



Canada Court Watch

A program of the National Association for Public & Private Accountability
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January 28, 2010.

CFSA Review
Strategic Planning and Analysis Branch
Ministry of Children and Youth Services
56 Wellesley Street West, 15th Floor
Toronto, Ontario M5S 2S3
Email: CFSAreview@Ontario.ca

Dear Members of the CFSA Review Committee

RE: Amendments to the CFSA Act of Ontario and related legislation

Canada Court Watch has been engaged in investigating cases where children and families have been involved with the family court system in Ontario, including child protection matters for almost 15 years. We have conducted extensive investigations into the mishandling of cases by child welfare protection workers in Ontario. We are one of the few privately funded volunteer agencies which conduct video recorded interviews of children involved in the family court system. Many of the children and parents we have interviewed have disclosed how they have been adversely affected by Ontario's child protection system. Segments of some of our video interviews have been broadcast on national TV.

As the National Chairman of Canada Court Watch, I have had extensive personal dealings with the child protection system. In my case involving the Durham Children's Aid Society, the society and some of its workers were found guilty in an Ontario court of ***"the grossest negligence, the grossest incompetence, malicious prosecution and blackmail."*** My own case was debated in the Parliament of Canada. It was estimated that over 1.5 million tax dollars were wasted by the CAS in an attempt to defend its workers and conceal their wrongdoings.

While many aspects of the current Child and Family Services Act in Ontario seems to be reasonable, the biggest most single area of complaint from members of the public would appear to be in the area of transparency and accountability. Lies, perjury and abuse of power and authority by CAS workers is widely reported by many. Even judges and many lawyers acknowledge that CAS agencies are breaking the law and obstructing justice. Good laws can provide little protection for children and families when child protection workers and agencies can get away with fabricating the information they provide to the court. Parents are often denied the ability to make the CAS workers accountable and this only compounds the problem. Many children in care report being sexually and physically abused while in care of CAS. Many children report that abuse of children in care is being covered up by the workers themselves to protect workers and the integrity of the agencies they work for.

Based on input from children and families from across Ontario, Canada Court Watch has been looking at this problem and working on solutions. Attached, please find a copy of a working document one of our committees has been working on prior to our knowledge of this review. This document is entitled, "***Promoting Accountability, Transparency, Fairness and Professionalism within Ontario's Child Protection System***". This working paper contains an analysis of a number of problems with the system and recommended changes. While the recommendations in our working paper were intended to be implemented on an agency level a number of these must be, and should be, supported by legislation. For the purpose of making recommendations to legislation we submit the following:

Recommendations

Canada Court Watch recommends:

- 1) That legislation be amended to require that child protection files be provided to parents within 15 working days in cases where children have been apprehended and 30 days where children have not been apprehended.

Refer to issue #9 – Promoting Accountability, Transparency, Fairness and Professionalism within Ontario's Child Protection System

- 2) That legislation be amended to give extended family members, friends and supporters the right to attend all court hearings upon the consent of any of the parties involved in a child protection matter. Only the general public to be excluded.

Refer to issue #10 – Promoting Accountability, Transparency, Fairness and Professionalism within Ontario's Child Protection System

- 3) That legislation be amended to clearly give children and parents the right to electronically record any meeting with child protection workers and/or agency contracted professionals.

Refer to issue #11 – Promoting Accountability, Transparency, Fairness and Professionalism within Ontario's Child Protection System

- 4) That legislation be amended to require that child protection workers and/or contracted professionals submit their curriculum vitae whenever they submit evidence to a court of law in any action against a child or family.

Refer to issue #14 – Promoting Accountability, Transparency, Fairness and Professionalism within Ontario's Child Protection System

- 5) That legislation be amended to give children and families the right to involve community-based support groups of their choosing in their child protection matters if they so choose.

Refer to issue #23 – Promoting Accountability, Transparency, Fairness and Professionalism within Ontario's Child Protection System

Members and supporters of Canada Court Watch believe that the above recommendations, if implemented through legislative changes, will result in the following:

- 1) Improve the short term and long term outcomes of children and youth.
- 2) Reduce the number of children placed into foster care system
- 3) Reduce financial costs to the taxpayers of Ontario

- 4) Promote public confidence and respect toward CAS agencies and Ontario's child protection system in general.
- 5) Reduce personal and class actions lawsuits against CAS agencies.
- 6) Reduce overall administrative burdens on CAS agencies

While time did not permit members of our organization to conduct a more comprehensive analysis of existing legislation, we do feel that the recommendations we have made in this brief submission will make significant improvements to Ontario's child protection system. Promoting transparency and accountability within the child protection system is to everyone's benefit.

We would be pleased to have representatives from our committee meet with or to make a presentation to the review committee if requested. If a meeting or presentation is desired, then please contact me on my cell phone at (289) 221-2687

I look forward to your response.

Sincerely in Christ's service,

A handwritten signature in black ink that reads "Dorian A. Baxter". The signature is written in a cursive style with a horizontal line underneath the name.

The Archbishop Dorian A. Baxter, B.A., O.T.C., M. Div
National Chairman, Canada Court Watch

Attachment

“Promoting Accountability, Transparency, Fairness and Professionalism within Ontario’s Child Protection System” (working paper from the Family Justice Review Committee - 25 pages)

**Promoting accountability, transparency,
fairness and professionalism within
Ontario's child protection system**

by
The Family Justice Review Committee
Working paper: January 21, 2010.

Public input invited

At the time of printing, this working document was still being reviewed by members of the public, educators, law enforcement officials and to recognized legal and health care professionals for their additional feedback and comment. All comments and suggestions received will be reviewed by the Documents Review Team for inclusion in future releases of this document. All comments and suggestions from any source are most welcomed and encouraged. Should readers have any questions or wish to provide comment on the contents of this document then please forward your comments in writing to:

Family Justice Review Committee

Attn: Documents Review Team

By Email: fjrc@canadacourtwatch.com

Or by general mail to:

Family Justice Review Committee
C/O The Archbishop Dorian Baxter
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Please note:

Submissions made by email are preferred as these can be more effectively distributed to members of the Committee for review and consideration.

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Ensuring accountability, transparency, fairness and professionalism within Ontario's child protection system

Introduction

In recent years, privately owned and operated CAS agencies have become the subject of increasing criticism by members of the public as a result of the abuse of children and families in communities across the Province of Ontario. In addition, the financial costs associated with operating the CAS agencies in Ontario have skyrocketed out of control.

Upon close examination, much of the abuse of the children and families caused and the waste of tax dollars by CAS agencies and their workers can be traced back to the lack of transparency and accountability which has allowed the abuse of power and authority by many young and inexperienced CAS workers.

