. They have witnessed the involvement of the police and the hospital with their mother, which has likely negatively impacted the children. Mr. Kiska shared that it isn't a "brief psychotic episode" when it lasts for five months. He does not feel Ms. Moore is compliant with her medications and that she appears to be vulnerable in the fall.

Mr. Kiska added that from March 3 to the 5th, 2013, Ms. Moore was formed for 72 hours for a psychological assessment at the Ottawa civic. She was admitted for six weeks from April 6 to May 28, 2013 and diagnosed with bipolar at the Ottawa Civic. She was subsequently formed for 72 hours from July 3 to the 5, 2014 for a psychological assessment at the Montfort hospital. She was additionally formed from July 9 to August 28, 2014, and a Community Treatment Plan was ordered. On October 12, 2015 Ms. Moore voluntarily admitted herself to the hospital.

Mr. Kiska shared that Cate has special needs for her vision. She is described as having a "lazy eye" and wore a patch on her right eye, but now has glasses. She also struggles with mathematics at school. Mr. Kiska feels the school is supporting Cate, and that extra math and the tutoring can be accomplished during the upcoming academic year and not during the summer. Mr. Kiska wanted to wait for the results of Cate's assessment and see "where it lands" before making any decisions. He shared that he was advised by Dr. Matheson that without a diagnosis, Cate is not eligible for an IEP.

Mr. Kiska shared that both children were involved with Dr. Matheson in the past. As a whole, he is of the opinion that it would "probably benefit" Cate to see Dr. Matheson within the family context, as she is "remorseful that her parents aren't together". Mr. Kiska is "ok" with the counselling and shared that Cate is open to seeing Dr. Matheson again.

With regards to Sean, Mr. Kiska is of the opinion that Sean could benefit from counselling but that "he isn't chatty like Cate". Mr. Kiska has encouraged Sean to go out with his friends on the weekends. Sean enjoys camping and Mr. Kiska would like Sean to have the opportunity to camp, but is uncertain as to Ms. Moore's position on that. With regards to practicing his sax, Mr. Kiska explained that Sean is not passionate about playing his saxophone, although he enjoys it. He did not play in a band this past

year. He told his son that "if your goal is to be in a band, then it's up to you. I can't push you".

Mr. Kiska shared that he prefers the present access schedule, as he feels a week is too long for the children and Ms. Moore. He added that it is also the children's preference. He reports a close relationship with the two children and added that although Ms. Moore has made claims regarding his actions with Cate, such as being in bed with her, Mr. Kiska explained that Cate will ask him to lie in bed with her to watch a movie. His recognizes that his time doing so is limited, as the children get older and become more independent and involved with their friends.

Mr. Kiska referred to his involvement with Dr. Cardoso as the "best experience I've had". He reports that there is good dialogue, and Dr. Cardoso is direct with Ms. Moore and calls Ms. Moore "out". According to Mr. Kiska, Dr. Cardoso stated that the mother has "residual delusions". Both parents continue to attend together. Mr. Kiska shared that "if we had this in 2013, we would likely not be here today". His goal with the counselling is communication and co-parenting, while Ms. Moore's goal was covert: to have the father assessed. The father has paid for the sessions.

Mr. Kiska stated that "moving forward, if with Dr. Mercer nothing has changed with Deirdre, why would I expect anything to change. I thought I would be in a better position separated". Mr. Kiska wants the children to have their mother in their lives if the mother is on a treatment plan and is compliant with the treatment plan. However, Mr. Kiska feels that this does not appear to be the situation with the mother.

Parenting Plan

The father plans on remaining in Ottawa and in the same residence, if he is not forced to sell the family house. He will continue to manage his consulting business and work at securing contracts. He will make sure the children have relationships with their mother and her family members, as well as with the paternal family members. He will engage the children in community and school events, and continue to support and be present for his children. Most of all he will love and protect them.

OBSERVATION OF INTERACTION BETWEEN THE MOTHER & THE CHILDREN:

The observation visit with the mother and the two children occurred at the mother's residence. The mother resides in a bungalow in a residential area of Ottawa. The home is clean and organised, with each child having their own bedroom. There are documents regarding the custody battle in the dining area that are covered.

Upon the Clinician's arrival, Cate was in the kitchen with her mother making breakfast: waffles from a family recipe. Sean was helping intermittently and also showing off his collection of masks. Both children also played with their dog and cat intermittently.

As the mother and daughter were preparing the waffles, the mother praised the daughter and encouraged her as well. She hugged and touched Cate affectionately, which Cate accepted. The mother provided suggestions that Cate accepted. The two presented as happy and having fun making the waffles. Sean assisted with preparing the table with cutlery, maple syrup, strawberries, milk and such. The mother would touch Sean affectionately on his shoulders as he retrieved the various items to add to the table. Sean was present in the kitchen while the mother and daughter prepared the waffles, and looked on as they worked. He joined in intermittently. Cate and the mother prepared the whipped cream and they all sat at the table together to eat. During the meal time, the mother and the children were engaged in various conversations. The children presented as happy, with smiles and jokes.

After the children and the mother cleaned up the table and the dishes, the three went outside to play softball together. Each child took their turn at bats and enjoyed playing. The mother gave encouragement and praise to the children.

Summary:

The mother provided praise and encouragement, and demonstrated patience with Cate in preparing the waffles and whipped cream. The children worked well together and there was no conflict between them. There was an atmosphere of cooperation and calm. They presented as happy and enjoying themselves: smiling and laughing together, and telling jokes. Cate and Sean were receptive to their mother's affection. The children responded to their mother's directions. There was continued conversation between the three throughout the observation visit. The children were well behaved and there were no concerns noted.

OBSERVATION OF INTERACTION BETWEEN THE FATHER & THE CHILDREN:

The observation visit with the father and the two children occurred at the father's residence. The father resides in a residential area in Ottawa. The children have their own bedrooms. The home is relatively clean with documents on the table and kitchen counter that are flipped over on their underside.

Upon the arrival of the Clinician the father and the two children were outside. The three engaged in several activities while outside. Sean was encouraged to pick up the leaves and twigs in the front area, and also played making bubbles with his father. Cate played in the hammock, practiced her cartwheels, and drew on the driveway with chalk, with her father adding one of his own drawings of a flower. The three also played softball together for a short time, with each taking their turn at the bat. The father provided praise and encouragement to the children during the softball, but also to Sean while he was cleaning up the yard.

The father referred to Cate as "babe" and Sean as "Bucky". He maintained a safe environment when the children climbed a tree in the front yard. The father reminded them not to climb too high and to be careful with the size of the branches they were climbing on.

After being outside for a period, the children and their father went inside. Cate wanted to make cupcakes. She and the father took out the equipment and supplies to make the cupcakes. Sean wanted to help but Cate did not want her brother to be involved. The father encouraged Cate to allow her brother to be part of the process. Sean attempted to help several times, which resulted in arguments between him and Cate. Despite the father's encouragement to allow Sean to participate, Cate was adamant in her position not to allow her brother to assist, and argued with her father. In the end, Sean was not part of the cupcake making process.

Sean started to display attention seeking behaviors, such as teasing Cate and climbing into a cupboard. His father directed him to stop teasing his sister. However, Sean did not respond to his father and kept on teasing his sister. An argument ensued between Sean and Cate. The father told the children to "get along together" and did not interject. The father assisted Cate with making the cupcakes and provided Cate with praise. The father attempted to show affection to Cate, with a hug while she was preparing the cupcakes, but Cate pulled away.

Sean walked around the kitchen aimlessly. He attempted to help with the cupcakes but was rejected. He climbed in to a cupboard in the kitchen where Cate was working. Despite his father's repeated directions to come out from the cupboard, Sean remained. Mr. Kiska had to be physically remove Sean from the cupboard. Sean walked around the kitchen looking for something to do. The father encouraged Sean to practice his saxophone, but Sean wasn't interested. Sean asked to go to his bedroom but his father wanted him to remain with them. He continued to walk around the kitchen area and then started to jump over the couch and roll onto the other side. This turned in to a game, and Cate joined in. The two played well together with some intermittent pushing and

complaining about the other. Initially the father told the children not play on the couch, as they could fall and get hurt. However, he watched them play and told them to play carefully so that neither one falls on the other. The two children laughed and had fun.

