

**IN THE MATTER OF THE CORNWALL PUBLIC INQUIRY
THE HONOURABLE G. NORMAND GLAUDE, COMMISSIONER**

**PHASE II WRITTEN SUBMISSIONS OF
THE CHILDREN'S AID SOCIETY OF THE
UNITED COUNTIES OF STORMONT, DUNDAS AND GLENGARRY**

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**THE CORNWALL PUBLIC INQUIRY PHASE II SUBMISSIONS OF
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A - Introduction

Pursuant to paragraph 3 of O.C. 558/2005 [hereinafter the “order in council”], the Commission shall inquire into and report on processes, services or programs that would encourage community healing and reconciliation in Cornwall.

When considering the Phase II mandate, it is important to consider where healing needs to take place. Clearly, one has to consider the needs of victims and alleged victims. At the end of the day, victims, alleged victims and the public must have confidence in the institutions which are here to serve them.

B - The Path To Community Healing and Reconciliation

We have all heard the expression that the longest journey starts with the first step. The same is true with respect to the healing and reconciliation process. From its perspective, The Children’s Aid Society of the United Counties of Stormont, Dundas & Glengarry [hereinafter the “CAS” or the “Society”] wishes to apologize to all those who have suffered harm as a result of being mistreated while in the care of the CAS. During the Phase I evidentiary hearings, we heard from some former wards of the CAS who endured a harsh upbringing. These are the first people that we must consider in the journey towards healing and reconciliation.

The preamble of the order in council speaks of allegations of abuse of young people which have surrounded the City of Cornwall and its citizens for many years. Over the last several years these

allegations were kept alive in the public eye as a result of traditional media coverage and through the less traditional means of websites and internet blogs.

The CAS asks that the Commission keep in mind not only the victims of past abuse, but also those institutions whose public image has been damaged as a result of what has transpired in this community. These same public institutions are the institutions that will continue to serve this community after the Commission has completed its work.

While the CAS cannot and does not speak for the other public institutions which have standing at The Cornwall Public Inquiry, it can say that its public image has been damaged as a result of the allegations which have been at the heart of some of the Phase I evidence and as a result of the attention given to these allegations in the traditional media and on the internet.

The CAS certainly understands that it was necessary to carefully examine the particular cases which were selected during Phase I in order that the Commission's mandate could be effectively carried out. Regrettably, due to time constraints, other cases which were successfully managed by the CAS and other public institutions were not reviewed. This did not give the public the opportunity to fully appreciate the accomplishments of the various public institutions. Some of the cases which were examined dealt with events that occurred many decades ago. While the age of the events does not diminish the harm suffered by those who were mistreated, in order to achieve community healing and reconciliation it will be important for the public to understand that many of the Society's shortcomings, which were reported on in the traditional media and elsewhere, have been addressed by the Society. In some instances, the shortcomings were

rectified many years ago. Unfortunately, the good things that the CAS has done in the past, and continues to do today, have been overshadowed by the negative publicity placed upon the Society's past failings.

C- Implementation of Changes

The CAS has not taken a "wait and see" approach to the Cornwall Public Inquiry process. Rather than wait for recommendations, the CAS Board and Management decided to act in a very proactive fashion so that the Society could hear and define the issues as witnesses testified during the course of the Phase I evidentiary hearings.

By April 2008, as a result of listening to the Phase I testimony, the CAS had identified lessons that were learned as well as opportunities for the enhancement of services.

Funds were applied for and received from the Society's overseeing Ministry to allow the CAS to immediately begin making the changes that the CAS felt were necessary. The areas the Agency has been reviewing and addressing include:

Unscheduled Visits to Foster homes, Kin-in-care homes and Adoption homes and Outside Paid Resources

During Phase I, the Commission heard from some of the Society's former wards, who alleged that their treatment and living conditions changed in their homes on the day that workers were scheduled to visit. It became evident that the Society should change the practice of having only scheduled visits to any home or facility providing accommodation to CAS wards. The CAS also learned, in researching for this change of practice, that the Youth-In-Care Network (a local and provincial group) was also making this recommendation and that only one agency in the Eastern

Zone (comprising 12 CASs) had wording for such an arrangement in their Foster Parent Service Agreements.

