

I Diane Nicol of 3995 Armitage Rd., Dunrobin Ont. make oath and say:

Kathy Ross and her two children lived with me from December 3, 1994 until June last year (1995). This affidavit contains my impressions and recollections of that time. I did not "log" events and incidents. I was not intending to become involved in Kathy's custody battle with her husband. If anything, I tried very hard to be uninvolved.

This statement is not a neat package of provable "facts". While Kathy lived with me, I felt extreme distress and anxiety about her emotional state and real worry about the well being of her two daughters. I was not prepared for the impact Kathy would have on me and my children or for the kind of emotional support Kathy needed during that time. Eventually, I had to ask her to leave. It was difficult, because I cared very much for her but I could not continue to provide the kind of emotional support she needed, and I could not expose my own children to this living situation any longer.

I am not a "professional"; I was only a friend. I found Kathy's drinking unbearable. While Kathy told me she finally felt "safe" when she moved in with me, I, on the other hand, felt overwhelmed. Drinking had a profound effect on Kathy's mood; her ability to "be there" for her children and to properly supervise their care in the evenings. This was a regular occurrence. I was upset enough to need the support of my own other friends to get through that period. One friend suggested calling Children's Aid within the first month of Kathy living with me, and urged me to put friendship aside in the interest of the two Ross children. I ended up calling Children's Aid on April 13, 1995. Another friend refused to allow her son to go in the car with Kathy to buy a Christmas tree, since she knew from conversations with me that Kathy was drinking and taking tranquilizers. When I visited my parents at Christmas that year (1994), my parents urged me to have Kathy leave my home right away.

I still cannot understand how all the many professionals in Kathy's life at that time could not see that Kathy was under extreme pressure and was having an extremely difficult time coping. It was obvious from her physical condition that she had reached an emotional breaking point and was desperately trying to hold everything together.

I was tired of baby-sitting while Kathy went out -- sometimes she disappeared as soon as she put her kids to

bed. One night, I was woken up by her mother who had been called by the police (early January 1995) because Kathy's car had been found abandoned in the ditch. I was surprised to learn she was gone, leaving her children in my care. Especially so, since Kathy had been drinking that evening. Soon I learned not to be surprised by Kathy's sudden departures in the evening after drinking.

I saw this woman shrink from a healthy, smiling, vivacious person into a fear ridden, 90-pound skeleton of anxiety -- over a very short time. I should have known before she moved in that there was a problem that was too big for me to live with. Before Kathy moved in, she asked me to help her do an inventory of her home. Kathy offered dinner. Instead, I did the inventory alone and got her kids to bed while (she) Kathy drank to drunkenness and was on the phone most of the evening with a friend. We ate at midnight.

The day Kathy moved in she was unable to cope with the children and the movers. Instead of looking after things, Kathy had lost her tranquilizers at a friends home where she had stayed the night. I was left with caring for her children and supervising the move into my house and setting up a lot of Kathy's furniture. Kathy was gone for hours.

Drinking was a serious problem for Kathy. I cannot say exactly how much and I cannot prove how often. I know I found Kathy's drinking a definite intrusion in my life and I was not prepared to live with it any longer than I did. Drinking made Kathy unreliable and even more upset than she was to begin with. It made my home life difficult and early on I decided I couldn't count on Kathy to drive without drinking. I did not want my children ever put in that situation.

Kathy was not in my home much during May, so all of the events occurred over a short period -- December (1994) to around the end of March (1995). In April (1995), she made a real effort to get herself together and make some positive changes. Whether she was successful or not, I don't know. I haven't seen her since the night she arrived to pick up her dining room table. I came home just after to find that in the process she had let all three dogs out of the house and made no attempt to get them back before leaving. They were running loose.

Specifically, this is what I saw:

Kathy met the physical needs of the kids in spite of drinking. They were clean, well-dressed and well-fed. No

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matter how much she drank the night before, she was up with those kids for school mornings (with the one exception noted below). By the time I got home in the evenings (approximately 6:30), Kathy's drinking was under way, but she kept to the schedule of baths and bedtime. The children's mealtime was erratic, anywhere from 5:30 to 8:30 p.m. I grew to know when Kathy had been drinking. Drinking created a mood change. She lost her focus; her speech became slurred. I can't prove how often this happened; I just remember it happening regularly.

