

# journal



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**the voice of child  
welfare in ontario**

**OACAS, in support of its members is... the voice of child welfare in Ontario, dedicated to providing leadership for the achievement of excellence in the protection of children and in the promotion of their well-being within their families and communities.**



*Sebastian Pitman with his grandmother, Teresa Pitman.*

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## Message from the Executive Director: Managing in Uncertain Times

The whole world seems uncertain these days. The war in Iraq continues, terrorist bombings are reported daily and the power goes out across most of Ontario and a large area of the United States. Closer to home, Children's Aid Societies struggle to manage deficit budgets and to meet the requirements of legislation despite benchmarks that have become dangerously outdated.

In uncertain times, leadership becomes critical. John Sifonis of Cisco Internet Business Solutions describes three types of management styles that will create, not solve, problems during challenging situations:

- **The Deer in the Headlights:** This manager sees the challenge coming but doesn't know which way to jump. Unable to plan or execute changes, he simply waits for something to happen.
- **The Planner:** This manager becomes caught up in the process of analyzing and planning, but either never takes action on the needed changes or responds too late to the situation.
- **The Reactor:** This manager is making decisions rapidly without enough analysis and planning – meaning the decisions are often going in the wrong direction.

Sifonis says that during uncertain times, successful leadership requires “conscious paranoia”. That means being constantly aware of the social, political and economic forces that are acting in the community, and assessing how



**Jeanette Lewis**

they will affect the organization. Leaders must then set priorities which focus on outcomes and results – and take action to achieve them.

If that sounds like a big task, it is. The key to achieving it is another important aspect of good leadership in tough times – collaboration. When we share information and ideas we all operate from a larger knowledge base; when we work together we stand a greater chance of achieving our objectives. That applies within our agencies, within our communities and at the provincial level as well.

One thing we *can* be certain about: the uncertain times we are living with now are not going away in the foreseeable future. Working together to solve the problems will continue to be essential, and OACAS is committed to continuing to facilitate this process.



Mark your calendar now for the OACAS 2004 conference, to be held at the International Plaza Hotel in Toronto from May 31st to June 2nd. We have already confirmed several exciting speakers, including Stephen Lewis (U.N. Special Envoy for HIV/AIDS Africa; former Deputy E.D. of UNICEF and former Canadian Ambassador to the U.N.) and Meg Wheatley, founder of the Berkana Institute, who speaks about change, chaos, organizations and communities. Plan to be part of this exciting event!



# Managing for Outcomes: A Basic Guide to the Evaluation of Best Practices in the Human Services

by Bruce Leslie

***What are the most effective methods of developing best practices?***

***How can managers productively create coherence in planning programs and support a more rational decision-making process?***

In this book, John B. Mordock, addresses questions like these and others he has been challenged by in his 28 years with the Astor Home and Child Guidance Centres. He is a Fellow of the American Psychological Association and has written about 100 papers for professional journals, many of which are devoted to program evaluation issues and practices. The Child Welfare League of America published this book in 2002.

Dr. Mordock provides some interesting historical perspectives in his review of program evaluation and its connections and disconnections with management practices. He also brings useful insights as a practitioner to the discussion. Most books on program evaluation and outcome measurement are written by academics, "...this book is written by a manager for managers in human services agencies. It stresses management's role in developing and implementing program evaluation procedures that will result in the establishment of best practices". One of the aims of the book is to reduce the reliance of agencies on outside consultants in their approach to evaluation.

Another perspective that becomes evident in the book is that Dr. Mordock's work has been

strongly influenced by his American based practice, especially in regard to "managed care", that is frequently referenced. The particular costing considerations of delivering services in a managed care environment are not as immediately germane to the Canadian context but, in addition to highlighting the inclusion of finances as a program evaluation parameter, this approach has strongly promoted outcome achievement. Although managed care has not been adopted fully in Ontario, its objective of identifying specific processes that contribute to outcomes, eliminating ineffective processes and "manualizing" best practices to facilitate their dissemination are very familiar to practitioners here.

