

# It's time to get CAS workers legally registered

Requiring children's aid society workers to comply with the law by registering with the Ontario College of Social Workers should be the first step CAS agencies take towards responsible reform of the child protection system in Ontario

By Vernon Beck, Child and Family Justice Advocate - January 2, 2016

On January 1, 2016, a letter from Ms. Mary Ballantyne, the CEO of the Ontario Association of Children's Aid Societies, was published in the commentary section of the Toronto Star newspaper. Her letter was labelled, "Don't blow up Ontario's child welfare system".

<http://www.thestar.com/opinion/commentary/2016/01/01/dont-blow-up-ontarios-child-welfare-system.html>

In her letter to the Star Ms. Ballantyne wrote, *"What Ontarians require, and should expect, is a responsible and coherent approach to the review and improvement of its child welfare system. Let's have the public conversation that we need that includes all the stakeholders and puts the voices of children and families first."*

Ms. Ballantyne's letter to the Star was in response to an article published earlier on December 17, 2015, in which the Premier of Ontario indicated, that she was willing to blowing up the CAS mess in order to fix Ontario's broken child protection system.

  
**CANADA**

## Premier ponders blowing up our CAS mess: Cohn

Lacking government accountability, children's aid is bogged down in bureaucracy.  
The entire system should be blown up.

By: Martin Regg Cohn, Provincial Politics - Tuesday, December 22, 2015



Ontario Premier Kathleen Wynne has proclaimed herself ready to do whatever it takes to fix the children's aid societies mess, Martin Regg Cohn writes

<http://www.thestar.com/news/canada/2015/12/22/premier-ponders-blowing-up-our-cas-mess-cohn.html>

While Ms. Ballantyne's statement about a "responsible and coherent approach" may sound well intentioned and convincing to the misinformed, unfortunately, what Ms. Ballantyne states is only a

rehash of what children, families, advocates and politicians have been demanding from the members of her Association for many years. Ms. Ballantyne suggests more public conversation, yet the reality is that the tragic failure of CAS agencies across Ontario has been widely reported in the newspapers and publicly debated in the Ontario Legislature for years. There has already been lots of public conversation on the issue of CAS failures which is why the Premier has come very close to point of “blowing up the CAS mess” and to start from the ground up for which there are many strong arguments to support her view.

Children and families are fed up with the hollow promises by the Association of Children’s Aid Agencies and its members to clean up the child protection system. Members of the public have been demanding for years that CAS workers be more professional and accountable. The public wants action now, not more endless public conversation and meaningless promises as has been the case for too many years.

One significant factor contributing to the massive failure of CAS agencies in Ontario is the fact that almost all front line workers employed by the province’s various CAS agencies are blatantly violating the law in Ontario by providing social work services without actually being lawfully registered social workers. In fact, the Association of Children’s Aid Agencies has been a significant part of the problem by turning a blind eye to the problem of CAS workers breaking the law.

In the year 2000, Ontario’s social work and Social Services Work Act was proclaimed into law which stated that the practice of social work in the Province of Ontario was regulated and that the Ontario College of Social Workers and Social Services Workers was given the duty to regulate the practice of social work and its members.

Ontario’s Social Work and Social Services Work Act (1998) states the following:

#### **Objects**

3.(2) The College has the following objects:

1. To regulate the practice of social work and the practice of social service work and to govern its members.

The Social Work and Social Services Work Act was intended to get all CAS workers in the province of Ontario registered under the College so that there would be an independent body to oversee the workers and to make them accountable for their work. Just as teachers in Ontario have to be registered with the teacher’s College before they can work in the classroom, CAS workers are by law supposed to be registered with the College of Social Workers and Social Services Workers before they can engage in the practice of social work in the public realm.

Yet today, almost 15 years after legislation was made law in Ontario requiring CAS workers engaged in social work to be registered with the College, almost all front line CAS workers in the Province of Ontario are not members of the College and thus are breaking the LAW! Some CAS workers have quit their membership with the College in order to avoid oversight by the College.