Seldom seen by the public, internal strife, corporate politics and criminal activities amongst workers further contribute to the problems. Workers with CAS agencies have been caught sexually abusing children in care and stealing money and possessions from children in foster care. One experienced supervisor with the York Region Children's Aid Society was caught stealing money and gifts from children in care. Another disgruntled CAS worker killed himself after driving his blazing pickup truck load with gasoline at high speed into the front of the CAS offices where he once worked. Members of the public reported seeing CAS workers from the Hamilton Children's Aid Society doing illegal drugs at the annual CAS fundraising event.

The public is not generally aware of the abuses to children and families because over the years CAS agencies have, with the help of tax dollars, developed very effective public advertising campaigns to make themselves appear to be champions of protecting children and helping families. Using tax dollars as well, CAS agencies has spent obscene amounts of money on lawyers to literally destroy families in the court system who in any way attempt to bring their plight to the attention of the public. Young girls who have been sexually assaulted while in care of CAS agencies have been paid large financial damages when they have taken CAS to court but with the strict condition attached that the victim never disclose details of how they were abused or the amount of the payout. With huge amounts of tax dollars at their disposal CAS agencies have been very effective in keeping the public in the dark about their operations.

Purpose of this document

This document was written for the following purposes:

- 1) To provide an brief analysis of a number of the many problems and injustices being created by CAS agencies and their workers which are being perpetrated against children and families and the taxpayers.
- 2) To provide reasonable and cost effective recommendations which will significantly reduce the general abuse of children and families by CAS agencies and their workers.
- 3) To provide reasonable and cost effective recommendations which will improve on the overall accountability and transparency of CAS agencies.

The materials in this document and the various recommendations are based on input from concerned parents, former children in care of CAS agencies, family advocates, teachers, lawyers and persons with a background in law enforcement. It is hoped that the information contained in this document will help give citizens an additional tool with their advocacy work to improve on the quality of services which CAS agencies provide to the public.

A special note to corporations or individuals who may be considering a financial donation to a CAS agency

All corporations and/or individuals who may be considering making a financial donation to a CAS agency are urged to familiarize themselves with the contents of this document and before making any financial donation to a CAS agency, insist that the CAS agency provide them with proof that the CAS agency has written policies which reflect that the CAS agency is conducting its business in an open and accountable manner as outlined in this document. Corporations or individuals who make donations to CAS agencies which refuse operate in a transparent, accountable and fair manner as outlined in this document are likely contributing to the indirect abuse of children and families in their communities.

Canada Court Watch maintains a list of complaints from children and parents which are against CAS agencies and workers in Ontario. Corporations and/or individuals who may wish to make inquiries as to whether any particular CAS agency in the Province of Ontario is operating in an open and accountable manner may contact Canada Court Watch at: info@canadacourtwatch.com

Issue #1: Information available for viewing by the general public on the CAS agency's website

Discussion

Child protection agencies in Ontario are privately owned but publicly funded by the taxpayers and are supposed to be based on the model of being community based organizations supported by membership from the community. However, CAS agencies take steps to ensure that very little is known by most members of the public about the workings of their local children's aid society. Most members of the public are not even aware that they can become supporting members of their local children's aid agency. As a result, there is a lack of diversity of talent and resources from the community as decisions are usually made by a small group of corporate insiders, consisting of workers, administrators and their friends and close business associates. Millions of dollars of public tax dollars are controlled by each of these CAS agencies so it is vitally important that each community be involved in decisions as to how money is being spent.

CAS agencies should encourage public participation and encourage the public to know more about the workings of the agencies at every possible opportunity. To help in this objective, every child protection agency should make a good selection of information about the workings of the agency available on its website.

Recommendations

To meet acceptable minimal standards of accountability, transparency, fairness and professionalism, each children's aid agency should maintain a public website which includes, but not limited to, the following information:

- a) General contact information for the agency including mailing address, postal code, telephone and fax numbers, after hours phone numbers and physical address of the offices if different from the mailing address.**
- b) A list of the names of all administrative staff and their job titles and duties, including in-house legal counsel representatives for the agency. (This will help members of the public to recognize potential conflict of interest)**
- c) A list of the names of outside law firms or lawyers which the agency uses under contract on a regular basis for its legal work. (This will help members of the public to recognize potential conflict of interest)**
- d) A list of the names of the Board of Directors, their callings and the term of their positions and position on the Board if assigned a position. (This will help members of the public to recognize potential conflict of interest)**
- e) The total number of paid up members of the corporation (but not the names) updated on the agency's website on a monthly basis.**
- f) The most recent annual financial statement of the corporation.**
- g) A photo and a personal biography of the Chief Executive Officer of the agency.**
- h) Code of ethics that workers are expected to follow during the course of their duties.**
- i) Information on how members of the public can join up to become members of the agency, including a downloadable membership application forms.**
- j) News page with news relating to the ongoing activities of the agency which would be of interest to the public such as meetings, fundraisers, special events, etc.**

- k) Information regarding the date, time and meeting location of the monthly Board of Director meetings.
- l) Information on how to become a foster parent and the requirements that must be met in order to become a foster parent.
- m) Links to all applicable legislation which may be useful to parents during the handling of any child protection matter.
- n) Basic legal information for parents such as to what they should do if their family is the subject of a child protection concern and investigation by the agency.
- o) Links to information which would help parents and families during difficult times.
- p) Information about the complaint procedure against workers of the agency should parents feel that they need to file a complaint.
- q) Information about any charitable operations, trusts or foundations which are considered as part of the agency's overall operations. Information should include a list of the Board of Directors of the charitable branches as well. (This will help members of the public to recognize potential conflict of interest)
- r) Any other information deemed that workers or members of the public feel would be helpful to families having to deal with the agency or to other interested general members of the public.

Issue #2: Concealing of abuse of children in care and the violation of their rights while in care of the CAS

Discussion

Many children have reported that while they have been kept in care of the children's aid society their rights have been grossly violated by the very persons who are supposed to be caring for them. Just some of the things that children in care have reported include:

- 1) That they have been denied information about speaking to an advocate, their lawyer and even their members of Parliament.
- 2) That they have been physically abused by CAS caregivers while in care and physically abused by other kids in care.
- 3) That they have been refused to know why they are being forced to take certain medications or what the purpose of the medications are.
- 4) That they are threatened by CAS workers that if they attempt to say anything about being abused while in care, that their visits with parents will be cut off.

Many believe that CAS agencies deliberately keep children in the dark about their rights and freedoms and thwart attempts by children in care to report abuses by children's aid workers to those on the outside. Children have even reported that their shoes are being taken from them and locked up so that children in care of the CAS will find it difficult to escape when they don't have their shoes. Some children have reported being threatened with physical punishment should they say anything to those on the outside about abuses they have experienced while in care of the CAS or seen other children exposed to. Some children are forcefully drugged while in care to silence them.

In order to reduce the incidence of abuse of children in care of CAS, measures must be taken to ensure greater protection for vulnerable children in care.