Dr. Mordock's position on the necessity of including evaluation as an integral part of effective management is clearly evident. He supports his position with many examples of the benefits of this more formal, structured way of making decisions about programs in the context of a learning organization. Examples are given of inefficient and ineffective programs, inappropriate interventions, the downside of easily available data, and how to avoid program drift and reinvention.

"Best practices" are a key ingredient of this book and they are described as "services that have been proven to be efficient and effective with specific groups of clients... a best practice is a state-of-the-art practice/intervention, or a service that will optimize client outcomes at the least cost." Evaluation provides the means and



methods of identifying them. Data used to describe these practices should include a comprehensive range: service access and other activity inputs; quality indicators; client satisfaction; and outcomes.

Chapter headings relate to the importance of accurately describing the clients being served and the services provided, followed by the key processes of “quality assurance” and “program evaluation” to ensure operational integrity of the services. Examples are also given that illuminate changes that can be made during the implementation of a program, creating differences between intended practices and what really is going on. Dr. Mordock describes quality assurance as part of a comprehensive evaluation program and sees its efforts as being focused on the monitoring of “performance indicators” and determining the closeness of fit between the program actually delivered and how it was intended to be delivered.

An interesting description of the evolution of QA activities is provided. It traces their initial connections to accrediting bodies from creating ongoing monitoring activities before program effectiveness had been established; to establishing quality indicators of service; to creating more comprehensive, organizational activities associated with “total or continuous quality improvement” and participatory management; and to evaluating quality through examining outcomes, the stage being addressed in this book.

An important dimension highlighted when assessing outcomes is “time”. Practitioners are frequently focused on proximal outcomes that are short-term or intermediate in nature, and contribute to the distal outcomes noted as often of more interest to academics. Some very important considerations in the interpretation of distal outcomes are highlighted in the text – such as controllability, influences other than previous treatment received, and longevity of effects – that are seen to limit the direct impact of prior treatment interventions and the relevance of longer term outcomes. Within child

welfare it seems that we must be diligent and maintain a focus on understanding such longer term outcomes, after a child’s or family’s case has been closed but returns for service, in the context of these salient interpretation issues.

In the later chapters, Dr. Mordock explores more specific aspects of the assessment of the levels of client participation in services and their relation to service impacts, providing some tools to support these assessments. The chapter on “Determining Cost Effectiveness” highlights some of the complicated difficulties associated with this form of evaluation and the value judgments inherent in moving from a service directed by positive client changes to “human services capitalism”.

Ultimately, the impact of program evaluations, quality assurance, quality improvement, outcome measurement and best practices are influenced and directed by an agency’s management style. Whether it is cost-effectiveness or service-effectiveness, the active, productive use of the information and knowledge produced flows through an organization’s management structure. Dr. Mordock emphasizes the need for a positive learning environment to maximize the impact of these evaluative and monitoring processes. Without a comfort level encouraging exploration and sharing of information grounded in a common purpose to support best practices, data collection becomes drudgery and data collected becomes at best interesting.

Dr Mordock’s book provides some useful information on the topic of program evaluation in a service organization and highlights the important connections between the ability of an organization’s management to effectively produce, monitor and sustain desired outcomes.

**A little about Margaret J. Wheatley...**

**Meg Wheatley has a Masters of Arts degree in Systems Thinking from New York University and a Doctorate from Harvard in Administration, Planning and Social Policy. She spent two years in the Peace Corps and then taught both junior and senior high school. Since 1973 Meg has been speaking to people and organizations on every continent and says “Every organization is wrestling with a similar dilemma - how to maintain its identity, purpose and effectiveness as it copes with relentless turbulence and change.”**

**Meg Wheatley will be sharing her insights and knowledge with us at the OACAS Conference “In the Best Interests of the Child” May 31st to June 2nd, 2004. She will also be leading a special session with the youth attending the conference.**



## ***The Outstanding Achievement Awards***

The OACAS Outstanding Achievement Awards recognize the contributions of individuals and groups who help toward achieving the goals of child welfare in Ontario. This provincial recognition program truly identifies the depth of commitment and leadership shown by the women and men who champion the cause of vulnerable children.

