

Ontario
Superior Court of Justice

BETWEEN:

GAIL HERRINGTON

Applicant

-and-

IAN HARVEY and LAURENTIAN BANK OF CANADA

Respondent

AFFIDAVIT OF IAN HARVEY

- 1) **Jonathon Peter Harvey, of the City of Edmonton, in the Province of Alberta, MAKE OATH AND SAY:**
- 2) I am the son of Ian Harvey, respondent, and Gail Herrington, applicant, and have personal knowledge of the matter herein after deposed. I have reviewed Gail Herrington's Supplemental Affidavit.
- 3) **Paragraph 18** I have never seen any violence by my father towards my mother. I have overheard phone arguments, but nothing that I can remember specifically. To be honest I would say that Rick was always the more aggressive. It is also a fact that my mother left with Rick. The two of them had an affair before leaving the home and it was told to us when we were young quite openly by my Mother and Rick. **Paragraph 22** I have no memory of violence towards my mother by my father.
- 4) **Paragraph 23** I do not believe that my living conditions with Father had any negative effects on me. To be honest it was a break going to my father's on the weekends from living with Rick. I would say that my Father and I had some rough patches, but he was a single father having to deal with a teenage boy. This would be after I was kicked out of my Mother's home by Rick, days after I graduated Grade 8. I have no memory of any spousal abuse by father.

- 4) I do believe. however, there were negative influences living in my Mothers home. There was a constant hate for my father, and an attached hate towards myself and my sister by Rick, simply because “we were his children”. I remember him yelling at me for, what really seemed like hours, telling me that it was my fault that I was Ian’s son. Trying to defend myself was impossible because he would continue to ramble on because he was drinking.
- 5) The drinking was daily and I remember when we lived on Field Crescent, in Ajax, Rick had an entire wall stacked with 24 empties of Canadian. He would rage about the most random things and make us stand in one spot to scream at us. If we actually did something wrong it would be even worse. The belt was when we really messed up. They used food to punish us as well. To this day I can’t smell or taste marmalade or anything close. It makes me gag instantly, almost vomit. He used to force us to eat the things we didn’t like as punishment.
- 6) I think I spent half of my childhood grounded, which to Rick meant not being able to get off my bed for hours, sometimes full days. Isolation was a big thing. I don’t have a lot of memories of just being in the same room with my mom and Rick. When Rick was not home I spent time with my mother which was nice, but as soon as he got home I was sent to my room. I would eat alone, and spend my time after school alone. For a long time I wasn’t really able to leave the house either, other than school. I also remember while eating alone, my mom and Rick would have Swiss chalet or McDonalds, and we would be isolated in the kitchen while they ate in front of the TV. We would be given something different, like left overs.
- 7) As I got older and I was able to leave the house, I would even if I didn’t have anywhere to go. Some days I would literally walk around Ajax aimlessly, just so I didn’t have to be stuck in that room. I was not able to use the phone, the kitchen or the satellite TV. That was Rick’s. I got a black and white TV with bunny ears that got maybe 4 or 5 channels on a good day.
- 8) I would say as a whole my living conditions were emotionally strenuous and lonely. I still deal with depression and anxiety that I feel developed while living in those conditions.
- 9) My mother was always very timid and shy, she really was nice, but Rick controlled her and he was crazy, and both were often drunk.
- 10) My dad may not be perfect, but I don’t think I would be where I am without him.
- 11) **Paragraph 24** My Mother and Rick were living together before they moved out of the house (Rick was living in the basement as a guest) but I don’t have any memory of this incident.
- 12) **Paragraph 28** We moved a lot growing up. Again I was isolated in my room so I didn’t really know what was going on. I heard rumors of apartment jumping and not paying rent, but I can’t confirm any sources.
- 13) Our home at 299 Warden Ave. has always been my father’s home. I grew up working in it with him and it is very much our family home with my father and sister Meaghan). In the years living with my mother I never really felt at home or comfortable with her. Our big blue house is the only really stable home I’ve ever known.

14) My mother has made bad life choices, but going after my father because she is bitter after almost 30 years is insane. She should have settled when this was originally in court, but she waited all these years just so she can milk my father for as much as she can.

Sworn before me at the City of Fort Saskatchewan in the Province of Alberta

On _____ 2018

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Jonathon Peter Harvey

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Commissioner for Taking Affidavits

Court File No. CV-17-573587

Gail Herrington
Laurentian Bank of Canada

Applicant

-and- Ian Harvey and

Respondents