In consideration of the Society's strong working partnership with their foster parents, a Focus Group was set up involving representatives of the Foster Parent Association, active foster parents, staff and management. Out of that meeting, the Society received strong support from the foster parents as a whole, fully supporting the need to ensure that wards are all living in safe homes that provide consistently for them. There was a complete understanding that as the legal guardian of its wards, the CAS has every right to total and immediate access to the children anywhere and anytime without the need of an appointment.

Policies and procedures and the Foster Parent Service Agreement were reviewed and changes recommended including this new practice. In the interest of conserving staff time and travel time it was recognized that scheduled visits would still happen but that all homes would be "dropped in on".

This new practice, beginning in March of 2009, will involve all children in care placed in foster, kin-in-care, and adoption homes as well as those placed in outside paid resources (OPR).

Filing of Documentation concerning Outcomes of Investigations Against Foster Parents and Alternate Caregivers

In reviewing and preparing files for the Commission and for disclosure to former clients, the CAS became aware of inconsistencies in the agency's filing system. Very frequently, the summary report found on the foster home file would not be found on the files of the children

making the allegation or on the files of the children interviewed in the process of the investigation.

An audit review was completed on all foster home files where a child protection investigation was completed by this CAS. These files spanned a 28 year time period between 1980 and 2008. Corresponding files of all the children were pulled and copies of the investigation report or summary and cross-reference names and file numbers were placed on each file. A report and analysis of the audit, and a list of the homes and children, was made available to management staff.

The Summary Report outline has been revised to include the cross-referencing of the Foster Home file with the Child Protection file which contains the full Investigation Report.

Policy and procedure recommendations were made and will be incorporated in a new policy in the next review to ensure that copies of the summary report placed on the foster home file will be placed on all of the children's files who were involved in the process.

CICB (Criminal Injuries Compensation Board) Applications for Verified Abuse of Children In Care

Through the Inquiry the Society has been made aware of a discrepancy in the way it deals with verified child abuse victims in the community versus those children in foster care whose abuse allegations against a caregiver have been verified. While recommendations were made at the verification review for children in the community it was left for follow up by the worker for children in care and no recommendations were forthcoming from the verification review. It is

recognized that the standard for applying should be the same for children in the community and for children in care. Procedures in the Society's Foster Care policy manual under Complaints/Abuse Allegations/Serious Occurrences will be amended to include the requirement that the Investigation Supervisor and Investigating Worker will discuss and prepare a recommendation around verified abuse cases as to the application on behalf of the child to the CICB. This recommendation will be brought forward for further discussion and final decision at the Disposition Conference that includes the investigation team, the child's worker and supervisor and resource supervisor and worker. The recommended amendments have been discussed at the Supervisory/Management level and implemented.

Treatment For Children In Care Following Verification of Abuse

The CAS also discovered that it was not making recommendations for treatment or even an assessment for treatment for children in care following an abuse investigation which verified a child in care had been abused. Procedures in the Society's Foster Care policy manual under Complaints/Abuse Allegations/Serious Occurrences will be amended to include the requirement that the Investigation Supervisor and the Investigating Worker will discuss and prepare a recommendation in verified abuse cases, concerning the need for an assessment for treatment for the child. This recommendation will be brought forward for further discussion and final decision at the Disposition Conference that includes the investigation team, the child's worker and supervisor and resource supervisor and worker. The recommended amendments have been discussed at the Supervisory/Management level and implemented.

Policy and Procedure on Advising Employers Re: Individuals That Pose Risks To Children
On September 11, 2008, William Carriere, provided his recommendations to the Commission.

One of his recommendations was as follows:

That the Commissioner provide guidance with respect to the issue of notifying employers when child protection matters arise or that the Commissioner recommends that a provincial group be formed to address the issue with guidance to follow.