The Ontario child welfare system can attribute its continued success to the dedicated army of staff, foster parents and volunteers who work with thousands of children and families in their communities. There are also many individuals and organizations external to CASs who have contributed to the progressive development of child welfare in Ontario.

Two Outstanding Achievement Awards will be given in the following areas in 2003:

- Outstanding Community Service: Pape Adolescent Resource Centre (PARC)
- Outstanding Service to Children: Winnifred (Winnie) Schmidt



## ***2003 Outstanding Achievement Award Recipients***

### ***Outstanding Community Service***

Nominated by the Catholic Children's Aid Society of Toronto and the Children's Aid Society of Toronto

**The Pape Adolescent Resource Centre (PARC)** is a preparation for independence program serving 450 youth in care of child welfare organizations and former youth in care between the ages of 15 and 24 each year.

Established in 1985, PARC is funded by the Children's Aid Society of Toronto and the Catholic Children's Aid Society of Toronto. A program like PARC is invaluable to youth with little or no family support, a history of real and perceived rejection, and inconsistent adult support as they prepare to live on their own. The transition to independence for these youth can be frightening, especially since they often must begin to think about living on their own much earlier than many young people.

PARC services have been designed to provide a wide range of supports through this transition period: housing; employment; education/literacy; and personal/substance abuse, sexual orientation and cultural identity counseling, to name a few. Intensive services may be provided by staff or older youth who are now in a position to give back to their younger peers.

The underpinning for PARC is the sense of connection that permeates the three-story house on Pape Avenue in Toronto. The house has become the point of connection for a large community of youth and staff who feel a sense of ownership of the premises. Groups are run here and PARC participates in and organizes community activities from this location.

The Pape Adolescent Centre is a worthy recipient of the OACAS Outstanding Achievement Award because it is an internationally renowned model of youth



empowerment in action. Where other programs merely talk about youth involvement, PARC demonstrates every day how this model works.

The words of one youth express the power of PARC very well: “ For many of us, PARC is a family. This helps us move on. It gives us confidence. It lets us deal with our baggage. It helps us with practical things like finding jobs. It gives us a chance to give back and help others in our community and family”.

Irwin Elman, Executive Director, and the staff of PARC are to be commended for the valuable service they provide to youth in Toronto and for the service PARC provides through its staff and youth to the community.

## ***Outstanding Service to Children***

### **Nominated by the Children’s Aid Society of the County of Bruce**

**Winnifred (Winnie) Schmidt** has been a Volunteer with the Bruce County Children’s Aid Society for 20 years. In this role, Winnie has coordinated the Bruce County CAS Christmas Hamper Program for two decades – after first becoming interested in this program when, as a Girl Guide leader, her group was asked to help wrap gifts. It is estimated that she has been actively involved in the buying, matching and wrapping of gifts for more than 3,000 children. Her attention to detail includes keeping careful lists of gifts given to each child and cross referencing the gift giving plan each year to ensure that children do not get the same gift more than once.

The Volunteer Program also coordinates fundraising and planning to meet the needs of children for summer camp experiences.

In the process of helping so many children have enjoyable Christmas and summer experiences, Winnie has included many local individuals, community groups and students in the opportunity to help others. She recruits eight – ten volunteer helpers to work with her at all times. Because she encourages participation

from Girl Guides, Katimavik and local school students, the community is well informed of her outstanding leadership and passion for this project – and the number of community sponsors increases each year.

Winnie is active in many other community and church activities in Walkerton, where she “tackles a multitude of projects with confidence, common senses and, more importantly, a sense of humour”.

The Children’s Aid Society of the County of Bruce is most grateful and indebted to Winnie for her tireless support for the children and families its serves. The positive image created by Winnie’s projects has helped improve the image of Children’s Aid Societies across the province, as well as in her home community. Projects such as these help make the public aware that child welfare is a community responsibility – and provide members of the public with an opportunity to contribute.

Winnie is to be commended for her many years of committed volunteer service to the children and families served by the Children’s Aid Society of the County of Bruce and her positive role modeling to the young people she engages to help in these projects.