Summary:

The children presented as happy and engaged with their father for the outdoor activities. The father provided praise and encouragement to the children, and attempted to show affection to Cate while she was making the cupcakes. However, she pulled away from her father. He assisted Cate with her cooking. The children did not work together despite their father's encouragement, and the children argued. The children did not appear to respond to the father's directions and Cate made the final decision as to whether Sean could assist with the cupcakes or not. Sean appeared to be put aside, as Cate and the father worked together leaving Sean walking around aimlessly. The atmosphere in the kitchen was somewhat unsettled with the conflict between the children, the arguing, Sean's behaviors, and the repeated directions from the father that were dismissed by the children.

THE CHILDREN:

Cate Kiska

Cate was interviewed in private at each of her parents' residences. She was forthcoming with information and presented as comfortable and articulate.

Cate is ten years of age and attends school in French immersion in grade 5. She described her teacher as "strict", as she does not let Cate go to the washroom but Cate is allowed to have a water bottle. Cate shared that she is social and enjoys school, with the exception of gym, as there is no learning. She adds that she has a lot of friends at school but that there is a lot of drama.

Cate is aware that she is behind in mathematics. She spoke of being involved with tutoring and shared that she enjoys it and doesn't mind missing her summer. She was excited to report to this writer that she received 100% on her most recent work and also an 82 or 88% on another assignment. She described the tutoring staff as "nice and great to work with". Cate spoke of her tutoring experience in positive terms.

Cate enjoys drama, gymnastics, chess, music, diving and cooking. She enjoys watching cooking shows and trying new things. She shared that she has panic attacks but can usually control them.

At home, Cate informs that she and her brother get time outs if they don't listen, but those are rare. Cate recognizes that she can be argumentative with her mother but adds that she will respond to her mother's directions regardless of her position. Cate explained that her mother doesn't allow for Cate and Sean to argue or fight, and insists that they work together. At her father's, Cate shared that this is not the case and that she and Sean argue and don't get along all the time, as Sean will tease her. She informed that her father encourages her and Sean to get along but doesn't do anything when they don't. According to Cate, they practice their instruments while at their mother's but don't when they are at their father's.

Cate was asked about her glasses. She reported that one morning she was getting ready for school and her father cleaned her glasses for her. On the way to the vehicle, she asked her father if he had her glasses, which he stated that they were in his shirt pocket. Once they arrived to the school, Cate asked her father for her glasses but her father told her that he did not have the glasses and that Cate had them at the house. Cate was adamant that her father had them and did not give them to her. She was also confident that he told her that he had them in his shirt pocket.

Cate shared that she remembers the situation at Best Buy with her mother. She reports being anxious but not scared. She wasn't sure what was going on and that it was the yelling that triggered her anxiety. She was happy to see her father and go home with him. As for the hotel situation, Cate explained that she enjoyed her time with her brother and mother, and did not realize that something was wrong. She thought it was a vacation.

Cate informed that she is not afraid of her mother or her father. She wants to continue with the present access schedule. She reports that the two residences are very different, with her mother creating more structure and limitations than her father. She added that she is happier now that her parents are separated and reside in separate residences. She reports that prior to their separation her parents would often argue, and that she and Sean could hear their parents. Cate added that prior to her parents' separation, she would at times hide in the closet and cry when her parents argued. Cate advised that she and her brother are aware of the ongoing adult conflict, as she has heard both her parents talk about the adult conflict at one time or another.

Sean Kiska

Sean was interviewed in private at each of his parent's residence. He initially presented as cautious and less forthcoming than Cate. After conversing for a while, Sean appeared to be relaxed. He was articulate.

Sean is twelve years of age and in grade 6 at the same school as his sister. He described school and his teacher as "ok". Sean plays the saxophone and the piano, and has played the clarinet in the past. He is not very interested in practicing but recognizes that he needs to practice to maintain or get better at playing the instruments. He hopes to play in the band at school in grade seven. He was involved in the school band, and is involved in drama, which he enjoys, as well as basketball, badminton and swimming.

Sean shared that he has friends at his mother's residence but not at his father's. He enjoys spending time with his friends. He added that his father engages with him and his sister, but his mother engages more. While at his father's Sean shared that he watches the television or is on electronic devices, which is mother limits.

Sean explained that he teases his sister in play and that the two argue at times. He added that his father doesn't direct them to stop, he "asks" them to do what he wants, but in the end they do what they want. However, with their mother, Sean explained that they listen to their mother and work together. He reports that he and his sister rarely get time outs, as they respond to their mother's directions- she is more serious, which is "not necessarily a bad thing". He practices his sax at his mother's and keeps his room clean, and gets along with his sister.

DISCUSSION:

Sean is twelve years of age and in grade 6 at a French immersion school in Ottawa. Although Sean has no identified special needs, his report cards note some challenges. Sean presented as quieter than his sister but engaged with this writer. Nadine Crowley, who provided counselling to the family, shared her concerns regarding Sean, as he tends to bottle his feelings up and has been aggressive at times.

Cate is ten years of age and in grade 5 and attends the same school as her brother. She has prescribed eye wear. She has experienced what she refers to as "panic attacks and anxiety". Academically, Cate is not formally identified to have special needs. However, she was recently assessed and scored very low in Fluid Reasoning with 3 percentile, and well below average at 8 percentile in Math Fluency. Cate has significant struggles with inattention that significantly impacts her functioning at home and at school. Dr. Matheson notes that without significant and intensive one-on-one support, Cate would not be accessing the curriculum and meeting grade level expectations successfully. The report also indicates that Cate is described as "increasingly withdrawing from the classroom discussions and group assignments". Additionally, it is noted that over the past three years, "Cate's challenges with inattention have increased

significantly". Cate is described as "anxious and having difficulty coping with big feelings and struggles with sadness and over-excitement".

Ms. Moore was instrumental in organizing Cate's assessment and tutoring in order to support Cate's academic needs. Ms. Moore felt that it was essential that Cate develop a better understanding of the mathematic concepts and language before attending high school, as she will be in grade 6 in September 2018. Mr. Kiska was not in support of tutoring during the summer months and felt that Cate could catch up in grade six. As such, Cate attends tutoring only during the times she has scheduled accesses with her mother. The tutoring was paid for by the mother. In speaking with Cate about her tutoring, she expressed excitement with the results with her assignments and shared that she doesn't mind attending tutoring during the summer. She spoke of her tutoring in positive terms. Such a positive experience, added to her successes in her academics, may impact Cate's self-esteem and confidence, and decrease her anxiety, and support her academic performances. It would be beneficial for Cate to have a re-assessment after grade six, to ascertain the progress and the supports, if any, she may require in high school.

Sean and Cate were articulate in their interviews. They are reported as healthy by their family physician. They enjoy a variety of activities at school and in the community, and with their parents. The children shared that they love their parents and want to maintain the present access schedule. Neither is fearful of either parent. With regards to incidents that have involved their mother, the children are aware of their mother's challenges and state that they are not fearful of her. Cate shared that she was embarrassed at Best Buy and isn't interested in returning to that specific store. She acknowledged that she was crying but it was her anxiety and embarrassment. She does not have concerns with going places with her mother. The children shared that they enjoyed their time with their mother at the hotel and looked at it as a short vacation. They acknowledge that they missed their father and weren't too sure what was going on. It was only after they were spoken to that they realized that something may have been wrong.

The children shared that their mother is more engaged with them than their father. There is more structure and limitations with their mother, such as limited television and electronics, which is not the case with the father. Both children acknowledged that their mother does not allow them to argue or fight, and that she encourages cooperation. They do homework, when they have some, which is almost never, and practice their instruments. They work together and have fun together. At their father's the children argue, tease each other, and at times have pushed one another. Although their father tells them to stop, they don't, and the father does not interject.

During the observation visit, the father presented as taking a passive approach to parenting and allowed Cate to decide whether her brother could help or not. Sean was left out of the activity, as he watched his sister and father work together without him. The children did not appear to respond to their father's directions. There was conflict at the father's. This is not the case at the mother's, where the children follow their mother's directions. Despite their bickering, the children appear to have a close relationship.