CPI Transcript, Vol. 280, p. 141.

This recommendation caught the interest of Child Protection managers and staff locally and in the Manager's Working Committees in the Eastern Zone and provincially where the topic is on the agendas of both groups.

Because of the numerous social and legal issues around this sensitive matter provincial/Ministry direction is needed with a focus on the need for safety of our children.

Employee Training

The tracking of individual staff training has always been a challenge for the Society. With the improvement of technology the CAS is now in its final stages of an RFP (Request for Proposal) process which will result in the purchase of a new HR Management Information System which will include the ability to record and track individual staff training.

In preparation for this next electronic stage, the Society has completed an audit of staff's HR files manually listing all training as individually recorded. This will be fed into the new system following an update and confirmation request from all staff.

Forms have been developed, and placed in the hands of staff and managers to track “New Worker Training”, “Staff Internal Training” and “Staff External Training”. Some of these will become redundant depending on the new system’s ability to allow staff access and to self-enter.

Community Partnerships

The CAS is of the view that it has an excellent and longstanding record of community partnerships. This is demonstrated, in part, by the inclusion of community partners in training initiatives and program development. Unfortunately, because of a lack of tracking these events, the Society has been unable to show proof of these working relationships.

To better track these events with community partners, the CAS has developed a form to record the participants of all “Community Training” presented by or participated in with the CAS.

This CTR (community training record) must be initialed and submitted by the host manager immediately after the training event. The CTR will be maintained by HR and will be available to anyone internally or externally who wishes to know the names of participants and/or community organizations taking part in any identified training.

Police Background Checks

Although the Society has been conducting police background checks on all individuals having direct access to children, it had differing processes to follow for each group. In a review of these procedures the agency has taken steps to unify the system resulting in one process to obtain Police Background Checks on all Board Members, Staff/Employees, Foster parent applicants,

Alternate Care Givers (Babysitters), Kin-in-Care parent applicants, Adoption applicants, and Volunteers.

Abuse Allegations Made Against Agency Members (Staff and Board)

For more than a decade, the practice of the Agency has been to have an impartial neighbouring CAS complete the investigation and report back to the assigned manager when an abuse allegation has been made against a CAS staff member. However, as a result of listening to the Phase I evidence, the Society's Human Resources policy is under discussion and review in an attempt to achieve the following objectives:

- To ensure that a detailed report of the allegation, investigation and eventual disposition was completed;
- To place that report in a known, secure and confidential location, available for access when required;
- To provide an acceptable level of privacy for the staff member who has been accused. It is noted that should a subsequent allegation be made against the staff member his or her name will still appear when a Fast Track check is completed. This is an important safeguard against any suggestion the agency or an individual in the agency attempted to bury the issue.

This is a work in progress with ongoing discussion and policy development between CAS management and Human Resources.

File Disclosure to Former Wards of the CAS

The issue of file disclosure to former wards of the CAS continues to be discussed and addressed within the Agency. The Society is well aware of the concerns and frustrations of some witnesses who testified during Phase I with respect to records disclosure.

During the course of The Cornwall Public Inquiry the CAS hired a second person to address record disclosure requests and the CAS has made a recommendation to the Commission with respect to records disclosure.

The good news is that with the implementation of ONLAC (Ontario Looking After Children) there is a greater emphasis in sharing information with a child at various stages of his/her life. Also, in the electronic file, there is a requirement to annually update the child's social history. As this becomes embedded in practice, it is safe to say that upon a youth's discharge from care as a Crown ward, or as an adult on extended care, a full printed copy of the individual's social history can be given. At that stage there should be no surprises with new information as the youth has been given updates throughout the stages of his/her life.

To fully integrate the ONLAC program into the practical lives of children and youth in care, the Ministry must consistently fund agencies at levels to allow for caseloads low enough to manage the requirements of ongoing counseling as youth attempt to deal with their individual histories.

Suffice it to say that it appears the Ministry has now provided the tools to provide disclosure, it must now provide the consistent manpower to deliver the product. This will reduce and eventually eliminate the need for adult former wards to return for information.