Several times Kathy left the house as soon as the girls were put to bed. Naturally, this meant that I was responsible for the girls. While she offered to look after Melanie (my daughter), I wouldn't do it because I could not leave my daughter in Kathy's care, knowing that Kathy would spend the evening drinking and on the phone. The one time I decided to take her up on it, I came home to find Kathy too drunk to be responsible for even her own kids, let alone mine. The friend I had intended to go see, instead stayed at my house, and together we supervised Kathy's children as well as my own.

On January 9 last year (1995), I woke up with three police officers in the house looking for "intruders". There were none. Kathy had hallucinated due to tranquilizers and alcohol. That same week Kathy called an ambulance because of her reaction to not taking tranquilizers. She was sent back home from the hospital. The day after the "intruders" event, I took the day off work to take Kathy to her psychiatrist and her doctor. The end result of all this was that Kathy was sent home with a case of liquid food supplement. And Kathy managed to get a drink in between doctor appointments. I smelled it on her breath and when I asked her about it, Kathy admitted she had been drinking. Another night, Kathy left without telling me and was not back in the morning. So when her kids got up, I looked after them and got them off to school and when they asked me where their mother was, I could only tell them I did not know.

In February last year (1995), I decided I had to talk to Kathy about her drinking. As altruistic as this might sound, my real motivation was to get her on the road to help herself because I couldn't take the disruption any more in my life. Moreover, I was getting very worried about her children, and at that point, I did not believe they should be in her care on a full-time or half-time basis. I felt terribly torn because I did not want to hurt Kathy, and although Kathy seemed to feel the situation was fine for her children, I did not feel it was fine for my child to

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experience the stress Kathy had brought into my home. In fact, my daughter started to develop problems, and the social worker at her school told me that Melanie's stress was due to Kathy and her children, and that my daughter was extremely angry at me for not doing something about changing this.

I gave Kathy a copy of an article I found about children of alcoholics (attached). I explained that several points in the article applied to her (as far as I was concerned). Kathy agreed, and it hurt her a lot to admit it. Yet, although Kathy knew that her way of dealing with stress was damaging, she felt that getting help and admitting to her problem would look bad in her custody/separation fight. I felt real compassion for her situation, but could no longer in good conscience be "silent" about it or live with it. Hilary has real behavior problems that were noted by everyone who met her and needed to be addressed. Hilary required constant supervision which of course could not be provided by Kathy. And while Kathy could see how Hilary would behave, her own needs were such that Kathy simply had little or nothing left.

My neighbor noted that Hilary would knock on her door looking for someone to play with in the afternoon and would tell her that Kathy was sleeping. When Kathy made a trip to England in March last year (1995), Hilary knew nothing about her mother going away for over a week until we were on the way to the airport. Khierstyn had to be told by her father the next day. Typically, Kathy counted on me to look after Hilary that evening without telling me. Kathy had been sleeping when I arrived home to take her to the airport, and Hilary had been left to play unsupervised in the afternoon.

Apparently Hilary was outside in the middle of the road. At that time of year, the river (a one-minute walk across the road) is particularly unsafe as the ice is rotting. I would never leave a child that age with her particular behavior patterns, unsupervised. Although the round trip to the airport was over an hour, Kathy had not fed Hilary before leaving for a 6:00 p.m. flight (Kathy was asleep until just before I came home; in fact; she nearly missed the flight), and although Kathy asked to stop in the grocery store for a coke and cigarettes, she gave Hilary nothing and refused to give Hilary a drink from her pop can. Again, alcohol was a big factor. Again, I took care of the loose ends.

On December 23, 1994, I arrived home to find my son (home for the holidays) and a friend, trying to dig Kathy's

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car out of the ditch. Kathy had backed out of my driveway, straight across the road into the ditch taking my mailbox with her. Kathy got out of the car wearing dark glasses and said she couldn't see the end of the driveway. Since it was dark out, I could see why. Kathy was clearly drunk. My friend noticed it and we both talked her out of driving her car that night. Kathy had fully intended to do so.