Recommendations

To meet acceptable minimal standards of accountability, transparency, fairness and professionalism, each children's aid agency should have published policies and/or practices which clearly reflect the following:

- 1) That the rights of children in care are clearly printed and given and explained to each child upon entrance into care of a CAS agency. A province-wide standard information package should be given out to all children.
- 2) That each child will be given a questionnaire which will allow them to report on their care complete with instructions on how they are to submit it.
- 3) That each child in care will be given written information which will explain their right to speak to their local member of provincial parliament and to provide them with the information to contact their local MPP.
- 4) That the list of the rights of children in care be published on the CAS agency's website.

Issue #3: Abuse of public funds by CAS agencies and their employees

Discussion

It has been uncovered from time to time that taxpayer's funds are being abused by employees of the various CAS agencies at all levels. It has been uncovered that expensive cars, gym memberships and expensive trips have been paid for by CAS agencies for what would appear to be personal benefits of selected employees. One investigation reported that CAS workers were taking trips to tropical countries claiming that it was for child protection purposes here in Canada.

Due to the lack of accountability it is very easy for taxpayer's fund to be abused. Many feel that many expenses related to the operation of CAS are in fact being arranged to provide hidden personal benefits to senior employees.

It is in the best interest of the public that the use of tax dollars on expenses be carefully monitored and that members of the public can provide this without cost to the taxpayers of Ontario.

Recommendations

To meet acceptable minimal standards of accountability, transparency, fairness and professionalism, each children's aid agency should have published policies and/or practices which clearly reflect the following:

- 1) That expenses of each employee of a CAS agency be separately summarized for each fiscal year and that a copy of the list of each employee's expenses be made available upon request to the Board of Directors as well as to any member of the corporation who makes the request for this information. A summary of such expenses to include the date, the amount, the purpose and to whom the money was paid to.
- 2) That the procedure for obtaining this financial information by members of the corporation be clearly published in the materials given to members of the corporation.

Making information about the expenses of each employee made readily available for any member of the corporation to view will significantly reduce abuse of tax dollars. Employees of the CAS will be much more frugal with their expenditures knowing that every voting member of the corporation has the ability to check into their spending habits. Having oversight by the members themselves

will cost the taxpayers nothing and in reality will be more effective than having expensive government audits done by professionals.

Issue #4: Excessive hidden legal expenses by CAS agencies

Discussion

Many parents have complained that CAS agencies will spend an unlimited amount of public tax dollars on legal fees in order to defend the agency or its employees, even when it is clear that the CAS or its workers have erred and caused damage to children and families in the community. There is a general perception that CAS agencies can wear families out and prevent lawsuits by throwing unlimited amounts of money at lawyers whose job it is to defend the reputation of the CAS at all costs. While members of the public are of the impression that monies put into the hands of CAS agencies are being spent on children, they may be surprised to find out how much of their tax dollars are going for services not related to the protection of children.

Many feel that CAS agencies do their accounting so that the amount of money being paid to lawyers and for legal expenses is either hidden from public view or made very hard to find so that the taxpayers will not be able to see how much of their tax dollars are being spent on services not directly related to the protection of children.

To meet acceptable minimal standards of accountability, transparency, fairness and professionalism, each children's aid agency should have published policies and/or practices which clearly reflect the following:

- 1) That legal expenses be accounted for separately and shown as a separate expense item in the annual financial statement of the corporation. Accounting records for legal expenses should show the date, the amount, to whom paid and for what purpose the expense was made. If an expense is applicable to a particular case, then the name of the case must be referenced with the expense.**
- 2) That all in-house expenses relating to legal work be accounted for separately in the agency's financial statement.**

Issue #5: Conflict of interest for CAS workers to sit on the boards of other corporations

Discussion

There have been reports from citizens in some Ontario communities that some salaried employees from CAS agencies also sit on the Board of Directors of outside community based organizations which donate money to the Children's Aid Agency. One example reported was where the Executive Director of the Hastings Children's Aid Society also sat as a member of the Board of Directors for the Rotary Club of Belleville, which made donations to the CAS while this paid employee was a member of both Boards.

Many citizens would view this arrangement as a conflict of interest. There is clearly a vested interest for persons associated with the CAS to use their influence on the Board of Directors for these outside agencies and to give the CAS agency an advantage over receiving money other community groups which may request funding. Many would believe that CAS agencies may be engaging in a campaign to strategically place their people on outside community Boards for the sole purpose of soliciting funding for the CAS.

Recommendations

To meet acceptable minimal standards of accountability, transparency, fairness and professionalism, each children’s aid agency should have published policies and/or practices (as part of their bylaws) which clearly reflect the following:

- 1) That any person who sits on the Board of Directors for a CAS agency shall not be allowed to sit as a member on the Board of any other organization or private company which may donate money to the CAS. This will also include any person or firm who may be paid to fundraise or lobby to raise funds on behalf of the CAS.**
- 2) That no paid employee of a CAS agency will be allowed to sit as a member on the Board of Directors of any other organization or private company which may be requested to donate money to the CAS.**

Issue #6: Nomination process for determining candidates for positions on the Board of Directors

Discussion

There have been reports from citizens in some Ontario communities that local child protection agencies have created what they refer to as “nomination” committees which have a purpose of pre-screening persons wishing to become a board of director for the local agency. It has been reported that CAS agencies allow only persons selected by the nomination committee to become a candidate during elections for the Board of Directors. Most, if not all of these nomination committees have no published selection criteria for those applying to have their name put on the election ballot. Decisions as to who is allowed to be on the candidate list are made in secret behind closed doors with no records of the discussions by the nomination committee members. The selection of those on the nomination committee is made by corporate insiders.

A number of citizens from communities in Ontario believe that these nomination committees were formed to be nothing more than a tool to ensure that control of the local CAS agency is kept amongst insiders, their close friends and their business associates. While the principal of voting may be seen by the public as being fair, who gets on the ballot is controlled in a most undemocratic manner. What is at stake in most cases is the control over tens of millions of tax dollars that rests in the hands of those who are elected as members of the Board of Directors.

It is in the public’s interest that the election of Directors for CAS agencies be done using a transparent and democratic manner which is fairly accessible to all citizens who are interested in becoming a member of the board of their local CAS agency.

Recommendations

To meet acceptable minimal standards of accountability, transparency, fairness and professionalism, each children’s aid agency should have published policies and/or practices which clearly reflect the following:

- 3) That positions on the Board of Directors be open to any and all members of the public who meet standard criteria to become a candidate.**
- 4) That criteria for having one’s name put on the candidate list be published on the agency’s website and this to be applied equally to all who wish to become a candidate.**
- 5) That the procedure to have a person’s name placed on the list of eligible candidates be clearly outlined and posted on the agency’s website.**
- 6) That the names of those of those on the nominations committee be published on the agency’s website if the agency does have a nominations committee.**

Issue #7: Disclosure of CAS membership lists to members of the public

Discussion

CAS agencies in Ontario are supposed to be operated by the communities which they serve and are supposed to be accountable to the communities they serve. There have been reports from citizens in some Ontario communities that local CAS agencies have been highly uncooperative and in some cases openly refused to abide by Corporations Act of Ontario which require that CAS agencies disclose their membership lists to the public upon reasonable notice. Under the Corporations Act of Ontario membership lists are to be provided upon request and there published provisions under the Act for doing do. The purpose is to allow scrutiny of the list to ensure that memberships lists are legitimate and not stacked with false names or friends of friends. In one case, charges under the Act were laid against the Ottawa CAS for refusing to abide by the Corporations Act yet the CAS used thousands of tax dollars to fight what was already the law in Ontario.