Abuse Protocol

The current Abuse Protocol is under review with the Cornwall Community Police Services and has been assigned to a senior manager with the CAS. Discussion should be expanded to involve the OPP, the Upper Canada District School Board, the Catholic School Board of Eastern Ontario, Probation Services, and the Ministry of the Attorney General. Some consideration will also be given to involve religious institutions in protocol development.

D - The Healing of Victims

Proposal to Meet With Former Wards

In an effort to promote the goal of community healing and reconciliation, the CAS is prepared, through the Society's Executive Director, Rachel Daigneault, or her delegate, to meet with former CAS wards in order to share and discuss their experiences while in the care of the CAS.

There is no doubt that the CAS gained insight as a result of the testimony of former wards during the Phase I evidentiary hearings. Some witnesses who testified indicated that testifying was a difficult, yet positive experience for them. The CAS hopes that the above-mentioned proposal will create an opportunity for former wards to share their experiences and insights and for the CAS to continue to learn from these individuals.

Included in this invitation are the many former wards who had positive experiences while in the care of the CAS.

While the CAS recognizes that one cannot change the past, it also believes that one can learn from past experiences.

E – Support for Other Submissions

The CAS acknowledges all of the thought and effort that was put into the submission for Phase II of The Cornwall Public Inquiry. It is encouraging to see that so many individuals and organizations are concerned about children and youth in our community. The following comments focus on three particular proposals.

(1) Child Advocacy Centre

The CAS supports the creation of a Child Advocacy Centre (CAC). The intent of the Child Advocacy Centre for Cornwall & Area is to strive to reduce trauma and provide support to child and youth victims of violence and to their families. The CAC would play a crucial role in its attempts to empower children and youth survivors of abuse by encouraging interaction and healing within an identifiable “home base” territory for child/youth survivors of abuse, staff and visitors. In addition, the CAC could serve as a community resource to facilitate identification, intervention and prevention of child abuse.

The CAC would provide one-stop services in a single unit in a child/youth and family friendly environment, for children and families affected by trauma, whether sexual abuse, physical, emotional abuse, violence, etc. The most important feature of the CAC is the comprehensive

support and assistance under one roof provided. Depending on the stage of the involvement, children in our community who are alleged victims or victims are met in various environments, i.e. homes, schools, local CAS, police services offices and VWAP offices.

The CAS was actively involved in the proposal of the Child Advocacy Centre and completely supports the proposal. We believe that having all major institutions under one roof to help child victims of abuse is a most worthwhile project and would benefit our children and the community as a whole.

(2) Services for 16 and 17 Year Olds

The CAS further supports the submission by Deborah Daigle regarding the gap in services for 16 and 17 year olds. The Society would definitely be receptive to any recommendations by the Commissioner regarding this oft overlooked population. Sixteen and seventeen year olds are still in their formative years. They are a vulnerable population in many ways. Much can be gained by assisting them to make a successful transition to adulthood.

(3) Child Abuse Prevention Education and Training

In the *Views of Youth Regarding Sexual Abuse Prevention Education, Dangers on the Internet and the Boys and Girls Club*, which was submitted to the Commission by Prév Action, there are a number of recommendations directed at sexual abuse prevention education. The CAS supports these recommendations. This recommendation is included as recommendation #3 in the *Prév Action Recommendations Phase 2 Healing & Reconciliation* document. The caveat to CAS's support of these recommendations is the CAS concern that any abuse prevention program should include information

about all forms of child abuse, not only sexual abuse. Our children are susceptible to many forms of harm. It is incumbent upon us to protect them as comprehensively as we can.

In the study, youth seemed to have a lack of knowledge about where to go for help, and what resources are available in the community.

The lack of knowledge about where to go to tell someone about abuse is of great concern to the CAS. Not only is there a duty to report a suspicion of abuse to the CAS, but the child protection implications of this lack of awareness are wide-ranging. If a victim or someone who suspects abuse wants to disclose abuse and does not do so because they do not know where to go, the abuse will continue.