The children shared that their parents used to argue a lot when they resided together. Since the parental separation, it is much better. In speaking with the children, they present as protective of both parents. The children are aware of the present adult conflict and have witnessed incidents involving their mother. However, the children are no longer attending counselling. Given the ongoing adult conflict, it is likely that the children would benefit from additional counselling. Although Sean did not open up as much as Cate during his past counseling sessions, with time he may become comfortable and engage in the supports. In the past they were involved with Nadine Crowley, which may smooth Sean's receptiveness to counseling.

The mother does not deny she has mental health illness of Brief Psychotic Episodes. She has been admitted to hospitals since 2013, some of which she attended on her own volition and asked to be admitted. She has also been involved with the capacity board in 2014. Dr. Mercer wanted to highlight that although the initial diagnosis for Ms. Moore was Bipolar Affective Disorder, the mother presents as hyperthymic as her general state, and she has experienced brief psychotic episodes related to the stress she has experienced, and has responded well to medications. During the period that Dr. Mercer was involved with the mother, Dr. Mercer did not have concerns regarding the mother's involvement with the children.

In July 2015, Dr. Mercer shared that at that time, the diagnosis of Bipolar wasn't a definitive diagnosis. The mother was experiencing much stress related to the issues with her husband. The diagnosis of psychosis NOS (not otherwise specified) was considered and the mother's presentation appeared to be more in line with such a diagnosis. In June 2017, the mother was seen at the request of her family physician, Dr. Chow. She was responding to medications, which had been started by her family physician. The mother did not present as distressed, and she was not psychotic.

More recent hospital records note that during October 13, 2017 the impression related to Ms. Moore's diagnosis was "difficult to determine. Past diagnoses have included bipolar + schizoaffective disorder vs brief psychotic episodes. The preferred diagnosis is Brief Psychotic Episodes".

Dr. Chow spoke in positive terms of Ms. Moore and described her as "extremely intelligent" and a "high functioning individual". Dr. Chow added that Ms. Moore has been open with her as to how she uses her prescribed medications.

Dr. Cardoso is of the opinion that Ms. Moore is stuck in a "loop" and feels she is persecuted by Mr. Kiska. Dr. Cardoso feels this may be residual from Ms. Moore's "psychotic breaks". The relationship between Mr. Kiska and Ms. Moore is described as "toxic" by Dr. Cardoso, and marred with "stone walling and defensiveness". Ms. Moore appears to make progress within the sessions, but Dr. Cardoso is of the opinion that she often regresses once she leaves his office. Ms. Moore "presents as wanting to engage but there appears a capacity issue, as she reverts to persecutory ideas" with a "delusional flavor". With regards to "gaslighting", Dr. Cardoso stated that "there might be a kernel of truth but it is difficult to flush out". He feels that the mother is struggling with her "initial wound" and has difficulty seeing her role in the couple's conflict. Dr. Cardoso describes the couple's conflict as "legal warfare" and adds that this adds tension to the relationship and tension in to the homes. "This warfare is not useful". He acknowledges that this couple is highly intelligent and loves their children very much. "The family needs to come together and heal with the transition, and learn to navigate and communicate amicably".

Ms. Moore has engaged in supports and remains involved in counselling on an individual basis but also in couples' counselling with Dr. Cardoso. She has been proactive and created a safety plan for the children, and has attended the hospital and requested to be admitted. She has developed insight into her illness and continues to work on coping strategies and healing. She has also asked the Children's Aid Society to keep her file open to allow supports for the children.

Ms. Moore presents as the stronger parent. She was the children's primary caregiver prior to the couple's separation; the children respond to her directions; and she sets limitations and structure for the children that support their needs, which does not appear to be present with the father. The children have echoed these differences between the parents, which have also been observed by this writer. Ms. Moore has been proactive in having Cate assessed and securing tutoring for Cate. Additionally, Ms. Moore is paying for the tutoring without the support of Mr. Kiska. The mother recognized that tutoring for Cate may have a positive impact on Cate on many levels, such as her confidence and self-esteem, and her academic performance and successes. However, the father did not support tutoring during the summer. This would have left Cate with trying to successfully achieve 2.5 years of academic curriculum in one academic year. This would have likely created more stress and anxiety for Cate, and would likely have been a daunting task, one that the father minimized. Cate's positive experience with tutoring

Excerpt from 2018 OCL Report (by)

will likely impact her self-confidence, self-esteem, decrease her anxiety and increase her academic successes.

Mr. Kiska has no mental health issues and no addictions. He has not been involved with the justice system other than reporting Ms. Moore or asking for help. He is self-employed and resides in Ottawa. Mr. Kiska, in his final interview, was not objecting to Cate being assessed. He wanted to see "where the assessment would land, and then see where to go from there". However, once the assessment noted Cate's challenges, the father was not supportive of Cate attending tutoring during the summer months. He is of the opinion that Cate should enjoy the summer and catch up next year. He did not feel that the lack of tutoring this summer would make a difference for Cate. Mr. Kiska expressed his concern with the impact the mother's behaviors have on the children, and although the children have been involved in counselling in the past, he made no efforts to re-involve the children in counselling.

With regards to the Children's Aid of Ottawa, they have been involved on and off since 2013. They report that Ms. Moore has a diagnosis of Bipolar Affective Disorder Type 1 FALSE and it is noted that she does have paranoia that usually revolves around Mr. Kiska. It FALSE was also noted that there is ongoing contentious custody dispute between Ms. Moore TRUE and Mr. Kiska, with allegations made by each on a regular basis. The children did not disclosure any safety concerns when in their mother's care, and Ms. Moore was in agreement to contact Mr. Kiska to come and pick up the children when needed. The file was closed January 2018.

Dr. Chow is of the opinion that the parental separation has been felt by the family members, who may still be healing. Dr. Jackson shared that Ms. Moore has been isolated from her family related to Mr. Kiska's actions and reportings, leaving Ms. Moore grieving the loss of her family relationships. The parents are described as very caring and loving, and involved with their children. They present as protective and having a close relationship with both children. However, the communication between the parents at this time is conflictual and problematic, and co-parenting does not appear to be an option at this time.

RECOMMENDATIONS:

1. Custody: It is respectfully recommended that the mother have sole custody of Sean and Cate Kiska.
2. Access: It is respectfully recommended that the present access schedule remain as 2-2-3, with the parent picking up the children for their access visit, or with the children taking the school bus.

* Shared access is seemingly unavoidable until Moore is in a position to present evidence against Kiska. (see 20180917 letter from Ottawa Victim Services)

Additional Recommendations:

3. It is respectfully recommended that communication occur via talkingparents.com or any other means of communication in which both parents agree to in writing. The communications are to be strictly relating the children, such as appointments, events, medical and academic information, etc.
4. The children shall be involved in counselling and attend without the presence of the parents if possible. The counsellor will be informed of Cate's anxiety and Sean's limited interest in communicating his experiences. In the past the children had developed a rapport with Nadine Crowley, who may be amenable to meet with the children again. Ms. Crowley is familiar with both children, which may add some comfort for Sean.
5. The parents shall continue to attend couple counselling to work on their co-parenting skills and their communication.
6. The children shall be with their mother on Mother's Day from 14:00 to 19:00, and with their father on Father's Day from 14:00 to 19:00, regardless of the access schedule.
7. For Christmas 2018, the children shall spend the morning with the father until 13:00 and the afternoon with the mother until 19:00, and return to their 2-2-3 schedule thereafter. This schedule shall alternate yearly, allowing each parent time with their children on Christmas Day.
8. The 2-2-3 access schedule shall be maintained throughout the year. The parents shall be given the opportunity to have one week access with the children in July and one week access in August. Notice shall be provided to the alternate parent prior to May 1 of each year. The requested week must be agreed upon by both parties.
9. The access schedule and the transfers can be changed with the written agreement of both parents.
10. The mother shall remain involved in counselling until her counsellor deems it no longer necessary. The counsellor shall decide the frequency of the sessions, as long as this does not negatively impact the mother's finances. Should this occur, the mother shall seek and register with counselling services that are affordable.
11. The parents shall sign consents allowing them to have access to the medical and academic information, as well as any information pertaining to the children. Each parent shall be responsible to access the children's information.

