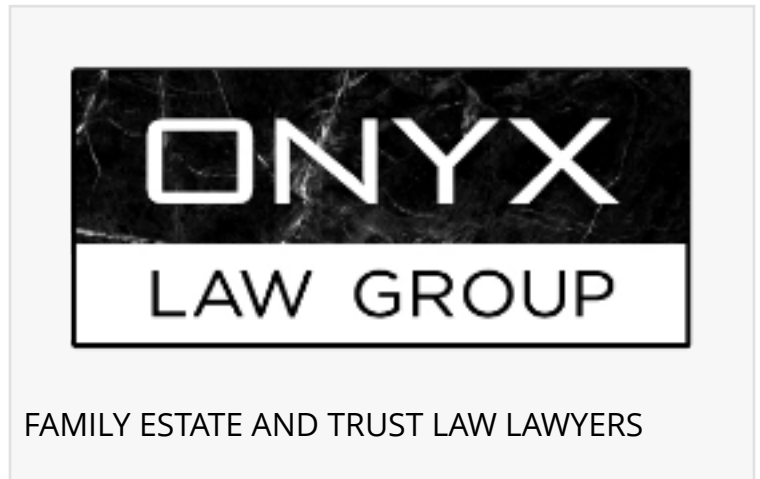


Onyx Law Group Comments on SCC Recognition of Intimate Partner Violence Tort

Onyx Law Group comments on the Supreme Court of Canada's recognition of a new tort of intimate partner violence in Ahluwalia v. Ahluwalia.

VANCOUVER, BRITISH COLUMBIA, CANADA, June 11, 2026 /EINPresswire.com/ -- Onyx Law Group is drawing attention to a Supreme Court of Canada decision that may affect family law and civil litigation involving intimate partner violence in British Columbia.



Scope of the SCC Decision



This decision recognizes that coercive control in intimate relationships can be legally actionable, creating a new avenue for justice for survivors of relational violence."

Judith Janzen, Principal Lawyer, Onyx Law Group

In *Ahluwalia v. Ahluwalia*, 2026 SCC 16 (Case number 41061), the Supreme Court of Canada recognized a new tort of intimate partner violence. The decision does not create a general claim for every family conflict or for all forms of family violence. It is directed at abusive conduct occurring during an intimate relationship or after that relationship has ended.

The Court confirmed that intimate partner violence is not confined to incidents causing physical or psychological injury, but includes coercion and control on the part of one spouse. Such conduct may include serious physical and

psychological abuse, but may also include tactics of humiliation, intimidation, surveillance, isolation, financial control, sexual coercion, and other behaviour that undermines a person's autonomy, dignity, and equality within an intimate relationship. The Court's reasoning recognizes that the harm caused by sustained coercive control can be as serious as harm caused by physical assault, even when no single act of physical violence is identified.

Implications for British Columbia Family Law

Under the [BC Family Law Act](#), family violence is already a factor courts must consider in parenting arrangements and protection-order matters. The Supreme Court of Canada's recognition of a tort of intimate partner violence may add another layer to litigation where a spouse or former partner seeks damages (i.e. a monetary award) for harm caused by coercive and controlling conduct, alongside any remedies available under the traditional civil torts and family-law legislation.



For separating spouses and former partners in British Columbia, the ruling may become an important consideration in matters involving divorce, parenting arrangements, protection concerns, support, property division, and related civil claims. [Vancouver divorce lawyers](#) may need to assess whether the facts of a given matter support a potential damages claim under the new tort alongside traditional family-law remedies. The interaction between civil damages and family-law relief is expected to be a developing area of practice in the months ahead.

Onyx Law Group notes that claims under the new tort are likely to be evidence-intensive. Courts may need to consider the broader relationship context, including communications, financial records, parenting history, protection concerns, witness evidence, expert reports on patterns of coercive control, and other materials that help establish whether the alleged conduct formed a sustained pattern. Courts may also be required to weigh the credibility of competing accounts where direct corroborative evidence is limited, a feature common to many family-law disputes involving allegations of abuse.

Outlook for Litigation and Settlement

The decision is also expected to intersect with [separation laws in BC](#), particularly in cases where allegations of coercive and controlling conduct are raised during settlement discussions or in litigation over parenting arrangements and property division. Counsel may need to consider whether the facts of a given file support a damages claim that runs parallel to the family-law proceeding, or whether separate civil proceedings are more appropriate.

The Court's framework places weight on the cumulative effect of coercive conduct rather than on any single incident. That feature distinguishes the new tort from existing torts of assault, battery, and intentional infliction of mental suffering, which generally require proof of specific acts that

meet a high threshold of outrageousness. The new tort is broader in that it captures harm caused by patterns of behaviour that, viewed individually, may not meet those existing thresholds, but in combination establish coercive control, especially when considered within the context of intimate relationships where there has been a breach of trust. For lawyers and parties in British Columbia family disputes, the practical question is how courts will assess pattern evidence, what role expert evidence on coercive control will play, and what threshold of harm will support a damages award.

Limitation considerations are also expected to feature in early cases under the new tort. British Columbia's Limitation Act applies a two-year basic limitation period to most civil claims, subject to the statute's discovery rules and to specific exceptions for sexual misconduct and certain claims involving minors. How those rules apply to claims based on patterns of conduct extending over years, including periods during which the claimant remained in the relationship, is likely to be a focus of early litigation and may shape how counsel plead and time these claims.

The decision may also influence the structure of family-law settlements in British Columbia. Where allegations of intimate partner violence are raised, parties and counsel may need to evaluate whether the facts support both family-law remedies and a potential claim for damages, and whether release language in settlement agreements should be drafted with the possibility of such claims in mind.

Individuals involved in separation, divorce, or post-separation disputes involving allegations of coercive control or intimate partner violence may benefit from legal advice tailored to their circumstances. The same applies to parties responding to such allegations, given the seriousness of the claims and the potential consequences of the new tort.

About Onyx Law Group

Onyx Law Group is a British Columbia law firm assisting clients with family law, estate litigation, trusts, probate, and related disputes. The firm provides legal guidance to individuals and families in complex personal, financial, and litigation matters.

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