Many believe that the reason why CAS agencies do not want their membership lists made available to the public is because some CAS agencies are under the tight control of an elite group of members, many of whom may have a conflict of interest. Many feel that CAS agencies do not advertise how persons in a community can become members so that outsiders will not attempt to join up and thus put at risk the ability of insiders to control CAS affairs.

It is in the public's interest that the various CAS agencies in the Province of Ontario cooperate fully with the Corporations Act and release membership lists as required in a prompt manner in accordance to the requirement of the Act. This is the only way in which the legitimacy of membership lists can be verified by members of the public who may feel that membership lists are being manipulated to the benefit of insiders.

Recommendations

To meet acceptable minimal standards of accountability, transparency, fairness and professionalism, each children's aid agency should have published policies and/or practices which clearly reflect the following:

- 1) That in addition to provisions of the Corporations Act of Ontario, that each CAS agency have written within its own internal procedures which clearly required that membership lists be provided whenever requested by the public in accordance to the requirement of the Corporations Act of Ontario.**

Issue #8: Notice to public regarding Board of Director monthly meetings

Discussion

Child protection agencies in Ontario are supposed to be community based organizations supported by general membership from the community. Yet in most cases, very little is known by parents in communities about their local children's aid society. Children's aid societies should encourage public participation and encourage the public to know more about the workings of the agencies at every possibility.

To help in this objective, all Board of Director meetings should be open to any interested member of the public who wishes to attend as an observer. Child protection agencies serve the community and as a community service agency should welcome the involvement and participation of members of the public who wish to take an interest in the activities of the agency.

To meet acceptable minimal standards of accountability, transparency, fairness and professionalism, each children's aid agency should have published policies and/or practices which clearly reflect the following:

- 1) That the dates, times and location of all upcoming Board of Director meetings will be posted on each agency's website welcoming interested members of the public to attend.**
- 2) That the dates of Board of Director meetings be posted on the agency's website as soon as possible after the meeting date has been set and no less than 20 days before the meeting is scheduled to be held.**

Issue #9: Disclosure of information to children and parents from agency files and worker's notes

Discussion

Many parents have complained about difficulty to obtain copies of files in order to defend themselves in court against child protection agencies. Yet, child protection agencies use the information in these files against children and their parents. Parents have reported a number of strategies that CAS agencies employ to put barriers in front of them. Some of these barriers that CAS agencies place in front of parents include:

- Telling parents that it is against the law for parents to see the files because they contain confidential information.
- Telling parents that they can only see the files if the parents come down to the agency's office in person to view the files with a worker present in the room.
- Telling parents that only a lawyer can view the files, so they will have to hire a lawyer to get the files.

CAS agencies have been known to spend thousands of dollars in legal costs on individual cases, including going to court to prevent parents from obtaining disclosure of their files. All of this is paid of course by taxpayers. Even when parents do obtain their files, many CAS workers use shorthand and special codes to make reading the files by parents difficult and time consuming. Sometimes workers are so sloppy in their writing that it is next to impossible to read the notes.

Hindering the ability of children and parents to obtain information from their files is unethical and contrary to the principle of Justice. All parties who are involved in any action or are named as a party in any court documents involving a child protection agency should have the right to access the agencies files, including worker's notes. Access to these files should be granted without the parents having to resort to obtaining a court Order. Access to child protection files should be made available within a reasonable period of time.

Recommendations

To meet acceptable minimal standards of accountability, transparency, fairness and professionalism, each children's aid agency should have published policies and/or practices which clearly reflect the following:

- 1) That all children and parents who are involved in any child protection matter or are named as a party in any court documents from a child protection agency should have the right to full access to all case notes with the CAS agency.**
- 2) That when a request has been made for files, then such files be provided within 15**

days of such request and at least 30 days before any scheduled court appearance.

- 3) That no worker or lawyer for a CAS agency will oppose any attempt by a child or parent to obtain access to case notes which the agency has on file.
- 4) That such files be provided at no charge to children and parents.
- 5) That workers handwritten notes be written in plain English and legible.
- 6) That CAS agencies provide information on their website as to how parents can obtain copies of their case files from CAS agencies.

Issue #10: Presence of support persons for parents and children during meetings and interviews with agency workers

Discussion

Many parents have complained that children's aid society workers have told them that they are not allowed to have anyone accompany them during important meetings. Parents report that CAS workers claim that they want to maintain privacy and confidentiality. Parents have been refused to have access to their children if they attempt to have a support person come with them to attend meetings with workers or to attend supervised visits with their children at CAS offices. In some cases CAS agencies have refused to allow church ministers to accompany them into meetings. The treatment of parents by CAS workers can be seen in the graphic video testimony from the Archbishop Dorian Baxter from Canada Court Watch and the Reverend Stephen Rudd at the following internet links:

<http://www.vimeo.com/>

<http://www.vimeo.com/6961550>

Many believe that the real reason why child protection agencies do not want parents or children to have support persons with them is because they do not want any witnesses to contradict what CAS workers may claim transpired during these meetings. For instance if a child in care shows excitement and great affection toward their parent during a supervised visit, CAS workers will not report this and may report in court documents that the child did not want to see the parent. It becomes very hard for CAS workers to lie about what transpired during a visit if a witness is present.

It is unethical and unjust that child protection workers not to allow children or parents to have support persons with them during meetings. Unfortunately, most child protection agencies and their highly paid lawyers, refuse to allow this. Often thousands of tax dollars are spent by CAS agencies and their lawyers to keep support persons from helping children and families who are involved with child protection agencies. Even family members are often excluded from meetings and court hearings.

Many believe the reason for this is because child protection agencies and workers do not want anyone to be present as witnesses during meetings or court hearings. Often, child protection lawyers do not want witnesses to many of the lies that the lawyers often give orally in the court.

Recommendations

To meet acceptable minimal standards of accountability, transparency, fairness and professionalism, each children's aid agency should have published policies and/or practices which clearly reflect the following:

- 1) That all parties who are being questioned by child protection workers shall have the right to have a support person of their choosing be with them during the meeting.
- 2) That employees with a Children's Aid Society will not present any objection to a party being interviewed to bring in a support person of their choosing into the meeting.