12. Both parents shall have the right to attend all activities in which the children are involved in. The parents shall remain civil to one another and not discuss adult matters in the presence of the children or during these events.
13. The parents shall ensure that Cate attends her tutoring sessions regardless of the scheduled access. Her tutoring sessions shall continue until she catches up to the level she should be at. Both parents shall be responsible to ensure that Cate attends her sessions during the time Cate is in their care.
14. The parents shall ensure that the school is provided with Cate's assessments and progress, as well as any recommended supports and resources. An informal IEP may be recommended to assist Cate with her progress. It may be beneficial to have Cate re-assessed after grade 6 to ascertain her progress and any gaps that would require further supports.
15. The children are not to be involved in the adult conflict, and shall not be present during conversations regarding the adult conflict. Information pertaining to the adult conflict shall be stored in a location that the children have no access to.
16. The mother will develop a safety plan and share this plan with the father.
17. Should the children require medical attention, the parent present shall contact the alternate parent as soon as possible.
18. The family shall participate with the Family Services Ottawa, for the Parenting after Separation program.
19. A copy of this report shall be shared with the Children's Aid Society of Ottawa
20. The Office of the Children's Lawyer is amenable to being re-involved with this family.

Dated in Timmins the 11th day of July, 2018.

393 University Ave.,
Toronto, Ontario
Office of the Children's Lawyer

Katherine Bobula, R.N, BScN, MED
Clinician

APPENDIX A - SOURCES OF INFORMATION:

Interviews with Parties

March 25 and June 3, 2018	Interviews with the Mother
March 25 and June 3, 2018	Interviews with the Father.

Observational Visits with the Children and the Parties

April 22, 2018	Home visit to the home of the mother. Present for the visit were the mother, the two children and the Clinician.
April 21, 2018	Home visit to the father's home. Present for the visit was the father, the children and the Clinician.

Interview with the Children

April 21 and 22, 2018	Sean Kiska was interviewed in private at each parents' residence.
April 21 and 22, 2018	Cate Kiska was interviewed in private at each parents' residence.
June 27, 2018	Cate was interviewed via telephone.

Collateral Contacts

May 4, 2018	Interview with Dr. Coupland regarding counseling for the family.
May 15, 2018	Interview with Dr. Chow regarding the family.
April 6, 2018	Interview with Dr. Jackson regarding her involvement with the mother.
June 2, 2018	Interview with Dr. Cardoso regarding his involvement with the parents.
April 23, 2018	Interview with Nadine Crowley

June 22, 2018	Interview with Dr. Mercer
April 10, 2018	Interview with Dr. Matheson
April 9, 2018	Interview with Jennifer Borrel-Benoit, Principal Sir Winston Churchill School

Written Reports Reviewed

April 17, 2018	Montfort Hospital provided information regarding Ms. Moore
May 8, 2018	The Ottawa Police Service provided information regarding the family.
May 16, 2018	The Children's Aid Society of Ottawa provided information regarding their involvement with the family.
April 12, 2018	Queensway Carleton Hospital provided information regarding Ms. Moore
April 27, 2018	Eastern Ottawa Resource Centre provided information regarding their involvement with Ms. Moore.
June 11, 2018	Ottawa Hospital provided information regarding the family.
June 13, 2018	Academic reports from Sit Winston Churchill School.

Court Documents Reviewed

The following documentation was provided:

Provided by the Ms. Moore
Form 14: Notice of Motion dated November 9, 2015, July 18, 2017, January 31, 2018
Form 14A: Affidavit dated July 27, 2017, May 8, 2017, April 20, 2017, April 11, 2017, July 7, 2017, March 7, 2017, July 18, 2017, August 3, 2017, March 19, 2018, January 31, 2018, March 9, 2018, November 9, 2015, July 13, 2017, April 17, 2018,
Form 14B: Motion dated April 11, 2017, April 20, 2017, March 7, 2017, July 7, 2017, May 8, 2017
Form 14C: Confirmation dated August 25, 2017, March 20, 2018, January 24, 2018
Form 22: Request to Admit dated July 28, 2017August 3, 2017
Form 22A: Response to Request to Admit dated August 11, 2017

Form 4: Notice of Change in Representation dated September 12, 2017, January 23, 2018, January 1, 2017, February 12, 2017
Form 17: Conference Notice dated August 23, 2017, February 24, 2016, June 19, 2017
Form 6B: Affidavit of Service dated August 23, 2017, June 19, 2017, July 7, 2017, July 28, 2017, January 23, 2018, January 30, 2018, March 20, 2018, February 1, 2017, February 14, 2017, March 7, 2017
Endorsement dated February 26, 2016, February 6, 2017
Endorsement dated March 14, 2017, April 27, 2017, June 28, 2017, July 13, 2017
Endorsement dated November 16, 2017, December 5, 2017, and January 26, 2018
Endorsement dated March 22, 2018, August 29, 2017, January 26, 2018
Form 25: Order Temporary dated January 26, 2018, April 27, 2017, June 28, 2017, March 22, 2018
Form 13A: Certificate of Financial Disclose dated November 9, 2015, January 14, 2016
Offer to Settle dated March 19, 2018
Reply dated March 20, 2018
Form 22: Request to Admit dated March 6, 2017
Interim Parenting Agreement dated December 13, 2016
Form 10: Answer dated January 27, 2018, January 14, 2016, June 21, 2017
Form 13.1: Financial Statement dated March 19, 2018, June 21, 2017, January 19, 2018, March 9, 2018, November 9, 2015, January 12, 2016
Form 13B: Net Family Property Statement no date, March 8, 2018
Form 17C: Settlement Conference Brief dated January 19, 2018, December 13, 2016, January 29, 2018
Form 35.1: Affidavit in Support of Claim or Access dated March 18, 2018, January 12, 2016, January 23, 2018
Form 17A: Case Conference Brief dated February 24, 2016
Form 17C: Settlement Conference Brief dated June 21, 2017

Mr. Wade Smith provided via email
Form 17C: Settlement Conference Brief dated December 13, 2016, January 23, 2018
Form 8: Application dated November 9, 2015
Form 6B: Affidavit of Service dated November 10, 2015
Form 35.1: Affidavit in Support of Claim or Access dated November 9, 2015

It should be noted that Ms. Moore provided a number of documents such as emails and more.

Disclosure Meeting

A disclosure meeting was held on June 28, 2018 via teleconference with the father present with his counsel and the mother present at her residence. The Parties were requested to bring to this writer's attention any factual corrections shared during the disclosure meeting. Ms. Moore indicated some errors in fact that Mr. Kiska agreed with and which were corrected. No additional errors were reported by either Party.

APPENDIX B - COLLATERAL INFORMATION

PROFESSIONAL

Dr. Coupland was involved with the family around September 2014 and November 2015. Dr. Coupland reported the following:

The mother was seen post hospitalization and was upset with her hospital experience. The mother attended five sessions, the father attended three sessions and as a couple they attended two sessions.

One of the goals for the mother was how to understand her difficulties and what to do about them. The mother's last session was June 4, 2015. The mother was described as receptive to counselling. She was very focused on the hospitalization and the diagnosis of Bipolar. She wanted her file "locked up" during one of her delusional episodes. She was "grid locked" around the finances and considered her ex-husband to be a "bully". Dr. Coupland described the father as "an accommodating man". There were arguments regarding a housekeeper and the amount it cost for her services, the cost for an expensive bed, which agitated the father. The father developed sensitivity as to when the mother would have an episode, which presented with her increase in alcohol consumption and decreased sleep.

The mother requested a referral to Dr. Soo, who completed a comprehensive report, taking into account the files from all the hospitals the mother was involved with. He administered MMPI (Minnesota Multiphasic Personality Inventory). Dr. Soo explained his results to the mother: Bipolar. Dr. Soo did not rule out Brief Psychotic Disorder. He was of the opinion that the mother should be treated with antipsychotics and could live a relatively normal life. Dr. Soo additionally felt that the mother should be closely monitored as she disregarded her medications, and the "door to hospitalization should be kept open". Dr. Coupland shared that the mother wrote "scathing" emails to Dr. Soo.