When it comes down to it, if I wasn't watching Kathy's kids in the evening, nobody was. The back storage room was trashed regularly. I had expensive art supplies and other materials scattered and broken. Boxes were knocked over; their contents strewn everywhere. Not once that I know of did Kathy reprimand the children or induce them to clean up the mess. On one occasion, I found the sharp blades of a craft knife scattered on the floor where the kids were playing. The day we learned that her older child had shoplifted at the grocery store, I insisted that Kathy talk to the girls and suggested consequences. There were none.

While I had no interest in monitoring Kathy's volume of alcohol intake, I was pretty stunned to see that she was on her third large bottle (1.75 Litre) of rum in only one week. Volume at that level got my attention. After my alcohol discussion in February 1995, when the rum bottles disappeared; wine bottles came in -- usually at the rate of one per day. And I found a small bottle of rum under the couch cushions one day.

I took my daughter out for dinner and a movie one night. I got home at 9:30 to find both Kathy's girls up and running around and Kathy dead asleep on the couch. Kathy cancelled going to her (1994) children's Christmas concert at the last minute, in spite of promising to attend. She decided to go out on a date instead. From week to week, the kids were never sure if they would attend their dance classes or not. In the spring Kathy got the girls signed up for soccer, but was in such haste to attend to her own needs, she left the girls unattended at the soccer field and they did not have any idea of where to go or what to do. A friend of mine spoke to me about it because she was upset by this event -- she not only organized the two girls onto their right teams, but found herself chasing Hilary all over the place as Hilary kept taking off into the parking lot.

I spoke to Kathy about that event. Knowing Hilary, I was surprised Kathy would have left her to fend for herself. Kathy's response was to criticize my friend for being "self-righteous" -- and Kathy painted a lot of my friends with the

same brush -- we were all too uptight and conservative for her because we did not agree with the way Kathy parented.

Early in 1995, Kathy decided to change schools for the kids from the Catholic school board to Torbolton public school. One night Kathy angrily told the girls they were going to a new school. The day they were to begin at Torbolton, she told them they were still going to the old school. Personally, I think with all the change and stress in the children's lives, it would have been better to prepare them more for these abrupt changes.

The only time I saw Kathy really enjoy being with her children was last February (1995) when her friend Bernie from England came to stay. The two of them took the girls out on several outings and I have not seen Kathy that relaxed and happy the entire time she lived with me. But when Bernie left, so did the relief.

Kathy's emotional state needed attention, not a cover-up. I was only one of several people -- many of them seeing her professionally - who was in contact with Kathy regularly. Kathy was a nervous wreck -- she was a skeleton for months. The fact that she was on the edge seemed to be overlooked by everyone she was with. She needed help desperately. Lacking any useful assistance from anyone else; I guess she relied on the methods she could apply herself.

I really have to question the whole process she was locked into when her fear of losing her children forced her to desperate measures to hide her difficulty coping and to put such unreasonable pressure on me and my family. I was a casual friend catapulted into a situation I was not equipped to deal with and could not get out of without appearing to be a "traitor". I gave compassion, caring and friendship until I could give no more. I remember feeling very strongly, that the biggest favor anyone could do for Kathy and her children, would be to let them live with someone else for awhile and let Kathy recover her stability.

She had a powerful desire to get her life in order and become a caring, loving parent. If she didn't, I wouldn't have found it so difficult to speak up. Another eye-opener came when Kathy's lawyer asked me about the statement I had prepared for Bill. There was only one point to the conversation: could I damage Kathy's "case" in court or not. Once again, the real point was missed; are Kathy's children in the best possible situation and what help should Kathy get now so that she can become the parent she desperately wants to be.

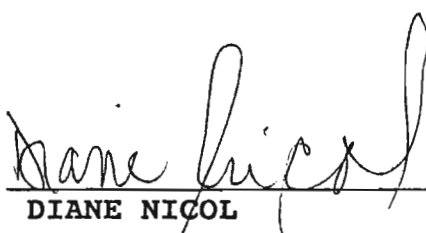
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I don't know much about alcoholism. But I found myself increasingly asking people about it while Kathy lived with me. Based on what I learned from other people, there is no question in my mind that Kathy certainly was an alcoholic. She was not a casual or social drinker -- she drank to excess whenever she drank -- there wasn't any cut-off point. I don't question the fact that she was in severe emotional and psychological pain -- I believe she was. And unless those personal problems are addressed, I don't see how Kathy can provide the kind of emotional support her children need.