Issue #11: Electronic recording of meetings between children/parents and agency workers for accuracy purposes

Discussion

Many children and parents have complained about their experience when meeting with child protection workers from the CAS. Some of these complaints have included:

- a) That worker have twisted around or fabricated statements about what was said during meetings.
- b) That children and parents were threatened by CAS workers during meetings.
- c) That CAS workers have refused to attend meetings with children or parents when it was suggested by the parties to electronically record their meetings for the purposes of maintaining an accurate record of what was said during the meetings.
- d) That CAS workers have conducted highly illegal body searches of children and parents at CAS facilities out of fear that children or parents may be carrying recording devices with them to record what workers have to say. This is in contravention of the Canadian Charter of Righter and Freedoms.
- e) That CAS lawyers have advised CAS workers not to participate in meetings with children or parents if thee parents request to electronically record meetings for accuracy purposes. Parents and children are being refused services and intimidated merely because they want to maintain an accurate record of their meetings with CAS workers and lawyers.

There should be absolutely no reason why workers with any children's aid agency should object to maintaining an accurate record of what was said. All parties who are involved in any matter involving a child protection agency should have the right to maintain an accurate record of meetings and hearings through the use of audio or video recording equipment without objection by the workers or legal representatives of the child protection agency.

Unfortunately, most child protection agencies and their taxpayer funded lawyers, refuse to allow this. Often child protection workers will threaten to cancel meetings with parents or refuse to allow parents to see their children if parents request to use any form of recording equipment at meetings. In some cases parents are denied permission to even take pictures of themselves with their own children during access to their children at child protection offices. The reason for this is because child protection agencies and workers do not want any evidence of what was said by workers during meetings with parents. It is not uncommon for child protection workers to lie about what was said during meetings with parents and with children or to embellish information to the advantage of the child protection agency workers. Anyone who is honest and speaks the truth should have no objection to having meetings or interviews accurately recorded and this should be respected by both workers and parents alike.

Many believe that the real reason why workers with child protection agencies refuse to allow their workers to be electronically recorded is because they do not want any accurate record of what was said during meetings which may support illegal or unethical conduct of workers.

Recommendations

To meet acceptable minimal standards of accountability, transparency, fairness and professionalism, each children's aid agency should have published policies and/or practices which clearly reflect the following:

- 1) That all children and parents who are involved in any child protection matter or are named as a party in any court documents from a child protection agency should have the right to maintain an accurate record of their meeting with workers through the use of their own electronic audio recording equipment.
- 2) That no worker or lawyer for a CAS agency will oppose any attempt by a child or parent to electronically record their personal meeting with workers with the agency.
- 3) That workers with CAS agencies should maintain an electronic record of their meetings with children and/or parents and that the electronic records be kept as part of the case file information.
- 4) That in matters involving the investigation of sexual abuse of children that video recording be used. (refer to investigations of sexual abuse allegations)
- 5) That policies and procedures relating to electronically recording interviews be published on agency websites.

Issue #12: The use of electronic recording equipment by parties to record their own court/legal proceedings

Discussion

Many parents in Ontario have complained that CAS workers and lawyers have objected and argued to the court take away their rights under Section 136 of Ontario's Courts of Justice Act to electronically record their own court hearing as is their lawful right to do. As a result of this, many parents have their lawful rights stripped from them because CAS workers and lawyers have used their influence with the courts to obstruct the rights of parents. Children's Aid agencies have spent tens of thousands of tax dollars attempting to obstruct parents from bringing their personal hand held recording devices into the court. Some parents have been threatened with arrest for attempting to bring in their personal recording devices, even though it is the law in Ontario. Recording court proceedings is helpful to parents because they can easily and quickly review what transpired in court without having to order expensive written transcripts which many parents cannot afford to obtain.

Many believe that the real reason for this is because child protection agencies and their lawyers do not want any independent record of what was said in court as part of the general conspiracy to maintain secrecy in the courts. Those familiar with the system know that court transcripts can be tampered with to remove things said in court which may prove to be damaging to lawyers or judges.

Anyone who speaks the truth should have no objection to having court hearings accurately recorded by parties in court. Only those with something to hide in court should be fearful of having the proceedings recorded by the parties.

Objecting to parties recording their court proceedings is unethical and unfair. Public tax dollars should not be used to pay CAS workers and lawyer to argue against something that is not only a right but clearly a benefit to children and families.

Recommendations

To meet acceptable minimal standards of accountability, transparency, fairness and professionalism, each children's aid agency should have published policies and/or practices which clearly reflect the following:

- 1) That all parents who are involved in any child protection matter or who are named as a party in any court documents involving a child protection agency should have the right to maintain an accurate record of court hearings through the use of their own personal audio recording equipment.**
- 2) That workers or lawyers acting on behalf of a CAS agency will not oppose any attempt by a parent to electronically record their own court hearing and furthermore, if this issue is raised in court, will go on record in the court to support any attempt by the parents to electronically record their own court hearings in accordance to section 136 of the Courts of Justice Act.**

Issue #13: The presence of family members and supporters in the court

Discussion

Many families have reported that when they have gone to court they have been advised that they must go into court alone and that they can not have any close family members or friends present in the courtroom as witnesses or to give moral support to them and their children. In most cases, when parents try to have family come into the court with them, CAS lawyers have made a big fuss and asked the court staff to have close family members ejected from the court before the judge comes into the room. Even older brothers and sisters of children who are the subject of the court hearing are told to leave the courtroom and told that they are not allowed to witness matters which affect their own siblings.

As a result of the actions of CAS workers and their lawyers, in the vast majority of cases, parents are thrown into an adversarial court environment feeling isolated and alone against a powerful children's aid society with almost unlimited public funding to pay for the CAS lawyers. Appearing in court alone is generally not good for families as it gives the judge the impression that the family has no support system and that the parents lack family support. Having supportive friends and family is a key indicator of family functioning.

Most, if not all, child protection agencies argue to keep family members and supporters out of the court, claiming that the proceedings should be confidential to protect the identity of the child. In reality, child protection agencies and their high priced lawyers just want to keep witnesses out of the court so that others do not see the terrible things that go on in the courtroom to harm children and families. They also want the parents to appear to be alone and without support as this makes them look like "losers" before the court and thus help to have the judge rule in favour of the CAS.

Many believe that the current practices of CAS agencies using their influence with the courts to keep family supporters out of the courtroom and to keep parents isolated and alone is unethical and unfair and that this unfair practice must stop immediately.

Recommendations

To meet acceptable minimal standards of accountability, transparency, fairness and professionalism, each children's aid agency should have published policies and/or practices which clearly reflect the following:

- 1) That all parties who are respondents in a court matter involving a child protection agency shall have the right to have their close family members such as grandparents,**

aunts, uncles and even close friends, attend court hearings as witnesses and support persons and that these people be allowed to show their support for the family.

- 2) That close friends of the parties should be allowed to come into the court providing the parties have provided their consent. Anyone who has intimate knowledge of the family's matters and who wants to support the family should be allowed to attend the court if this is desired by the family involved.
- 3) That workers or lawyers acting on behalf of a Children's Aid Agency will not present any objection to members of the family bringing other family members, close friends or any other support person into the courtroom and furthermore, should this issue, be raised in court, support the family with their efforts to have family supporter attend the court.
- 4) That the only exception to the above will be during the conduct of a trial when those persons will be appearing as a witness during the trial which is standard procedure for a trial anyway.
- 5) That the decision to make any child protection hearing closed to the public be at the discretion of the family members.