Dr. Coupland is of the opinion that the mother has difficulties understanding others' motivation and this gets worse when she has periods of delusion. Her last reported one was June 2015. Dr. Coupland added that the father reported another hospitalization October 2015, when the mother turned 50 years of age. She exhibited abnormal behaviors and spent $2300 on a bed. The mother portrays herself as a "mistreated woman" and "ran the show". Dr. Coupland shared that the children are "scared" of their mother, "she talks to herself and tells the children that dad lies".

The father presented as concerned for the children, and has a combination of anger and guilt in his ability to protect the children. The father felt the mother lacked empathy, as

she made threats and increased her drinking. The father was angry with the mother, as she was aware that she was having challenges with her mental health. At one point, the school alerted the Society, as the mother picked up the children.

Dr. Coupland explained that the mother became "very aggressive with people and would get worked up". She was "not easy to work with". The mother was "resistant to increasing her understanding of others". To others, the mother presented as "resentful, insensitive to the needs of others, immature and antagonistic against authority". She is a mistrusting person, who worked towards developing a trusting relationship.

Dr Chow shared that she has known the family for a long time. Dr. Chow added that emotionally the family situation has affected the father, as well as the children and the mother. Dr. Chow described the father, and the mother, as both very caring and engaged with their children. Prior to the parental separation, both parents were involved in attending the office with the children.

With regards to the father, Dr. Chow shared that apart from stepping on some glass in 2001, he is a healthy and active male, and makes efforts to remain so. With the recent custody and access issues, and his concerns for his children, along with the changes in the family unit, he has been prescribed medication for his blood pressure. Otherwise, the father has not required medication. The father has shared his concerns for the safety and the wellbeing of the children in regards to the mother's mental health. He has not come to the office for emotional support for himself, as he has family support that he is comfortable with and seeks out when he feels he needs to talk with someone.

With regards to the mother, Dr. Chow shared that she prefers to support the mother through the mother's symptomology, which has been supportive and productive. Dr. Chow is of the opinion that the mother has been better able to "read the road signs" when she is stressed, but still gets into some hypomania and manic episodes. The mother has had episodes that have required hospitalization and that have presented themselves without warning. The mother has acknowledged insomnia and behavioural characteristic of mania. The mother has been proactive in seeking supports. Dr. Chow describes the mother as "extremely intelligent" and a "high functioning individual". She did not present with any of the traditional "red flags" associated with mental health concerns, such as post-partum depression. The mother has prescribed medications to address her challenges and has been open with Dr. Chow with how she uses them.

Cate is described as "extremely bright, bubbly, happy, and a girly girl". She has presented as doing better in the last year with the changes in the family unit. She is very involved in activities and loves both her parents. She has a close relationship with her brother. According to Dr. Chow, Cate is aware of the adult conflict.

Sean has been the quiet teen. He was involved in counselling, as was Cate, with Nadine Crowley in 2016 (no report was provided to Dr. Chow). He is described as a "nice boy, and aware of what's going on, and understands the implications". He tends to worry about his mother. He is involved in many activities, as is Cate. He has experienced migraines that appear to have decreased more recently. Sean engages but presents as cautious. Dr. Chow is of the opinion that Sean spends too much time on the "screen", and has less sleeping time. She would prefer that he spend his time outside.

In summary, Dr. Chow is of the opinion that the parental separation has been felt by the family members, who may still be healing. The parents are described as very caring and loving, and involved with their children.

Dr. Jackson is a psychologist who has been involved with the mother. Dr. Jackson is of the opinion that the mother is very insightful regarding her reactions and process. She manages her illness well and has a safety plan in place for the children. She has also asked CAS to keep her file open to support the children and their needs. The mother believes the daughter is now being targeted by the father, which Dr. Jackson suggests may be happening.

According to Dr. Jackson, the mother attended 8 sessions in 2017, and presented as stabilizing. She was referred for support and a second opinion. According to Dr. Jackson, the mother was initially diagnosed with Bipolar Disorder, which was based on what the husband provided to the doctor. However, Dr. Jackson explained that the information provided by the father has been disproved by the mother with receipts and documentation. The father had made claims that she was overspending at the casino, when this is false. According to Dr. Jackson, the father took the DSMV and regurgitated the traits to the doctor to get the mother diagnosed.

Dr. Jackson's diagnosis is Brief Psychotic Disorder. She explained that Dr. Mercer's diagnosis is Psychotic Disorder NOS, which is not contrary to Dr. Jackson's diagnosis. The mother is on medications, and has been very good at regulating when she requires it. Her episodes are impacted by the stressors of the situation, or by those that are created by the husband. Dr. Jackson reports that the husband went so far as to try and get the maternal grandfather to have the mother's rights taken away and deemed incapacitated. Dr. Jackson explained that the mother does not meet the criteria and does not require this. Dr. Jackson has not had contact with the husband.
First appointment was January, 2016. The mother remains in contact with Dr. Jackson and continues to attend sessions.

Dr. Jackson was interviewed a second time on June 26, 2018. She shared that the mother has great insight in to her illness and self regulates well with the support of her medications. She has her children's best interest at heart and is dedicated to them. In response to the mother taking the children out of school yesterday, Dr Jackson explained that the mother was focused on having a fun day with the children and going wall climbing and such. The errands that the mother did in the morning with the children present did not take long and the mother did not share the contents of the documents that she was dropping off. Dr Jackson is of the opinion that there was no negative impact on the children with the dropping off of documents, as the children were happy you have a day with their mother doing fun activities, especially since there is no academic learning at school at this late date of the academic year.

Dr. Jackson has seen evidence contrary to the father's statements made in relation to Ms. Moore's diagnosis of Bipolar, such as spending $10,000 at a casino when that never occurred, sleeping for a month, when Ms. Moore was involved at the gym and with activities with the children and other people. Dr. Jackson has spoken to Ms. Moore about her correspondences and has suggested that she curb them, which Ms. Moore has done more recently.

Ms. Moore is described by Dr. Jackson has a very intelligent person, very well organized and committed to her children and herself. She has made it clear that the emails are a means of protecting herself, if something should occur, which Dr. Jackson supports.

Dr. Jackson explained that Ms. Moore has been feeling alone, as Mr. Kiska had taken great effort in convincing her family members that she is unstable and unable to care for the children. This has been very difficult for Ms. Moore, who is grieving her loss of her family.

Dr. Cardoso has been involved with the parents, who have attended 8 or 9 sessions. The couple started their sessions March 27, 2018. According to Dr. Cardoso, Ms. Moore self-referred. The parents had different goals: Ms. Moore wanted Dr. Cardoso to "covertly assess" Mr. Kiska as a psychopath, while Mr. Kiska's goal was to work on the couple's communication and co-parenting.

Dr. Cardoso is of the opinion that Ms. Moore is stuck in a "loop" and feels she is persecuted by Mr. Kiska. Dr. Cardoso feels this may be residual from Ms. Moore's "psychotic breaks". The relationship between Mr. Kiska and Ms. Moore is described as "toxic" by Dr. Cardoso. It marred with stone walling and defensiveness.

Ms. Moore appears to make progress within the sessions but Dr. Cardoso is of the opinion that she often regresses once she leaves. Ms. Moore presents as wanting to engage but there appears a capacity issue, as she reverts to "persecutory ideas" with a "delusional flavor".

With regards to "gaslighting", Dr. Cardoso stated that "there might be a kernel of truth but it is difficult to flush out". He feels that the mother is struggling with her" initial wound" and has difficulty seeing her role in the couple's conflict. Dr. Cardoso describes the couple's conflict as "legal warfare" and adds that this adds tension to the relationship and tension in to the homes. "This warfare is not useful". There are moments in the couple's relationship that are positive, but that then get impacted with the "barrage of emails and the accusation of being a psychopath" on the part of Ms. Moore towards Mr. Kiska.

A treatment team approach is the recommendation Dr. Cardoso feel may support Ms. Moore at this time. She is emotionally expressive in the sessions and engages in the process with slight flexibility. He acknowledges that this couple is highly intelligent and loves their children very much. "The family needs to come together and heal with the transition, and learn to navigate and communicate amicably". He adds that he is pleased to have the couple continue with the sessions.