SWORN BEFORE ME at the City of Ottawa, in the Regional Municipality of Ottawa Carleton, this 19th day of January, 1996.


A Commissioner, etc.

"Peter Brian Sherlock, a Commissioner, etc.,
Province of Ontario, for Hamilton / Appotive / Callan,
Barristers and Solicitors.
Expires: July 8, 1997."

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THIS IS EXHIBIT ^E.....
TO THE ^{MOTION} AFFIDAVIT OF.....
^{BILL ROSS} SWORN
BEFORE ME THIS ⁵ DAY
OF ^{FEBRUARY} 19 ⁹⁶



"Paulette Georgette Archanbau, a Commissioner,
etc., Regional Municipality of Ottawa-Carleton, for
Government of Ontario, Ministry of the Attorney
General.
Expires December 28, 1996."

THIS IS EXHIBIT TO THE
AFFIDAVIT OF Diane Nicol

SWORN BEFORE ME THIS 19th DAY

OF January, 1996.


A Commissioner, etc.

"Peter Brian Sherlock, a Commissioner, etc.,
Province of Ontario, for Hamilton / Appotive / Callan,
Barristers and Solicitors.
Expires: July 8, 1997."

Many fathers find having a daughter a very satisfying and rewarding experience until she reaches adolescence. Then he must deal with his daughter's sexuality and curb any incestuous thoughts he may have. Oftentimes a father is possessive of his daughter because he is sexually aroused by her and wants no other man to have her. He will forbid his daughter to date or will be horrified when she wears anything that is the slightest bit revealing.

Some parent's possessiveness comes from a need to protect their daughter from harm. For example, if they themselves were sexually abused as a child, they may assume that all men are capable of sexually molesting their daughter. Some men who have these impulses themselves or who have been promiscuous or used women sexually assume that every boy who dates their daughter is going to use her sexually.

Other parents do not want their daughter to grow up because they want her to be available to take care of their needs. These parents may not have gotten their needs met by their mothers or spouses and may in turn expect their daughter to meet those unmet needs. Still others become too attached to their daughter because they are widowed, divorced, or having difficulties with their spouse. If a parent treats his or her daughter like a confidante or a friend, he or she is being abusive. It is not a daughter's role to make her parents feel good or listen to their problems (sexual and otherwise).

The Overcontrolling Parent

Overcontrolling parents will attempt to control not only their children but their spouse as well. They behave in inflexible, even cruel ways, expecting everyone in the family to bow down to them and do as they say. This type of parent believes strongly in rules and obedience and that parents' authority should never be questioned—no matter what. They attempt to dominate their children completely, needing to feel in control over others in order to feel powerful and important. Often raised by overcontrolling parents themselves, they are often venting the anger they could not express to their own parents onto their children.

CAVE THIS TO CATHY.

A girl growing up with an overcontrolling parent hears a barrage of commands, orders, and suggestions about anything and everything—what foods to eat, how to eat them, what clothes to wear, what classes to take in school, what boys to date. She will not be allowed to make her own decisions and any that she does manage to make will always be considered wrong.

Kim's father had to be in control of everything that went on in the household: "My mother and I couldn't do anything without checking with Dad first. We had to ask permission to buy clothes and then when we returned from a shopping trip he had to see all the receipts. He always had to meet all my friends and when I got older he would interrogate my boyfriends before he'd let me go out with them. He was the one who decided what college I went to and even what I majored in."

The Abandoning, Rejecting Parent

Parents can abandon their children physically (leaving them solely in the care of babysitters, leaving them home alone, having them wait in the car for hours at a time, forgetting to pick them up at the movies, or because of a divorce, leaving the house and seldom seeing them again) or emotionally (being emotionally unavailable to their children, depriving their children of the necessary attention, affection, and encouragement they need).