Issue #14: Disclosure of the qualifications and experience of child protection agency workers and/or contracted professionals

Discussion

Many families have reported that they have been unable to obtain any information about the experience or background of CAS workers and/or professionals during the course of their court dealings with child protection agencies. In almost all cases, CAS agencies and their workers refuse to provide information about their workers experience or background. It is very frustrating for parents to have allegations made against them based upon decisions and actions of workers and yet denied access as to what qualifications or experience these workers relied upon to base their decisions upon. CAS agencies and workers will go so far as to spend considerable tax dollars on lawyers in court to fight such requests.

Often after much damage has been done to their families, parents are shocked to learn that the workers they have been dealing with lack the necessary training or experience to justify many of their decisions or actions. For instance, CAS workers conduct interviews with children yet most have little or no training in how to conduct an interview or how to maintain an accurate record of the interview. Even more shocking is that most workers with the various children's aid agencies in Ontario are engaged in the practice of social work yet are not qualified to do so. Some CAS workers have been exposed in court for perjury and blackmail yet go on to find employment at another CAS agency.

Even outside professions contracted by CAS agencies have been exposed as fraud artists after years breaking the law and ruining families. In one recent example involving the Durham Children's Aid Society, Greg Carter was arrested and charged by police for fraud, obstruction of justice and perjury after being exposed by parents in the community of being a fraud and representing himself as a psychologist. Mr. Carter conducted hundreds of child custody assessments for the CAS and law firms yet neither the CAS or the lawyers had checked this man's credentials out. All of this is kept hidden when members of the public are prevented from checking out the credentials of those who are employed or contracted by CAS agencies.

Many believe that the real reason why CAS agencies and their workers do not want to provide the background and experience of their workers is because they don't want parents and members of the public to find out about the lack of training and experience of their workers. They want to keep this a closely guarded secret. In this day and age where bogus university degrees can be purchased through the internet, it is even more important that CAS agencies exercise due diligence in the verification of educational qualifications and experience of anyone whose services they employ.

The disclosure of the background and experience of children's aid society workers is a critical factor to allow a family to defend themselves at an early stage of legal proceedings. Disclosure of such information is a vital part of procedural fairness. For children's aid agencies to not disclose the background of workers and/or professionals who have made allegations against members of a family is unethical and unfair. Other professionals in the community such as custody assessors are expected to provide their background and experience when doing private assessment so this same requirement should extend to workers with the various children's aid agencies where transparency and accountability are even more important.

Recommendations

To meet acceptable minimal standards of accountability, transparency, fairness and professionalism, each children's aid agency should have published policies and/or practices which clearly reflect the following:

- 1. That all employees at a child protection agency who work with families out in the community be required to have an up to date curriculum vitae on file with the agency specifically for use when the worker is directly involved in a legal proceeding against members of a family.**
- 2. That upon request, workers with a child protection agency who have provided evidence or testimony which is to be used in any legal proceeding against a party be required to provide full disclosure of their curriculum vitae to that party.**
- 3. That where a request for a curriculum vitae of a CAS worker has been made by a party in any legal proceeding, the worker will provide their information within five (5) business days of the request.**
- 4. That CAS agencies verify the professional credentials of any outside professional being hired, including the verification of all diplomas from any educational source.**

Issue #15: Training for child protection agency workers to conduct routine or scheduled interviews with children

Discussion

Many children and parents have reported that child protection workers have conducted highly flawed interviews with children using biased, leading and speculative questions. Some children report having threats and intimidation used against them during interviews. In some cases older children have reported being coerced into signing legal documents by CAS workers which they did not fully understand.

Analysis of video interview tapes obtained from police of child protection workers conducting interviews with children in the past have revealed significant flaws with the interviews which has contaminated evidence and resulted in significant injustice against children and their parents.

Recommendations

To meet acceptable minimal standards of accountability, transparency, fairness and

professionalism, each children's aid agency should have published policies and/or practices which clearly reflect the following:

- 1) That all children's aid agency workers who may be involved with the interviewing of children be given special training specific to proper procedures on the subject of interviewing children.
- 2) That interview training include the guidelines to the proper use of electronic recording devices as additional investigative tools, including both audio and video.

Issue #16: Investigation of sexual and physical abuse allegations

Discussion

Many parents and children have reported highly flawed investigations into allegations of child sexual and physical abuse. Some parents have report having their children taken away after a child protection worker with a CAS agency has claimed that children have said things during a private and unrecorded meeting between the CAS worker and the child. Allegation of sexual and physical abuse of children have become almost an epidemic in family court matters where families have separated. These allegations are used mainly as a tool to gain an advantage over custody. Many parents actually use CAS agencies as a tool against the other parent using false allegations and knowing that CAS workers will often botch up their investigations.

Sexual and physical abuse of children is a criminal offense and must be investigated in this context. Any investigation must be conducted quickly and with utmost professionalism and by persons who are properly trained. In most cases the CAS workers who conduct these investigations are not properly trained and in most cases not even a registered social worker in the Province of Ontario.

Delays during the investigation must not be allowed to damage the relationship between a child and another parent. Some parents have reported that CAS workers will take a child away from a parent bases on mere allegations only and then take several weeks or months to complete their investigation. The damage done to the child because of the delays by CAS workers can be significant.

To meet acceptable minimal standards of accountability, transparency, fairness and professionalism, each children's aid agency should have published policies and/or practices which clearly reflect the following:

- 1) That all interviews of children in regards to sexual or physical abuse of children be videotaped for accuracy purposed using appropriate questioning techniques.
- 2) That parents not be present during the videotaped interview with the child.
- 3) That CAS workers who are involved in the investigation of sexual or physical abuse of children be required to be classed as a "social worker" in Ontario and to be registered with the Ontario College of Social Workers.
- 4) That law enforcement officials must be contacted in the event that the videotaped interview with the child would reasonable suggest that a criminal offence did occur.
- 5) That in cases where a child may be removed from a parent based on unsubstantiated allegations of physical or sexual abuse, that the child be returned to the parent within 7 days unless criminal charges have been laid. No child should be deprived of a relationship with a parent based on unsubstantiated allegations.

Issue #17: Written communication between children/parents and child protection workers

Discussion

Many parents and children have reported that children's aid society workers will not respond to their written communication to the agency. Some parents report having to send several written requests on a single issue and have had to wait for months to get a response from a CAS worker. Other parents have complained that CAS workers refuse to provide an email address to communicate with them, claiming that emails are not private enough.

Many believe that not responding in a professional manner to written correspondence is part of a general strategy employed by many CAS workers to put barriers in the way of communication in order to minimize any paper trail and also to delay matters and to see if the writer will just eventually go away. In many cases, senior staff at CAS turn a blind eye to this practice. Many believe that the same reasons apply for the refusal of some workers to allow communication from parents by email yet the same workers will communicate by email with their co-workers.