Dr. Mercer shared that the mother was referred on June 14, 2013 by Dr. Charbonneau, after the mother had been admitted to the hospital. The diagnosis at the time of the admission was Bipolar Affective Disorder (BAD). Most of the information at the time of the mother's admission was provided by the husband, as the mother was experiencing a psychotic episode. The husband had shared that the mother had disorganised emails, did not sleep today, and planned a trip to Mexico.

Dr. Mercer is part of the Urgent Care program, which offers short term psychiatric treatment. The referral to Dr. Mercer was for follow up for psychiatric treatment after the mother was discharged from the hospital.

During the period that Dr. Mercer was involved with the mother, Dr. Mercer did not have concerns regarding the mother's involvement with the children. As such, Dr. Mercer did not contact child protection services. Although the mother was initially diagnosed with BAD, Dr. Mercer shared that the mother's presentation was mild mania and her baseline was hyperthymic.

The mother was seen again in July 2013 by Dr. Mercer, who described the mother to be at her baseline. The mother was seen again at the end of July and presented as mildly depressed.

In 2014, the mother was admitted to the hospital for similar reasons. She was referred to the program but cancelled and then did not present herself for the subsequent appointment.

In July 2015, the mother's family physician called, as there were some concerns. The mother was admitted in October 2015 and seen again by Dr. Mercer in December. Dr. Mercer shared that at that time, the diagnosis of Bipolar wasn't a definitive diagnosis. The mother was experiencing much stress related to the issues with her husband. The diagnosis of psychosis NOS was considered and the mother's presentation appeared to be more in line with such a diagnosis. The mother was started on medication in hospital.

In January 2016, the mother was seen again by Dr. Mercer. The mother expressed that she was doing well and feeling better but still encountering a lot of stress related to the issues with her husband. The former couple reunited for a short period. In March 2016, the mother subsequently stopped her medication, as she felt they were not working.

In June 2017, the mother was seen at the request of her family physician. She was responding to medications, which had been started by her family physician. The mother did not present as distressed, and she was not psychotic.

Appointments for October 31 and December 1, 2017 were scheduled for the mother but she cancelled them. Given that the program is an urgent and short-term program, the mother would require another referral to be seen by Dr. Mercer.

Dr. Mercer wanted to highlight that although the initial diagnosis was Bipolar Affective Disorder, the mother presents as hyperthymic as her general state, and she has experienced brief psychotic episodes related to the stress she has experienced, and has responded well to medications.

Cate Kiska was referred to **Dr. Matheson** for a learning assessment January 2018. Dr. Matheson met with the parents individually prior to the assessment. Cate was receptive to the testing and completed the testing. Dr. Matheson stated that she was not involved in personal counselling but recognised that this was a high conflict case.

Queensway Carleton Hospital provided information regarding Ms. Moore. On May 23, 2014, Ms. Moore attended the hospital and asked to be admitted for one night. Final diagnosis, Bipolar vs hyperthymic Temperament Disorder, possible Hyperthymic episode.

Montfort Hospital provided information regarding Ms. Moore. Ms. Moore was admitted July 3, 2014 and discharged July 5, 2014. Ms. Moore reported a domestic dispute with Mr. Kiska and was looking for shelter and counselling support. Most responsible diagnosis: Acute Adjustment Disorder. Comorbidity diagnosis: preadmission: Bipolar affective disorder, Cluster B personality Traits. Stressors related to marital conflict, and peri-menopausal symptoms. Ms. Moore was referred to psychiatry and seen a by a social worker. Ms. Moore was assessed and formed 1 and found to be in an acute manic episode with possible psychotic features. "Our impression is that at the current time, she is likely experiencing symptoms but remains able to function in her day to day life. She does not express any intent of self-harm or harm to others. She expresses thoughts of wanting to be in her home environment to better manager her symptoms and any marital conflict".

The hospital information system noted two prior hospitalizations for Bipolar affective disorder: March 3-5, and April 16 to May 28, 2013. The March admission noted that Ms. Moore had not slept in days, sent disorganized emails, impulsively booked a trip to Mexico, and had discussed starting a mental health company.

The April admission related to Ms. Moore was brought in by an outreach worker from the Cornerstone women's shelter. Ms. Moore had been sending paranoid emails, and felt that all forms of communication were being monitored by the government. This information was not confirmed by Ms. Moore at the time. She was prescribed medication that appeared to be contrary to what its intended effect should be. She was followed by Dr. Mercer as an outpatient, as well as her family physician.

Ottawa Hospital provided information regarding the family. The information includes the antenatal and postnatal information regarding the births of Sean and Cate Kiska, and the operation for the delivery of Sean, blood work and ultrasound results.

With regards to Ms. Moore, she was seen June 14, 2013. Impression Bipolar V, hyperthymic temperament with manic episodes vs manic episode, partially remitted mild manic. No concerns noted today regarding the safety of the children or patient.
July 2, 2013 Ms. Moore was seen with the same impression. It is noted that she is doing well and getting back to normal slowly.
July 29, 2013 seen with impression Bipolar D/O ? mildly depressed.

14/10/02 Latuda samples provided.
October 28, 2014 Ms. Moore did not attend for her appointment and the file was closed.
July 2015. The husband called and shared his frustration with Ms. Moore denying her diagnosis and not taking medication. The family was referred back to their family physician.
December 4, 2015 notes indicate 5th admission in four years. With impression psychosis NOS ? schizoaffective, anxiety related to divorce/separation.
December 15, 2015 impression psychosis NOS r/a baseline anxiety resolved. (Ms. Moore is of the opinion that the date should read November and not December)
December 30, 2015 impression psychosis NOS not manic not psychotic anxiety secondary to stress of marital discord/separation.
January 11, 2016 impression psychosis NOS not mania not psychotic anxiety resolved improvement likely secondary to resolution financial/divorce related stress.
February 22, 2016 psychosis NOS remitted. Ms. Moore has called when stressed.
April 25, 2016 Ms. Moore informed the doctor of the negative effects of the medication on her.
Ms. Moore requested a follow up appointment that occurred on May 6, 2016.
Impression Bipolar vs psychotic NOS improved with Lamotrigine.
February 17, 2017 cancelled at request of client.
October 13, 2017 impression Ms. Moore's diagnosis is difficult to determine. Past diagnoses have included bipolar + schizoaffective disorder vs brief psychotic episodes. Preferred diagnosis is Brief Psychotic Episodes.
October 31, 2017 appointment offered and declined.
December 1, 2017 cancelled appointment.
December 4, 2017 Ms. Moore could not be offered another hour session.
April 11, 2018 notation by Dr. Saul stating that Ms. Moore would like to speak with him about the diagnosis he gave in 2013. Dr. Saul declined and redirected Ms. Moore to Dr. Mercer.

Nadine Crowley was involved with the family January 2016. She received a call from Dr. Chow for the family for support, with both parents "on board". The first meeting was with the parents on February 18, 2016. Ms. Crowley's role was therapeutic support to the children and to assist the parents in talking with the children with a smooth transition. Mr. Kiska wanted to tell the children about the separation and thought that a mutual statement may be appropriate.

The children were seen without their parents for five sessions. The parents were seen for four sessions, which Ms. Crowley describes as "abrasive and argumentative". Ms. Crowley last saw Ms. Moore on September 20, 2017, Mr. Kiska on December 19, 2017

and the children on October 20, 2017. The children were nice and stated that they were coping with the changes but they were not "keen" on talking about the separation.

Sean is described as a "gentle soul, protective of both parents, cautious, and deferred to Cate during the sessions. He was very affectionate towards his sister." Concerns regarding Sean were shared, as he tends to bottle his feelings up and has been aggressive at times. Sean shared that he was scared when the incident occurred at the Hilton. He felt that Ms. Moore was acting differently the four days he was with his mother. He added that his mother tries to get him to talk to her or anyone he would want to see. But he is not interested in counselling. Ms. Crowley stated that Sean is guarded and has refused to talk about other incidents with her.

Cate was quite open and engaged. She had difficulty with her self-esteem and threatened to run away. Cate shared the event that occurred at the Hilton. She shared that at home her parents would argue often and she would hide in her closet.