Parents who escape into alcohol, drugs, sleep, television, or books also abandon their children because they are essentially not there for them emotionally. Elizabeth told me the painful story of how it felt to be raised by a mother who was detached from her: "My mother is just never present, if you know what I mean. You just can't connect with her. When I was a child it was extremely painful to be around her because I always felt so empty and alone even in her presence. She didn't take an interest in anything I did or listen to anything I ever said. She reminded me of a ghost sometimes, kind of floating around, never really touching ground. Most of the time she had her head stuck in a book, off in some fantasy world. In many ways I feel like I never had a mother. Instead I had this robot who would cook for us and clean the house and do the laundry but couldn't really talk to us or hold us."

1 SHOWN THIS TO CARY.

destroys the child's self-confidence, damages her self-esteem, thwarts her natural curiosity and sense of discovery of the world, and takes away her spontaneity.

The Alcoholic Parent

Alcoholism affects one out of every 10 Americans and there are an estimated 28 million children of alcoholics. Because of these numbers we know that a great deal of those who were emotionally abused as children were from alcoholic homes. Children of alcoholics are emotionally abused in a number of ways, most notably by being neglected physically and emotionally, abandoned, and verbally abused, by having to take on responsibilities before they are mature enough to do so, and by suffering unpredictability and a chaotic home environment.

The alcoholic parent is emotionally unavailable to his children most of the time, especially when he is drinking. Children of alcoholics are deprived of love and stability, for it is impossible for them to get their basic needs met by either the alcoholic parent or the codependent parent. Neither is able to give their child the love she needs. In addition, alcoholics are unpredictable, since they typically undergo an extreme behavior change when they begin to get drunk. Because of the chronic distress in an alcoholic family, children become hypervigilant, anxious, and chronically afraid.

Joyce experienced her mother's emotional unavailability, unpredictability, and verbal abuse when she was drunk:

I looked forward to my mother coming home from work. I was a latch-key kid with no other siblings so I was really lonely. But from the time she got home she began to drink, and she continued to drink all night long until she finally staggered to bed. Sometimes she was a happy drunk and we'd sit and watch TV, even getting up and dancing to some of the old musicals together. But other times she began to get extremely critical the more drunk she became. She would start to pick on me, complaining that I never did anything around the house, or I didn't respect her enough, or I was getting too big for my britches. It was hard to respect someone who was slurring their words, falling over, or knocking over lamps.

When I was in high school we would get into verbal and physical fights because I didn't respect her and wouldn't automatically do what she said when she was drunk. If it didn't make any sense to me I wouldn't do it. Often, when she would start one of her tirades I would go into my bedroom to get away from her but she wouldn't leave me alone. She'd keep coming in and yelling at me until I would finally break down in tears. Then she'd get all sentimental and try to be close to me, giving me sloppy kisses. In one evening she could go from being jovial, to critical, to abusive, to overly sentimental.

Alcoholic families foster every kind of abuse. Because alcohol lowers inhibitions, physical, sexual, and emotional abuse are commonplace in alcoholic families. Some estimates say that two-thirds of adult children of alcoholics are physically violated and that 50 percent of incest fathers are alcoholic. Children of alcoholics are dragged into bars, driven around by a drunk driver, left in cars all night outside bars, exposed to and sometimes left with strangers of questionable backgrounds and intentions, and given alcohol or drugs by their parents.

Children of alcoholics grow up watching one out-of-control person trying to control another. They get caught up in the needs of both parents and thus become codependents. Codependency is an unconscious addiction to another person's dysfunctional behavior or a tendency to put other people's needs before your own. Children of alcoholics are robbed of their childhood since often they are required to take care of their alcoholic parents as well as their siblings and the household. Many adult children of alcoholics are plagued by a sense of failure for not having been able to save their parents from alcohol and some blame themselves for their parents' drinking.

There is very little real discipline in an alcoholic family. Instead of disciplining a child for misbehaving or in order to help the child improve, parents discipline out of irritation and rage about their own life. Most of the time it has nothing to do with the child. Without proper discipline, children grow up with poor impulse control, insufficient boundaries, and little willpower. This sets the stage for them to suffer from alcoholism, drug abuse, compulsive overeating, compulsive gambling, and other compulsive and addictive behaviors.