Refusing to respond to any written request from a writer, whether by general mail or by electronic mail is unprofessional and unfair to parents. In this modern day of rapid electronic communication is to the benefit of everyone that information be exchanged as quickly as possible and that an appropriate paper trail be established.

To meet acceptable minimal standards of accountability, transparency, fairness and professionalism, each children's aid agency should have published policies and/or practices which clearly reflect the following:

- 6) That all children's aid agency workers be required to respond to written correspondence from their clients within ten (10) business days (2 calendar weeks) unless reasons such as holidays or sickness prevent this.**
- 7) That if a children's aid agency worker is unable to respond within the time frame as outlined in (1), then responding to written requests will be made by the worker's immediate supervisor or another worker who is familiar with the file.**
- 8) That all CAS workers provide email addresses to their clients upon request to make it easier and more convenient for parents and children to communicate electronically with their CAS workers.**

Issue #18: Interviewing of children at their schools by CAS workers

Discussion

Many parents and children have complained about CAS workers come into schools to conduct interviews of the children without informing the parents and without informing the students about their rights. Children and parents have reported that CAS workers have influenced school teachers during "off the record" phone calls to the point where the family is being discriminated against by teachers and school administrators. Students have reported during videotaped interviews of their experiences involving CAS workers that they were bullied and threatened by CAS workers behind closed doors right in their own schools with the cooperation and support of school officials. Many children have reported that they no longer trust school officials and no longer want to go to school as the result of being harassed at school by child protection workers.

Many believe that CAS workers deliberately use the schools as a place to unlawfully gather information about children and families without having to follow the due process of law as CAS

workers have misled many school boards into believing that school officials must fully cooperate with CAS workers and do whatever CAS workers tell them to do. Some believe that CAS workers deliberately involve themselves at a child's school in order to stigmatize the family and to influence school officials into believing that the family is abusing their children.

The legal and ethical issues surrounding CAS workers unlawfully entering schools to interrogate children and interfering with schools can be reviewed in a document called, "Schools and the CAS: A guide for school officials". This document is on line at:

<http://www.canadacourtwatch.com/Studies/SchoolsAndCASGuide.pdf>

Recommendations

To meet acceptable minimal standards of accountability, transparency, fairness and professionalism, each children's aid agency should have published policies and/or practices which clearly reflect the following:

- 1) That child protection workers will not conduct interviews of children at their schools except in extreme circumstances and with the informed consent of the student or his/her parents.**
- 2) That requests for school records will not be made without the informed consent of the parents or a court order being obtained first.**
- 3) That all communication between CAS workers and school officials be in writing or electronically recorded to maintain an accurate record.**
- 4) That no information, either written or verbal, is to be given to school officials about any family's file without the informed written consent of the parents. Information about the family members must be considered confidential at all times unless the family provides their informed consent.**

Issue #19: The removal of newborns from their mothers at hospitals using unethical practices

Discussion

Many parents, especially single, young and financially disadvantaged mothers have reported that CAS agencies have without warning or any prior notification, come into the hospital shortly after they have given birth to a baby and removed their infant from the hospital. Often tricks are used by CAS workers to divert the attention of new mothers while child protection workers sneak the new born infants from the maternity ward through a back door. In most cases, court orders have not been obtained prior to the seizure of the child. Mothers are often left in anguish after CAS workers walk into their recovery rooms at the hospital and announce to the new mothers that their babies have been taken away from them.

In all cases, CAS workers make prior plans well in advance to snatch the baby from the parents but never advise the parents of the intention of the CAS to seize the child at birth. Removing a child from his/her parents without prior notice is a violation of the rights of the parents to a fair and just process. This type of apprehension also causes a lot of damage to the child and to the parents. There is no need for this kind of baby snatching at hospitals whatsoever. While CAS agencies may claim that they need to maintain secrecy to protect the child, there clearly are other less adversarial alternatives.

Many believe that CAS agencies and their workers remove newborn infants from the hospital without any prior notice to the mother so that families will not have the chance to properly defend

themselves prior to the birth of the child, a strategy which gives CAS agencies a huge advantage over unsuspecting parents when they are most vulnerable. While CAS must apply to the court within five days of apprehending a child, it is impossible for new mothers in such a situation to have any hope of defending the rights of themselves or their child at such a stressful time.

Recommendations

To meet acceptable minimal standards of accountability, transparency, fairness and professionalism, each children's aid agency should have published policies and/or practices which clearly reflect the following:

- 1) That child protection workers be required to publish clear guidelines as to how workers are to deal with expectant parents and where child protection workers feel that there will be a child protection concern once the baby is born.**
- 2) That child protection workers will promptly notify parents who are expecting a baby and to present the parents with the specific concerns that the workers have and to provide a specific list of conditions that if met would allow the parents to take their child home from the hospital without interference from the hospital.**

Issue #20: Abuse of tax dollars to pay for CAS memberships in the private Ontario Association of Children's Aid Societies (OACAS)

Discussion

Monies being taken by the taxpayers is being used to pay for each CAS agency in Ontario to belong to the Ontario Association of Children's Aid Agencies (OACAS). This is money being spent to promote all of the privately operated CAS agencies in the province and is not being used to help children and families. It has been reported that in excess of two million dollars of tax dollars have been transferred from CAS agencies to the OACAS. The OACAS is merely a lobbying group to promote the interests of local CAS agencies. Giving money to the OACAS is akin to giving tax dollars to a particular political party or candidate through clandestine means.

Many believe that the diversion of tax dollars is yet another example of how taxpayer funds are being misused to promote the private interest of privately owned CAS agencies in the Province of Ontario. CAS agencies are using tax dollars to fund this private organization and to pay their members to attend out of town functions which have little or nothing to do with the protection of children. The Ontario Association of Children's Aid Societies is yet another organization which needs to promote bringing children into care and adopting out children as a means to justify its existence. This is a conflict of interest and a good example of how bureaucracy gets out of control.

The Province of Ontario has already legislated into being the Ontario College of Social workers which should be the one organization monitoring individual workers. If individual workers are being properly monitored by the College, there should be no need for the Ontario Association of Children's Aid Agencies. If individual CAS agencies feel that the Ontario Association of Children's Aid Agencies is such a good investment, then force CAS agencies to fund membership from their own private sources, not from the taxpayers of Ontario.

Recommendations

To meet acceptable minimal standards of accountability, transparency, fairness and professionalism, each children's aid agency should have published policies and/or practices which clearly reflect the following:

- 1) That funds for memberships in any outside organization will not be taken from tax**

dollars given to the agency by the Government of Ontario but must come directly from contributions from private sources or from CAS workers themselves.