Ms. Crowley shared that Ms. Moore "blamed" Mr. Kiska for everything, including the misdiagnosis. The children shared that Ms. Moore shared negative comments regarding the father with the children, which was brought to Ms. Moore's attention and that she should not involve the children in the adult conflict. . Ms. Crowley added that Mr. Kiska presented as trying to be patient with Ms. Moore and was concerned about Ms. Moore's behaviors and how they impact the children.

The parents disagreed on how their saw the children. The family talked about life in general, the changes and what was going on with them. Ms. Crowley stated that "the children are working hard at staying out of the adult conflict".

Jennifer Borrel-Benoit, Principal at **Sir Winston Churchill School** shared Cate is not supported by an IEP. Ms. Borrel-Benoit shared that it is her understanding that Cate will be having a psychological assessment, as she displays gaps in learning, reading, comprehension and recall. The school has a social worker involved with the school, however, Cate is not involved with them. According to Ms. Borrel-Benoit, both parents have shared a lot of information regarding the ongoing adult conflict. She is also aware of the involvement of the Society.

According to Ms. Borrel-Benoit, there is a lot of social drama with students with Cate at school. Cate "appears sad and needs academic support". With regards to Sean, he doesn't share. Both parents adore their children. There have not been any concerns regarding hygiene and such.

WRITTEN REPORTS & DOCUMENTATION

Psychological Assessment Report
by Matheson Psychology (provided by Ms. Moore)
Date of Report March 27, 2018 regarding Cate Kiska
Cate is in grade 5 in French immersion. She has no IEP. The assessment indicates a "generally cohesive profile of cognitive abilities, ranging from high to low average, with the exception of Cate's Fluid Reasoning Skills, which were in the very low range". "Cate's academic achievement are generally the same as other children her age, with the exception of Math". She scored very low in Fluid Reasoning with 3 percentile, well below average 8 percentile in Math Fluency. Cate has significant struggles with inattention that significantly impacts her functioning at home and at school. "Cate's teacher reported that without significant and intensive one-on-one support, Cate would not be accessing the curriculum and meeting grade level expectations successfully". The report also indicates that Cate is described as increasingly withdrawing from the classroom discussions and group assignments. Additionally, it is noted that over the past three years, "Cate's challenges with inattention have increased significantly". Cate is described as anxious and having difficulty coping with big feelings and struggles with sadness and over-excitement. The report includes a number of recommendations to support Cate.

Sylvain Math and Reading Assessments (provided by the mother)
Cate was assessed on May 7, 2018. Cate's score for math was 8th percentile and 3.6 grade level. This means that her math skills at a grade 3 level, with 92% of other students performing higher. With regards to reading, Cate scored at the 27th percentile and grade 4.6. This means that 73% of students score higher than Cate within the same grade level. Sean's scores indicate 91percentile for reading assessment.

Eastern Ottawa Resource Centre provided information regarding their involvement with the Ms. Moore, who first accessed the program February 2018. She started meeting with a Violence Against Women Counsellor for individual support. At the time, Ms. Moore had attended three sessions, scheduled on a monthly basis. Safety concerns and legal bullying and gaslighting, among other topics were discussed and explored in-depth.

Ottawa Police Service provided information regarding the family.

April 16, 2013, the Ottawa Police was approached by a complainant in regards to Form 2. When located please contact the complainant and take to the Ottawa Hospital, Civic

for psychiatric evaluation. Ms. Moore was subsequently located and brought to the hospital.

July 3, 2014, police were dispatched to Lampman Crescent regarding a female hiding in the washroom from her husband, Mr. Kiska. Ms. Moore stated that her husband threatened by stating "I'm threatening you Deirdre". Ms. Moore wanted to see a physician. No charges laid and Ms. Moore was taken voluntarily to the hospital.

July 5, 2014, police were dispatched to Tim Horton's, as Mr. Kiska wanted to report Ms. Moore missing. Ms. Moore was discharged from the hospital today but did not return home. Ms. Moore was subsequently located in Quebec at a Bed and Breakfast.

July 8, 2014 the police were called to the Lampman residence where Mr. Kiska wanted to report Ms. Moore as missing and off her medications for Bipolar Disorder. The police spoke with Mr. Kiska, Ms. Moore and Dr Chow. Ms. Moore was cooperative with the police. Dr. Chow was called and Ms. Moore met with Dr. Chow. Ms. Moore was not formed. No charges laid.

July 9, 2014 the police were dispatched to Lampman Crescent. Ms. Moore stated that Mr. Kiska made threats towards her. The police found no grounds of threats. Ms. Moore had taken Mr. Kiska's purse and refused to return it. The police attended the bank with Ms. Moore who retrieved the purse from the safety deposit box and returned it to Mr. Kiska commenting that he took hers earlier. No charges laid.

July 9, 2014 the police were called by Ms. Moore to attend Tim Horton's. Ms. Moore feared for her safety and the children's while in the care of Mr. Kiska. No charges laid. Ms. Moore was not apprehended under the MHA. She wanted to attend the Civic Hospital. Mr. Kiska would be bringing the children to their maternal grandparents for a few days.

May 5, 2015, Mr. Kiska reported a kayak stolen from his dock.

May 26, 2015, Ms. Moore reported her laptop stolen from her workplace.

June 14, 2015, (may be a mistake and should be October 14, 2015) Police contacted Mr. Kiska as lead investigator related to Partner Assault. File. There was no further action in this file at this time. Ms. Moore had been admitted to the hospital voluntarily and diagnosed with schizoaffective disorder. Support services were provided to Mr. Kiska.

October 9, 2015; Mr. Kiska complainant regarding Ms. Moore taking the children without his consent or knowledge. The report indicates that Ms. Moore took approximately $10, 000 from the bank account on October 8, 2015 and has a lawyer do a power of attorney naming an old boyfriend from 15 years ago as her power of attorney. The children's passports, pillows and small amount of clothing were also taken.

Ms. Moore was located by the police and it was deemed after speaking with her that she was in no danger to herself or the children. The money was money transferred to a credit card and not cash. The police were in contact with Ms. Moore, Mr. Kiska and the children. No charges were laid.

October 10, 2015, Ms. Moore attended the police detachment to register criminal charges harassment charges against Mr. Kiska. Her children were with her. It was determined that the children were in good health, didn't appear to be fearful of their mother or the situation. The children were properly dressed and happily playing with their toy animals. Mr. Kiska was reassured that the children appeared fine. But because of the allegations of harassment, no other information could be provided. Ms. Moore returned to the detachment later. Ms. Moore shared that Sean wanted to speak with his father, so he contacted his father but she told Sean that he couldn't tell his father where he was. Sean was spoken to by the police and reassured. Sean stated that "he felt safe but would feel safer if he was at home with both his parents, in his own bed". Sean mentioned that his mother was talking to herself.

October 11, 2015, the police were called to Lampman Crescent. Ms. Moore had not slept in four days according to the father. She hugged her daughter hard to the point that her daughter stated that Ms. Moore was hurting her. The police spent a lot of time trying to negotiate a resolution. In the end, the parents chose status quo, with everyone staying home instead of attending thanksgiving supper at the paternal grandparents (both Mr. Kiska and Ms. Moore agreed that the supper was at Mr. Kiska's sister in law).

October 12, 2015 Mr. Kiska received a call from the hospital advising him that Ms. Moore had voluntarily admitted herself and would be there for 72 hours.

January 27, 2017, Ms. Moore attended the detachment to report fraud under $2000 by Mr. Kiska. The suspicion did not meet the threshold of evidence required for a criminal investigation.

March 12, 2017 police were dispatched to Ms. Moore's residence, who complained that Mr. Kiska and a disgruntled roommate had deliberately turned off her furnace. No

charges were laid and a repair person indicated that there was no tampering to the furnace just lack of maintenance.

July 20, 2017, Police were dispatched to 7 Vanson Drive. Ms. Moore was going through some difficult time and wanted to talk, which appeared to be what she wanted. Ms. Moore had been drinking as a means of coping. The police listened and left after a while. There was no reason to apprehend.

September 23, 2017, Ms. Moore contacted the police to provide them with information regarding Mr. Kiska and his activities such as hacking her electronics, placing a tin in the backyard, provoking her dog, picking her lock, and more. Ms. Moore had no evidence to provide and support her claims.