The massive law-breaking by children’s aid society workers has been brought to the attention of the Association and its members many times in the past and as well to the attention of the Legislature. Yet to date, Ms. Ballantyne and the Association have done absolutely nothing in 15 years to get their member agencies to get their workers to comply with the law in Ontario. Many CAS agencies toe the line by saying that their workers don’t have to be registered because they call themselves “child protection workers” even though the workers engage in the practice of social work which by law is regulated.

Mr. Frank Klees, the former member of the Provincial Legislature for Newmarket, Ontario has gone on the public record on the subject of how CAS workers are breaking the law.



*“In 1998, this House passed a piece of legislation called the Social Work and Social Service Work Act. The whole purpose of that legislation was to ensure that there are standards across this province for social workers and social service workers. It was to establish a college that would register social service workers and social workers so that there would be a disciplinary panel so that people could be held to a standard of accountability. What has happened over time? This same government has actually found a way to circumvent that legislation that was intended to protect the public interest. Why? Because now, children’s aid societies are calling those social workers “child protection workers.”*”

**The Honourable Frank Klees, MPP Newmarket Aurora (Former)  
(May 5, 2011)**

In May of 2006 the child advocate for the province of Saskatchewan and former lawyer for the York Region Children’s Aid Society in Ontario, Mr. Marvin M. Bernstein, published a document called, “The Challenge of Professionalizing Child Protection Workers and retaining the Title of Social Worker.” In his document, he made strong arguments supporting the need to have child protection workers registered and regulated as professionals.

Mr. Bernstein stated on page three of his document that it was *“imperative” that child protection workers be members of a professional body as part of the strategy of improving the quality of services that child protection workers should be providing.*



*“It is imperative that within this climate of potential discouragement and anxiety that child protection workers be supported and empowered in their work. One way of achieving this goal is through professionalizing child protection work and encouraging those child protection workers with social work degrees to take the necessary steps to strengthen their professional identification and to represent themselves as social workers”*

**Mr. Marvin Bernstein  
Former in-house counsel for York Region Children’s Aid Society and children’s advocate for the Province of Saskatchewan**

A recent article from the Boston Globe published on December 17, 2015, shows that jurisdictions outside of Ontario are taking action against their child welfare workers by firing workers who are found to not be in compliance to the law.

**The Boston Globe**  
**DCF fires 10 workers who failed to get licenses**  
By Michael Levenson – Globe Staff  
December 17, 2015  
Source: <http://www.bostonglobe.com/metro/2015/12/17/DCF-fires-workers-who-failed-get-licenses/KMfgcEdkfEkHyD5yjNBw2M/story.html>

If Ms. Ballantyne is really serious about implementing a “responsible approach” to cleaning up the CAS mess, then Ms. Ballantyne should first ensure that members of her association put an end to the practice of front line CAS workers breaking the law by engaging in social work services without being legally registered social workers.

Getting front line CAS workers registered and into compliance with the law would certainly be, as Ms. Ballantyne had stated herself, a responsible approach to improving the child welfare system in Ontario. The registration of CAS workers won’t cost the taxpayers or CAS agencies a cent. The registration of CAS workers will not require more public conversations. Sending out a notification that workers have a grace period of 12 months to register would be fair to the workers and represent a significant step towards accountability and professionalism of the workers.

The issue of CAS workers being registered with the College has been discussed long enough. It is “***imperative***” that child protection workers be members of a professional body as part of the strategy of improving the quality of the child protection system in Ontario.

The time has come for the Association of Children’s Aid Agencies to step forward and to act before Premier Wynn does act on her thoughts of blowing up Ontario’s significantly troubled child protection system.

*Vernon Beck is a child and family justice advocate, the founder of Canada Court Watch and a member of the Children’s Aid Society. He has been advocating for children and families as well as for improvements to Ontario’s family courts and child protection system since 1995. He can be reached at [vernonbeck1@yahoo.ca](mailto:vernonbeck1@yahoo.ca) He is the author of the research document called, “The Unlawful Practice of Social Work in Ontario by Children’s Aid Society Workers” which can be downloaded from the following link:*

[http://www.canadacourtwatch.com/files/all/The\\_Unlawful\\_Practice\\_of\\_Social\\_Work.pdf](http://www.canadacourtwatch.com/files/all/The_Unlawful_Practice_of_Social_Work.pdf)