Issue #21: Drug testing and screening of child protection workers

Discussion

Most, if not all, CAS agencies are without published drug testing policies when it comes to their own employees. There have been published reports of CAS workers using illegal drugs while on the job. In some cases CAS workers have been charged for drug and even illegal firearm offences.

In one situation, members of the public attending a fundraising event for a CAS agency reported seeing the agency workers outside of the banquet hall consuming illegal drugs in the parking lot. In spite of a written complaint being made, the CAS agency refused to do anything about the incident or to screen the workers for drug use.

Many believe that CAS do not want to apply drug testing policies for their own workers as it is common knowledge amongst CAS workers that many of the workers do in fact consume illegal drugs and CAS agencies simply do not want the public to become aware of this problem. Child protection workers routinely insist that parents undergo drug and alcohol tests when allegation are made against parents, so workers must be willing to subject themselves to even higher standards than they expect from parents because they are working with many children and the consequences of poor judgement by workers can have profound effect on many children and families in the community.

Recommendations

To meet acceptable minimal standards of accountability, transparency, fairness and professionalism, each children's aid agency should have published policies and/or practices which clearly reflect the following:

- 1) That CAS workers be required as a condition of employment to submit to random drug screening tests during the term of their employment upon request of their employer.**
- 2) That CAS workers be required to submit to a drug screening test should a complaint of drug use by a worker be made to the CAS agency and reasonable evidence would support the claim.**

Issue #22: Screening practices for the hiring of child protection workers

Discussion

There have been a number of complaints about incompetent child protection workers being fired from one child protection agency only to be hired by another with the worker conducting themselves in the same unprofessional manner.

In one situation, workers with one CAS agency in Ontario were exposed and found guilty in court for blackmail, malicious prosecution, perjury and incompetence. The CAS agency had no choice except to fire the worker who was the most corrupt of the bunch.

Within one year of being fired at the one CAS agency in Ontario, the same worker was discovered working at another CAS agency in the same capacity of child protection worker. Parents in the new community were totally unaware of the worker's past history.

Recommendations

To meet acceptable minimal standards of accountability, transparency, fairness and

professionalism, each children's aid agency should have published policies and/or practices which clearly reflect the following:

- 1) That all applications for employment with a CAS require the applicant to disclose all employment history for a minimum of 10 years prior to the application.
- 2) That all applicants for position at a CAS agency be required to sign an acknowledgement that should it be discovered at any time that false or misleading statements were made on their application, then they acknowledge that they will be dismissed without pay.
- 3) That all those making application to work as a child protection worker be required to provide a criminal check done by police.
- 4) That any employee who is found to have submitted false or misleading evidence in order to obtain employment with the CAS be immediately terminated.

Issue #23: Greater involvement of community based family support services

Discussion

In most cases, CAS agencies keep all matters private claiming that this is needed for the protection of children. Parents are told that outside community based family support agencies are not welcomed and that if parents disclose information to outside agencies that parents will be punished.

Statistics show that children in care of a child protection agency do far worse than children in the general population. Placing children in care of a CAS agency should only be done as a last resort. The involvement of outside community based organizations should be encouraged, not discouraged as is the case now. Agencies providing such services include the George Hull Centre in Toronto and the Family Networks organization which operates in London, Ontario.

Recommendations

To meet acceptable minimal standards of accountability, transparency, fairness and professionalism, each children's aid agency should have published policies and/or practices which clearly reflect the following:

- 1) That children and parents be given the automatic right to engage a family group decision-making process or to engage any other community based resource which offers advocacy services to deal with child protection issues.
- 2) That CAS agencies provide all children and parents with information about community based advocacy support resources and to inform parents about how they can access these resources.
- 3) That CAS workers be required to work collaboratively with any community based organizations which the family has requested provide assistance for the purposes of providing a plan of care for any children at risk.

Issue #24: Unnecessary duplication of services by CAS agencies already provided by other community service providers

Discussion

In recent years CAS agencies have entered into the business of helping families by handing out food and clothing at Christmas time. Many feel that the involvement of CAS agencies into the distribution of gifts and food at Christmas is an inefficient use of CAS resources and is nothing

more than the unnecessary duplication of services which established agencies such as the Salvation Army or local food banks already provide. When it comes to costs of providing such services, the salaries of CAS workers are fairly high in comparison to that of other service providers who generally use more volunteers, so the overall costs to taxpayers is much higher when these sorts of services are being provided through government funded CAS agencies many of which are claiming that they need more government money.

Children's Aid agencies should focus on providing services related to the protection of children in need of protection which only CAS agencies can lawfully provide. CAS should not be diverting staff resources with charitable activities nor attempt to compete with those community based organizations such as churches, food banks or the Salvation Army which specialize in provide food and clothing to needy families. Other agencies are excluded from being in the child protection business so CAS should stay out of the business of distributing food and clothing to needy families.

Recommendations

To meet acceptable minimal standards of accountability, transparency, fairness and professionalism, each children's aid agency should have published policies and/or practices which clearly reflect the following:

- 1) That children's aid agency provide referrals only to other community based organizations which are in the business of providing food and clothing for needy families at Christmas time.

Issue #25: Abuse of children's expense funds by foster parents and group home providers

Discussion

It has been reported by a number of children in care that their physical needs are being neglected by foster care providers. Some of these reports include:

- Children in care being only allowed to drink one glass of milk per day
- Children in care being made to wear hand me down clothes from older foster children which will allow foster parents and group home providers to pocket the money received from the government of Ontario.
- Children in care having to wear old shoes from older foster children
- Children in care not being given their allowances
- Children in care going to bed hungry.

Recommendations

To meet acceptable minimal standards of accountability, transparency, fairness and professionalism, each children's aid agency should have published policies and/or practices which clearly reflect the following:

1. That all foster parents be required to submit receipts for purchases of clothing and shoes for children and be required to maintain these records in the event of an audit.
2. That children in care be provided with access to reporting sheets that they can send off directly to the Child Advocate's office (using self addressed and postage free envelope) in which they can report any irregularities or deficiencies in their physical care including food and clothing.

Issue #26: Failure of CAS agencies to seek out biological parents and extended families prior to placing children up for adoption

Discussion

It has been reported by a number of non-custodial parents and/or extended family members that in situations where CAS agencies have removed children from abusive parents that no action is taken to locate the biological parent or to consider the biological parent as a care provider for their child. Some parents have reported that even when CAS agencies have known the identity of the other parent that steps have been taken to exclude that parent from being involved.

Recommendations

To meet acceptable minimal standards of accountability, transparency, fairness and professionalism, each children's aid agency should have published policies and/or practices which clearly reflect the following:

- 1) That when a child is apprehended from a parent who is single or living with a non-biological parent to the child, all reasonable efforts will be made to contact the biological parent or extended family members and to give the biological parent or extended family the opportunity to be involved should they wish.**
- 2) In the event that the non-biological parent or extended family may not wish to be involved with the child after being given the opportunity to do so as outlined in (1), then the agency will request the non-biological parent or a member of the extended family to sign an acknowledgement form to this effect.**