

## **On deaf ears**

**By Jessica Bell**

*This article is written under anonymity for the respect of the subjects involved and for legal purposes.*

Michelle Stein is like many single mothers. She works full-time to provide for her daughter, dinners are at five and consist of something quick - like waffles - and the pride she takes in her child is displayed in her home like art in a gallery; photos of Tessa, a Little Tyke kitchen set, a puzzle spread out on the floor. But in one particular way Stein isn't like other single mothers. She is fighting to keep Tessa safe from her father.

Two years ago Stein came home following a long day of work at a daycare in Victoria. She unpacked her things and hung up her coat when Dean Thornton, her fiancé, approached her.

"I need to talk to you," he says. "I masturbated today."

At the time Stein and Thornton were attending couple's counselling. They had been together for three years, but Thornton's battle with depression and his chronic need to masturbate had unhinged their relationship. The counsellor had told him that in order to maintain a level of intimacy and trust with Michelle, he would have to control his urges.

That day, Stein looked into the bedroom; Tessa, 1, was sleeping beneath the covers in their bed.

"Was Tessa in bed with you?" she asked.

"Yeah," he replied. He had no reaction.

"You don't see anything wrong with that?"

"No. Why would I?"

The next day she left Thornton. She takes Tessa with her.

The following January, Tessa - almost two years old - arrived home after an evening with Thornton's parents. She wore pajamas and her diaper was wet, so Stein went to change her. Her daughter was red from her vulva to her bum, said Stein, as though she had a terrible sunburn. Her perineum was also torn.

Stein asked her daughter what happened, and Tessa replied that it was Santa who had

hurt her. Confused, she asked again. "Tell Mommy what really happened, Tessa."

"Daddy owie 'gina," she said.

After putting Tessa to sleep, Stein stood at the kitchen sink scrubbing dishes relentlessly. Her face flushed red like a hot iron and she could feel the heat spread beneath her skin. Thoughts crowded her mind; *you can do whatever you want to me, but you can't do that to my kid.*

She believed she had mended the missing pieces of her life together when she left her fiancé, but now those pieces had come unhinged. After speaking with a friend, a social worker, Stein called 310-1234 - the Child Abuse Prevention Helpline in B.C.

The University of Victoria (UVIC) Sexual Assault Centre states that one in three females and one in six males in Canada will encounter some form of sexual abuse before the age of 18. The assault centre also states that 80 per cent of all child abusers in Canada are the father, foster father, stepfather, a relative or a close family friend of the victim.

Papers in file folders and binders are stacked 12 inches high on a shelf in Stein's living room next to framed photos of Tessa. The documents contain multiple disclosures - accounts of Tessa's behaviour indicating she is being sexually abused. Stein, a certified early childhood educator, knows the warning signs of child abuse and reported two of Tessa's disclosures to the Ministry of Child and Family Services (MCFD) herself. With other accounts from two social workers and counsellors, MCFD has 15 disclosures on record involving Tessa and her father.

Stein went to court a week after she first called the help line, and Thornton's visitation rights were suspended. The MCFD contacted the Saanich Police Department, which then investigated the allegations made by Stein through interviews with Thornton and his mother. They also conducted an interview with Tessa, but found no conclusive evidence that proved what Stein believed was actually happening. Rather, Stein said, the department believed she was coaching Tessa to say she was being abused.

And so, every second weekend Tessa packs her overnight bag on a Saturday morning to stay with her Dad and doesn't return until Sunday before dinner. Thornton takes her to swimming lessons on Mondays and every Wednesday she eats supper with him. For Stein, it's a recurring nightmare. She may have sole custody of her daughter, but she is

powerless when it comes to protecting her from the person she believes is causing her harm.

To help Tessa cope with what Stein believes to be sexual abuse, she attends play therapy with a counsellor – a type of therapy that allows children to express their feelings and experiences through play. One day Tessa was in session with her counselor while Michelle sat at the back of the room. The counselor draws two separate houses on a piece of paper; one house is Mommy’s, the other is Daddy’s. He explained to Tessa that she has two different homes, and then the counselor draws tears on Daddy’s face (Tessa told her in a previous session that her Daddy cries sometimes when she’s with him).

“Why is Daddy crying?” He asked Tessa.

“Because I told him about hurting my ‘gina’ and pinching my nipples.”

The counsellor filed this disclosure, and several others, with MCFD (a requirement by law under the Child, Family and Community Services Act), adding more documents to the stack in Stein’s living room.

Stein’s presence during many of the play therapy sessions was the counsellor’s preferred method of practice, but several months ago after he filed the disclosures, Stein was informed by her social worker that none of the reports the counsellor made – including the disclosure about Tessa’s dad crying – were credible.

“They [the ministry] think my mere presence is enough to intimidate [Tessa] into saying what they think I’m coaching her to say,” explained Stein. “The belief is that children don’t make these things up unless they’re being coached, and she’s not.”

StatsCan reported that in 1998 only 0.79 per cent of all reported cases of child maltreatment (including neglect, physical, sexual and emotional abuse) were false. And although the statistics support Stein’s beliefs, she still waits by the phone for a call from the MCFD. Any recurring feelings of hope and trust in the justice system that she has are subsequently followed by a series of letdowns.

“Every time Tessa discloses to somebody new I get hopeful. I think, ‘they have to listen now, we’re over five disclosures, 10, 12,’ but I keep waiting,” she said. “I’m walking on eggshells and I feel like I could explode.”

She believes the Saanich Police Department made a mistake when first investigating Tessa's case. In particular, the close relationship between her ex-fiancé and his family with the department led to the denial of Thornton's true capabilities. According to Stein, Thornton's family is well liked by community members and the police department in the area, as they have been a part of the community for many years. "Money talks," she said. "And I don't have much of it." This theory is the only one Stein can posit that explains why – for the last two years – her concerns and Tessa's disclosures have been ignored.

Stein answers the front door wearing her pink flannel pajamas; it was pajama day at the daycare, she says, offering an explanation. Tessa is wearing her pajamas too – a pink nightgown and tights.

Stein mixes batter in a glass bowl at the kitchen counter. "Waffles for dinner!"

As the batter sizzles and steam rises from the waffle iron, Stein recalls the day Tessa was born – Feb. 9, 2007. "I watched her being born in a mirror; her head was so fat and round," she remembers. "When I saw her chubby little face I started crying."

She flops the hot waffles on Tessa's plate and pours the warm maple syrup into the grooves of the waffles, making maple syrup puddles. She then cuts them into square pieces – Tessa's preference – just big enough to put a fork through.

She sits down across from Tessa and sighs. Dark half-moons hang below her brown eyes. There are dishes in the sink that haven't been cleaned; laundry is strewn across her bed and needs folding. Stein is a part of the 81 per cent of singly-parent families headed by women (StatsCan 2004), and she is a part of the 64 per cent of single mothers who work full-time to provide for their children. Above all else, she is tired. Right now, a quart of Ben and Jerry's ice cream would suit Stein just fine, but when Tessa wanted Dora the Explorer fruit snacks, the ice cream went back in the freezer.

After dinner Stein and Tessa sit together on the couch. Tessa flips her hair back to show a sparkling stone that sits in her ear. She got her ears pierced a few weeks after convincing Stein that, "I'm three-and-a-half, almost four, Mom. I can get my ears pierced; they're my ears!"

They cuddle and Tessa rests on Stein's chest. She pretends to play shy and then attacks her mom with kisses covering her entire face.

“Mommy, you love me a lot?” she asks.

She already knows the answer.