October 5, 2017, Ms. Moore called the police to report suspicious circumstances, such as Mr. Kiska entering her residence.

October 6, 2017, Ms. Moore dropped off what she believed to be evidence supporting her claims regarding Mr. Kiska. There is no evidence of a criminal offence.

October 7, 2017, Ms. Moore called the police regarding pop up messages and other issues that Ms. Moore reports involve Mr. Kiska.

October 9, 2017, Ms. Moore contacted the police to add information to a previous report. Ms. Moore also attended the detachment. Ms. Moore provided two binders. The constable wrote that all appears to be speculation and reading into events that take place. Her history shows that she suffers from schizophrenia. The constable believed there to be an underlying mental health issues and not a partner related incident.

October 11, 2017, Police attended Ms. Moore's residence, as the report will be considered final unless there is new leads. No safety concerns regarding the children at this time. Ms. Moore is open to seeing her psychiatrist.

October 29, 2017, Ms. Moore contacted the police regarding Mr. Kiska attempting to make her look crazy. She claims that Mr. Kiska is cyber stalking her, that he switched her account, and that there was a surveillance van parked outside, all in order to get custody of their children.

December 5, 2017, Ms. Moore contacted the detachment to share information regarding her electronics and Mr. Kiska hacking or getting someone to hack her electronics. Later

on this same day, Ms. Moore reported her two front tires had been deflated and she suspected that Mr. Kiska is responsible.

December 10, 2017, the police were called to Best Buy, as Ms. Moore was asked to leave the store and refused. This incident was regarding Ms. Moore wanting to return a laptop with the wrong receipt. Ms. Moore refused to leave or follow the police's directions, as such she was arrested for trespassing and resist. Her daughter was present for the argument and was crying. She was picked up by Mr. Kiska prior to the police arriving.

December 10, 2017, Ms. Moore contacted the detachment to clarify information, as she was afraid her husband would call and make a story about her making her look bad.

The Children's Aid Society of Ottawa provided information regarding their involvement with the family.

In March 2013 the school reported that Ms. Moore had attended the school to pick up the children and the school staff were concerned that Ms. Moore was presenting with mental health issues. During the investigation, Ms. Moore was taken to the hospital and formed for 72 hours. She received a potential diagnosis of Bipolar Disorder. On April 6, 2013, Ms. Moore was admitted to the hospital and remained until May 30, 2013 on the psychiatric unit. Ms. Moore had taken the children without proper clothing for the weather and refused to return to the family home. She was diagnosed with atypical bipolar disorder. The doctor at the time reported that there were no concerns for Ms. Moore or for her children. Mr. Kiska was acting protectively for his children. The file remained open on an ongoing basis until October 2013. The parents were accessing supports and resources.

On July 3, 2014, the Society received a report that Ms. Moore was brought to a local hospital and presenting with unstable mental health. The Society contacted Mr. Kiska who shared that he understands Ms. Moore's mental health cycles and that at no time would he allow his children to be in an unsafe situation. An investigation was not pursued.

On July 9, 2014, the Society received a call from Ms. Moore informing that she was fearful for her life and the life of the children. The police were also on the line and advised the Society that Ms. Moore wold be brought to the hospital for an assessment. Mr. Kiska was contacted and advised the Society that Ms. Moore had been released from the hospital on July 3. Ms. Moore did not return home and the police received a missing person report file by Mr. Kiska. Ms. Moore was located by the police and

presented as well and not formable. After a number of calls to the police, it was arranged for Ms. Moore to meet with her family physician. However, Ms. Moore was formed by the Ottawa Police before she could meet with her physician. Mr. Kiska was protective of the children and continued to ensure that the children were never left alone with Ms. Moore.

On October 9, 2015 the Society received a report from the Ottawa Police advising that Ms. Moore taken the children and their belongings, including their passport and $10,000 and left without telling anyone. The police were aware of Ms. Moore's mental health problems and added that they formed her on four occasions between March 2013 and July 2014. Ms. Moore was located and returned home October 11, 2015. She was subsequently formed, although she was in agreement to stay in the hospital for treatment. The Society investigated and the children shared that they were frightened. They were unharmed. Mr. Kiska shared that he was concerned that Ms. Moore was not accepting her diagnosis of Bipolar Disorder and that she wasn't compliant with her medications. Ms. Moore was subsequently released and remained in the family residence but in the basement, as she and Mr. Kiska were in the process of divorcing. Ms. Moore advised that she was aware of "red flags" and would know when she needed to seek professional help. The Society verified that the children were being impacted by Ms. Moore's mental health, but the file was closed, as Ms. Moore was taking her medication and participating in out-patient psychiatry.

November 2016, the Society received a report from a community professional that Ms. Moore reported that Mr. Kiska was engaging in controlling behavior towards her and had also sexually assaulted her when the children were present in the home. Ms. Moore was concerned that Mr. Kiska was making deliberate attempts to undermine her mental health. The Society completed their investigation and did not find that Ms. Moore's mental health was impacting the children, rather it was noted that she appeared to be stable and her doctor has written a letter to that effect. The children reported some arguing between their parents, but did not describe being impacted by the arguments. The file was closed February 2017.

May 2017, received a request for legal disclosure.

September 2017, Ms. Moore contacted the Society to request support regarding issues related to Mr. Kiska and him "trashing her reputation".

October 19, 2017 the Society was contacted as Ms. Moore attended a local hospital with her children at 05:00, and had been formed, as she presented as psychotic and paranoid. Ms. Moore did not want the children to be returned to Mr. Kiska. Her plan was

to go to a local shelter with the children. The Society contacted Mr. Kiska who attended the hospital to pick up the children. The Society requested that Mr. Kiska contact them should Ms. Moore try to get the children back prior to being assessed to make sure that she is well enough to care for them. Mr. Kiska agreed.

Ms. Moore has a diagnosis of Bipolar Affective Disorder Type 1 and it is noted that she does have paranoia that usually revolves around Mr. Kiska. It was also noted that there is ongoing contentious custody dispute between Ms. Moore and Mr. Kiska, with allegations made by each on a regular basis. The children did not disclosure any safety concerns when in their mother's care, and Ms. Moore was in agreement to contact Mr. Kiska to come and pick up the children when needed. The file was closed January 2018.

Sir Winston Churchill School provided the children's academic information.

Sean is presently in grade 6, in French immersion. According to the report card, Sean has many strengths and abilities. He is noted to have some difficulty with organizational skills, and he is "not able to work without supervision or follow direct instructions during independent work periods." His grades vary between B+ and C-. He was absent for 5 days and late for 13. In grade 5, Sean was late 8 times and absent for 7 days. His grades ranged between A- and C. Although there are positive comments, much of the teacher's commentary is to encourage Sean with his organizational skills, maintain on task, completing work, etc. In grade four, the comments are positive and somewhat contrary to the comments for grade five. He was late for 7 days and absent for half a day. His grades range between A and B-. The comments in Grade 3 are positive with 4 late days and 2 absent days. His grade range between A and B. In grade two Sean was late for 3 days and absent for 6. The teacher has made many positive comments and has added that at times Sean needs to focus and remain on task. IN grade one, Sean was late for 4 days and absent for 14 days. His grade varied between A and B- with positive comments.

With regards to Cate, she is grade 5 in French immersion at the same school as her brother. She was late for 16 days and absent for 2.5 days. Her grade range between B+ and C. Although Cate appears to have some challenges, her teacher has positioned the comments in a positive way. In grade 4 Cate missed 1.5 days and was late for 9 days. Her grades ranged between B+ and C. The comments are positive even though Cate has some challenges. In grade 3, Cate missed 1.5 days and was late for 7. Her grades range between A and C+. The comments are positive even though Cate has some challenges. Grade 2 and 1 are similar with positive comments and no outstanding lates or absences.

Court File No.: FC-15-2446-0000

ONTARIO SUPERIOR COURT OF JUSTICE,
FAMILY COURT

BETWEEN:

JONATHAN WILLIAM KISKA
APPLICANT

-and-

DEIRDRE ANN MOORE
RESPONDENT

AFFIDAVIT AND REPORT
OF THE CHILDREN'S LAWYER

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