The Prév Action study recommends sexual abuse prevention education for children and youth. The CAS supports these recommendations and further urges that the prevention education address all forms of abuse, not just sexual abuse.

Further, the Prév Action report indicates that programming targeted to parents and teachers is required as well. Parents must be able to have their own conversations with their children about abuse, and must be provided with the knowledge and information to do so. The discussion of abuse in the classroom will offer students the chance to ask questions about the subject matter and become informed.

Access to this information is not only necessary for those children and youth who are at risk of or may already be victims of abuse, but it is also helpful for friends of such children.

The CAS also agrees with and supports the recommendation of Prév Action that there is a need to raise an awareness of the specific resources available in the area. This awareness should include that there is a

duty to report to the CAS. Additionally, the community would be well served by knowing how and where to access primary, secondary and tertiary protection services.

F - Community Renewal

Many of the Phase II submissions presented at the Commission recommend programs, partnerships and activities for community renewal.

The CAS supports any activities aimed at awareness, community pride and social inclusion. Although it does not have the funding to lead such activities, the agency will support and, where possible, participate in any such activities.

G – CAS Requirements

Staffing For Records Disclosure

One issue that arose during the Phase I evidentiary hearings dealt with the dissatisfaction of some former wards who have requested disclosure of CAS records. The Society currently receives more than 250 requests for disclosure per year. At the present time, the Society does not receive and funding from the Ministry that is earmarked for records disclosure, rather the Society receives funding for staffing. As a result, in order to staff a records disclosure position, the Society necessarily takes funding away from such areas as child protection. This is a difficult allocation decision to justify when there are children in need of protection. There is currently two Society staff working at records disclosure. Although inroads have been made, there are still 70 people awaiting the results of their disclosure requests. The Society is facing major funding cuts in the next fiscal year due to the decline in the province's financial position.

The Society simply will be unable to justify the cutting of a child protection position over the records disclosure position and, as a result, one of those positions will almost certainly be cut. In order to remain in keeping with the Commission's mandate of healing and reconciliation, the backlog in records disclosure must be cleared. In order to continue to staff a full-time position to do this, the Society would require \$32,000.00 for the initial 6-month contract and then \$60,000.00 per year in order to sustain a full-time worker in records disclosure.

Staffing For Training

Another issue that arose during the Phase I evidentiary phase dealt with the training of CAS staff, foster parents and volunteers. At present, the CAS does not have a training coordinator. There is a need for a recording system for staff training. A training coordinator would implement a training plan for each employee, which would be updated yearly. The training coordinator would record staff training and ensure that staff members were participating in training most suited to each staff member's role in the organization. In order to staff and support such a position, the Society would require an additional \$85,000.00 per year.

Enhancing CAS's Public Image

Negative publicity has had a major impact on the CAS in terms of staffing and recruitment of foster parents and volunteers. Morale among existing foster parents is at an all-time low.

As a result of the Society's negative publicity, many foster parents believe that they now have a negative image in the community. The CAS currently has 110 foster families. Provincial statistics suggest that given the size of the agency and catchment area, the Society should have at least 200 foster families. Without available foster homes, children are being placed in group

homes or other institutions, which is less than ideal. Children should be placed in family settings. At the present time, the Society has decided to launch a major recruiting campaign for foster parents, with the aim of increasing the perception of foster parenting, and recruiting new families. The scope of the campaign will include billboards, a media blitz and ongoing advertising. The Society estimates that they will require an additional \$30,000.00 in funding in order to launch a successful campaign.

Conclusion

The CAS would like to thank the Commission for the opportunity to make Phase II submissions. The CAS has given careful thought to the needs of our community and how these needs can best be met. The Society is confident that the Commission will give full consideration to its submissions and is hopeful that the Cornwall and area community can heal, experience reconciliation and move forward.

ALL OF WHICH IS RESPECTFULLY SUBMITTED this 20th day of February,
2009.

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