

Jehovah's Witness grandparents ordered to keep faith to themselves

Mother argues that 4-year-old can decide on religious practices when she gets older

By Jason Proctor, [CBC News](#) Posted: Oct 21, 2015 2:22 PM PT Last Updated: Oct 22, 2015 4:03 AM PT

A pair of devout Jehovah's Witnesses have been ordered by a B.C. provincial court judge not to talk about religion in front of their four-year-old granddaughter.

The couple lost their bid for unsupervised access to the girl because they insisted on taking her to worship at their faith's Kingdom Hall despite the repeated objections of the child's mother.

The girl is identified only as A.W. and the grandparents as A.R. and B.R. in Judge Edna Ritchie's [12-page decision](#). And for now, they're on a short leash.

"There are many people with strongly held religious views that do not discuss those views in front of others, and specifically not in front of children," Ritchie wrote.

Unless A.R. and B.R. can satisfy the court that they can comply with the mother's wishes, Ritchie said, "their time with A.W. must be supervised and limited."

Religious rights vs. parental responsibility

The case pits the Family Law Act against the Charter of Rights and Freedoms.

The Family Law Act states that only a guardian has parental responsibilities, including decisions about religious upbringing, and the mother, M.W., is sole guardian.

But A.R. and B.R. argued that forbidding them from expressing their faith to their grandchild would violate a charter right to practise their religion.

The grandparents want A.W. to experience their religion, while M.W. insists her daughter "can decide when she is older whether or not to participate in any religious practices."

The battle is the culmination of a saga that began when the child's biological dad, L.R., told his parents he had fathered a child three weeks after A.W. was born.

L.R. was "disfellowshipped" from the Jehovah's Witness faith, a type of religious excommunication. He testified that he has little contact with A.R. and B.R. He also pays no child support and has no parental responsibilities.

A.R. and B.R. were determined to have contact with their granddaughter, and the child's mother felt it important for them to be part of their lives. She previously allowed them unsupervised access.

Poppa and Momma vs. Grandpa and Grandma

But according to the decision, the relationship between the "well-meaning, determined grandmother" and M.W. has been strained from the outset.

M.W. also objected to the couple insisting the girl call them Poppa and Momma instead of Grandpa and Grandma. But by far the biggest disagreement arose over visits to the Kingdom Hall.

From the time A.W. was a baby, A.R. and B.R. took her to services; M.W. said she wasn't happy, but didn't object until December 2013.

She switched the timing of their visits, but then learned from her daughter the grandparents had taken A.W. to services the following spring; A.R. insisted the child "had begged to go to Kingdom Hall."

Visits were then limited to supervised access at M.W.'s home.

But even at that, M.W. was upset to find her daughter watching a Jehovah's Witness video on A.R.'s laptop. The grandmother insisted the child had pushed the play icon before she could stop her.

Mother knows best

The judge noted that when two or more parents with different religious views share parental responsibility the court will often support the child being exposed to each religion involved.

But because A.R. and B.R. are not guardians, the court was bound to respect the decision of the mother. For that same reason, Ritchie also found the charter argument didn't apply.

The couple cited another [Supreme Court of Canada case](#) involving a divorce in which a mother with custody had obtained an order forcing her Jehovah Witness ex-husband not to discuss religion with their children.

In that case, the top court ruled a custodial parent does not have a right to limit the other parent's ability to discuss religion unless the child's best interests were threatened.

In this case, Ritchie found it wasn't fair to place A.W. in a holy war between her mother and grandparents.

"I am concerned that the applicants' demonstrated inability to respect and comply with M.W.'s decisions on religion will continue to cause conflict," she wrote. "It is not in A.W.'s best interests to be exposed to that conflict."

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