

## **Executive Summary and Summary of Recommendations**

### **Executive Summary**

#### **Background**

The Children's Aid Society of the United Counties of Stormont, Dundas and Glengarry has been in existence since 1908 and recently celebrated its centennial anniversary. Over the last century, the C.A.S. has evolved considerably in terms of its size, mandate, policies and procedures.

There exists a common misperception that the C.A.S. will become involved any time that a child is in need of protection. This is not entirely true as the C.A.S. and its workers are limited by the current legislation, standards and guidelines to cases where the abuser or alleged abuser is perceived to be in charge of, or a caregiver to, the child.

A number of experts testified during the course of the Cornwall Public Inquiry. One such expert, John Liston, spoke on the topic of extra-familial sexual abuse. He testified that in the 1970's and early 1980's, there was no knowledge in agencies regarding how to respond to situations involving extra-familial child sexual abuse.

It is widely acknowledged that in the 1970's and 1980's and even into the early 1990's, agencies were plagued by a severe shortage of resources to deal with cases of child sexual assault.

In her report, Professor Stalker refers to this lack of resources in concluding that "limited resources appeared to lead to restrictions in the involvement of CPS in cases of extra familial child sexual abuse, and limited availability of police in some regions to conduct joint child

interviews.”

### **Records Disclosure**

Many of the former C.A.S. wards who testified at the public inquiry expressed frustration at their attempts to have the C.A.S. records relating to their time in care disclosed. Lack of resources and of a staff position dedicated to records disclosure, coupled with an increasing demand for disclosure, have been a problem. In 2000, the C.A.S. overhauled all of its policies and procedures and developed a policy regarding disclosure.

Part VIII of the *Child and Family Services Act*, R.S.O. 1990, c. C.11 deals with confidentiality of and access to records. Some sections within Part VIII of the Act have never been proclaimed in force. If it were proclaimed in force, it would provide an effective mechanism for former wards to request their records and would provide a consistent framework to the Children’s Aid Societies across the province to handle disclosure requests.

### **Protocols**

The development of protocols to coordinate child protection interventions is a positive development in the evolution of child protection. The C.A.S. played a significant role in developing the first child sexual abuse protocol in Stormont, Dundas and Glengarry.

The C.A.S. also actively participated in the development of the *Child Protection Protocol, A Co-ordinated Response in Eastern Ontario* which came into effect in July, 2001.

The evidence called during the course of the public inquiry has demonstrated the importance of communication and cooperation between the various public institutions which are called upon to respond to the abuse of young people in our community.

### **Screening, Training and Investigation of Foster Parents and Employees**

The evidence called during the course of the public inquiry has demonstrated the importance of having proper screening and training programs in place for foster parents and employees of the C.A.S. It is clear, from a review of some of the historical cases that have been examined during the course of the public inquiry, that screening and training of foster parents and employees by the C.A.S. has improved tremendously.

We have also seen an evolution of the investigation process that is used when allegations have been made against foster parents or employees of the C.A.S.

### **Corporal Punishment Philosophy and Law**

Using today's standards, any methods of corporal punishment seem unacceptable. However, that has not always been the view expressed by society.

There was a time when it was appropriate to use corporal punishment to discipline a child in Ontario.

In order to properly assess the institutional response of the public institutions that have standing before the Cornwall Public Inquiry, it is important to keep in mind that the standards with respect to discipline have shifted over time.

During the course of this inquiry, we heard stories of harsh treatment of some wards, even taking into account the view of society that existed at the time. An example is the treatment that some of the wards of the Second Street Group Home received in 1976. When the C.A.S. became aware of the issue of harsh discipline being carried out in the group home, it took prompt action and took the steps necessary to rectify the situation.

## **SUMMARY OF RECOMMENDATIONS**

Various witnesses provided a number of recommendations that dealt directly with the C.A.S. This section will identify the recommendations that the C.A.S. would ask that the Commission consider.

### **Child Abuse Register and Fast Track**

A number of recommendations were made with respect to the current Child Abuse Register and Fast Track System. These recommendations included taking a look at the current Register to determine whether or not it still serves a useful purpose. If it is found that the Register is still of value, several changes were recommended. These include excluding names of victims from the Register (perhaps using monikers), and increased sharing of information contained in the Register, as deemed necessary by the C.A.S. (for example with police, Crown Attorneys,

probation and parole officers, and employers).

In addition, it was suggested that Fast Track checks be allowed for applicants for foster parents, adoption and C.A.S. positions (including employees and volunteers).

### **Training and Screening**

This issue was addressed by many witnesses with respect to C.A.S. workers, foster parents and volunteers. It was recommended that a program of joint training for police and C.A.S. workers on sexual abuse of children (including cases of historical child sexual abuse) be mandated, with funding from appropriate ministries. It was further recommended that the C.A.S. be provided with adequate funding to create sufficient staff positions to ensure that orientation and training needs be properly addressed on an ongoing basis. In general, it was recommended that C.A.S. staff undergo more training with respect to dealing with cases of child sexual abuse.

With respect to screening, it was recommended by one witness that there be better screening (including background checks) for applicants to social work positions at the C.A.S.

### **C.A.S. Response to Allegations of Abuse**

Many of the alleged victims as well as former child protection workers who testified before the public inquiry recommended changes to C.A.S. responses to children who are making allegations of abuse. In particular, it was recommended that there be two workers involved in all client

contact, and that a worker should not be allowed to investigate abuse claims that they had a personal involvement in. Further to this, if allegations of abuse occur within the foster care system, it was felt that the investigation should be referred to an outside source. It was further suggested that the workers should visit with the children more frequently; in order to develop a rapport with them and that workers must acknowledge the child's complaint and take them more seriously when they ask for help. It was also suggested that the worker involved should be interviewing all of the children in the family, rather than just the child who was abused. In addition, it was felt that C.A.S. should focus on prevention and intervention.

### **Records Disclosure**

Many witnesses identified records disclosure as a weak point for the C.A.S. and suggested numerous changes to the society's (and the provincial) current records disclosure policies.

### **Foster Homes**

There were a series of recommendations regarding foster homes, including suggestions of random, unannounced visits to foster homes. In addition, it was felt that any interviews with foster children should take place outside of the home.

### **Counseling and Support**

Many witnesses recommended that counseling be provided to current and former C.A.S. wards. In addition, it was suggested by several witnesses that foster homes be given the resources to offer ongoing support to former wards that have moved on, much the way a biological family would. It was also recommended that C.A.S. have a continued responsibility to the individuals who have been in their care, and that victims should continue to receive sufficient funding for their ongoing medical care, as well as some type of compensation. One witness suggested that there be increased programs to help at-risk mothers to prevent their children from ending up in C.A.S. care.

### **General Recommendations**

Numerous other recommendations were made with respect to other issues arising with respect to the C.A.S.:

- Ministry funding for proper quality assurance program;
- The Commissioner should provide guidance with respect to notifying employers when child protection matters arise;
- The Commissioner should recommend that the number of cases that a CAS worker can manage be examined by a committee comprised of CAS staff, the Ministry and the OACAS;

- The term “caregiver” should be reviewed and additional guidance provided with respect to the definition of the term;
- The *Apology Act* should include a provision for apologies in child protection cases;