

[REDACTED], B. Sc. (B/Phys-Ed)
[REDACTED], Burlington, Ontario [REDACTED] Tel: (905) [REDACTED]

May 2, 2005

Ms. Elizabeth Patterson (Assistant Deputy
General, Family Justice Services Division)
595 Bay Street, 8th Floor
Toronto, Ontario,
M6G 2M6
Tel: (416) 314-2504

By Facsimile: 416-314-2500

Dear Ms. Patterson:

Re: **Your Correspondence of April 21, 2005**
Your Reference # : SJ05 - 00006

I received your correspondence dated April 21, 2005 on April 27, 2005 via the regular mail service. I thank you for same.

Previously Ms Clare Burns, of the Office of the Children's Lawyer (OCL), directed me to review the following web-site which your correspondence of April 21, 2005 suggested:

www.attorneygeneral.jus.gov.on.ca/english/family/ocl/ .

To reiterate, what I stated to Ms. Burns in a previous correspondence (May 28, 2004 email to clare.burns@jus.gov.on.ca):

"I have visited and reviewed the publicly available OCL website as you have suggested and I was not able to find the information or written material which I had requested in my May 17 and 19, 2004 e-mails to you. Could you please confirm whether or not the publicly available information sites that you refer to in your May 20, 2004 letter contain the written material which I made request of in my aforementioned e-mails."

To date I have not been provided with the materials which I had requested. In addition, I have not received confirmation as to whether or not the directives I have requested are on that specific web-site. This was one of many reasons why I wrote to your office.

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Upon your request I can email you a complete copy of the aforementioned email which I sent to Ms. Clare Burns.

I observed, that on one of the many web pages of the aforementioned web-site which you and Ms. Clare Burns directed me to peruse stated the following :

"If you have any questions about the delivery of clinical investigator services by the Office of the Children's Lawyer, please call: (416) 314-8000 or Fax: (416) 314-8050 "

It seems to me that my inquiries directed to your office, and the OCL's, concerning the delivery of OCL appointed clinical investigator's and legal agents has met with overt obfuscation and stonewalling. At this time, I view Ms. Clare Burns' and your actions in this matter as overtly obstructionist and unconcerned, with the probable intent to cover-up. Considering the foregoing, it seems to me that the aforementioned instruction should be removed from the web-site in question.

Your correspondence of April 21, 2005 also stated:

"... The balance of the materials that you have requested, to the extent they exist are protected by solicitor-client privilege. I am therefore unable to provide them to you."

It is commonly understood that solicitor-client privilege exists only in respect to the communications between the solicitor and the client. To reiterate, I am not asking for information pertaining to the communication between any particular lawyer/solicitor and any particular client. I am asking for the Ministry of the Attorney General - OCL **standards** which govern the behaviour and protocol of OCL appointed legal agents and clinical investigators acting on behalf of the OCL in custody disputes between parents.

It is my understanding that quasi-governmental agencies and governmental departments must have available written copies of their guidelines - codes of ethics, protocol - professional standards of practice for all those engaged by the agency/department. It is my further understanding that absolute adherence to such policies is mandatory for all those engaged by such agencies/departments and these written materials are public documents which are available to the public and are to be provided upon request.

It seems to me, by your not providing me with the professional standards, standards of practice, guidelines, standards of protocol to which the appointed legal agents and appointed clinical investigators - social assist of the OCL are governed:

[REDACTED] 2005-05-02

1. You are in effect preventing/obstructing me from determining whether I have sufficient grounds to put forward a legitimate complaint.
2. If I put forward a concern/complaint that is not in violation of your standards, then it could be considered a frivolous and/or vexatious complaint by your Ministry.

And

3. I will have no reference with which I can determine whether or not my concerns established a violation of the OCL professional standards and/or protocol.

On further reflection, it seems to me you have orchestrated the process so that I am unable to lodge a complaint because without knowing what the standards are, how can I determine whether the legal agent(s) and/or the social assist(s) appointed by the OCL in my family matter violated them. In doing so, it suggests to me you exempt OCL appointed legal agents and clinical investigators from accountability concerning their conduct and performance, and in turn exempt them from repercussions about their potentially unprofessional behaviour.

If such professional standards and/or protocol directives do not exist, then could you please confirm and advise me that this is the case. If they do exist then I expect to be provided with copies of same.

I would appreciate being provided with the applicable professional standards and the protocol of practice directives which I have requested numerous times and to date have not been provided, or, do you consider my request to be an unreasonable one?

Regards,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] 2005-05-02
Mr. [REDACTED]

cc The Hon. Mr. Cam Jackson MPP Burlington South, fax: 905 639-7924
Ms. Clare Burns, The Children's Lawyer of Ontario, OCL fax 416 314-8050
Mr. Vernon Beck, Family Conflict Resolution Services fax 905 829-1571
Mr. Michael Nash LL. B. fax: 905 529-3663