# Neurologically-Impaired Parents: Are Their Children At Risk?

by Sheila Jennings Linehan and Jan Schloss

In Ontario, current definitions of child maltreatment are set out in The Child and Family Service Act and child maltreatment paradigms are listed under well-known classifications.<sup>1</sup> Workers need only refer to these recognized classifications in the event that intervention is needed to address the reason why a child is at-risk. For example, if the mother is an alcoholic or the father has a diagnosed psychiatric illness, these factors would be noted and incorporated into the risk assessment.

The trend towards the broadening of classifications of “who children-at-risk are” has added a recent classification (albeit outside of the legislative scheme, but as an added CAS guideline) to include children who witness spousal violence. There is, however, no classification for at-risk situations that arise where the cause of maltreatment is the result of the neurological impairment in a parent. We submit that there ought to be.

Children may be at risk in the family where there is potential for what we shall call organic child maltreatment. This is the result of maltreatment of a child where there is parental autism (Asperger’s Syndrome<sup>2</sup>, high functioning autism or pervasive development disorder-not-otherwise-specified ) or other organic impairment, such as narcolepsy or a traumatic brain injury that significantly lowers overall parenting capacity. Unfortunately, to a large extent the child welfare community remains uneducated as to the cause and signs of this kind of child maltreatment.

The current seminal paper on this topic, as it relates to parental autism, is “*Living With Asperger’s Syndrome*.” In this publication, Welsh social worker Ruth Forrester and English

Autism, Relate Counsellor Maxine Aston address the child welfare issues that present in the more impaired autistic families. This article can be found at [www.faaas.org](http://www.faaas.org) and was originally published in *Community Care* in 2002. The United Kingdom is well ahead of other nations in addressing child welfare in this context. The mandate of the Child and Family Services Act is one that can readily address the problems faced by families where there are neurological problems (and they do run in families) with the provision of services tailored to meet the needs of such children.

In the article *Child Contact and the Unusual Parent* Fam Law 2002 (U.K.) District Judge Mitchell reviews British cases where these kinds of families have come before the courts as a result of various child maltreatment issues related to parenting incapacities. The issue then is in the child welfare arena in Britain. This matter is not a cultural one for no matter where the family, the parenting capacity issues are the same.

With regard to parents on the autistic spectrum one U.S. physician notes that:

“As described in the report in Family Law, the parent with AS can also be highly intelligent, articulate, and successful in a professional career yet simultaneously have such poor parenting skills that the child is harmed. In addition, the egocentricity of AS can lead the parent to make decisions that harm the child. This can be insidious, because with their high intellect and verbal skills, they can rationalize their acts and easily dismiss objections of the neurotypical parent.”<sup>3</sup>

In Great Britain, social workers are more aware of the signs of child maltreatment by neurologically affected parents and recognize the personal hygiene problems as well as self-organizational and social skill deficits.



**Case Study:**

Winston comes from a middle class home. His father is a computer engineer and his mother is an event planner. Winston has three siblings. One has Attention Deficit Disorder, another is diagnosed with Pervasive Development Disorder-Not otherwise specified, and the third is apparently neurotypical (not affected with autism). What the teacher doesn't know is that the father also has Asperger's Syndrome.

*However the father does not admit to his condition.* The teacher is also unaware that the marriage is going through some very turbulent times, possibly leading to a separation.

**The concerns of the teacher are:**

- Winston regularly arrives to school late and has often either forgotten his lunch or has an unusual lunch: six yogurts, or a large piece of cake and a pop
- He appears unkempt, his hair is not brushed and his clothing doesn't match. He gets teased about his appearance. He is malodorous and has long dirty fingernails and picks at his skin with his finger nails
- Winston picks his nose, excessively—and is teased about this. He comes to school with his teeth not brushed.
- He tells the teacher one day that his father forgot him at a restaurant the day before
- Items that are sent home, such as homework and other documents that need to be signed by a parent, are rarely returned. Winston reports his father loses them
- The teacher has approached the father but finds him rude, distracted and 'cold' as well as seemingly disinterested in the issues that she has raised with him
- Winston's father is impatient. He snaps his fingers while repeating over and over "make it snappy" to the children in an attempt to hurry them along.
- The father forgets to send in swimming gear, ice skates and event money, etc., claiming

he cannot find them or never got the note

**Traits in some neurologically impaired parents with autistic spectrum & other disorders:**

Divorce lawyers Hackett & Henderson<sup>5</sup> summarized the features of people affected by Autistic Spectrum disorders which can impair the performance of the instrumental tasks of parenting. From their commentary we note that:

1. The Autistic parent does not carry on a conversation in what we would call a normal way. He answers questions in a stilted manner and volunteers no further information. The worker will sense there is no real dialogue. The parent may seem naïve or ask inappropriate questions. He or she may pay great attention to an inappropriate detail, may show no signs of remorse (but may feel it), may speak rapidly with odd voice pitch, tone and speed, and may use unusual or highly formal vocabulary.
2. The parent may display lack of appropriate eye contact, odd gait, tics, unusual or inappropriate facial expressions, and failure to read body language of a child, the social worker or lawyer.
3. The parent is unable to come up with alternative scenarios for his own behaviour, cannot suggest interventions that might help, and demonstrates black and white rigid thinking.
4. The parent shows a lack of awareness of the consequences of his/her actions, For example, not paying adequate attention has led to the child having a serious accident and the parent does not see the connection.<sup>6</sup>
5. We add that AS parent imperviousness to danger is a central parenting capacity problem. Parents on the autistic spectrum are "blind" to hazardous situations, both for themselves and for their children. The implications are self-evident.

**Agency Accountability**

A review of child welfare legislation across Canada reveals that no province or territory has



provisions that may be specifically applied in cases where children who come to the attention of Children's Aid Societies do so *knowingly* as a result of behaviours of a high functioning parent on the autistic spectrum or with other neurological problems. Agencies may not be aware that some of the children who come to their attention have parents on the autistic spectrum or who have some other developmental or neurological disorder.

### Conclusion:

We believe that ideally the Child and Family Services Act and child welfare agency regulations would add provisions to address some of the problems faced by children in the more dysfunctional families where autism or other neurological problems in a parent severely impaired parenting capacity. Currently, this type of organic child abuse or neglect can be read into the legislation in a section outlining the duty to report a child in need of protection (*Child and Family Services Act*).

We know of no scales for risk assessment for children in families where one or more parent is on the autistic spectrum or suffers from another disabling cognitive condition. Until such scales are developed, our contention is that child welfare employees (both the line staff and the foster parent population) require extensive training on Autistic Spectrum and other similar neurological disorders and how they may show up in a parent.

Without this awareness and knowledge, children of parents with neurological impairments may be at substantial risk for emotional and physical harm.

Sheila Jennings Linehan B.A., LL.B., J.D. is a lawyer and family mediator practicing in Toronto. She spoke in January 2003 at the Toronto Learning Challenges Association on the topic of "Asperger's Syndrome, Divorce and Parenting Plans".

Jan Schloss M.S.W., C.S.W., ACPC has twenty years experience as a child welfare professional, is a parent coach, a family

mediator and past family therapist. She has been consulted on child welfare and the autistic parent. Jan and Sheila are both mothers of special needs children and both practice at FamilyMatters Associates, a mediation and coaching firm in Toronto.

1. The State of the Art in Child Abuse Prevention prepared by Andy Wachtel for the Family Violence Prevention Unit, Health Canada. The opinions expressed in this report are those of the author and do not necessarily reflect the views of Health Canada

2. Statistics vary widely as to the prevalence of Asperger's Syndrome per se. It is currently thought that one individual in 250 has the disorder. Pervasive Development Disorder: Asperger's Syndrome by James Robert Brasic M.D. Johns Hopkins University School of Medicine. The statistic however for individuals with autistic spectrum disorders is a higher number of course and that figure includes Asperger's Syndrome.

3. Anonymous Physician member of Families Afflicted with Asperger's Syndrome communication, 2003

4. Sheila Jennings Linehan is a professional member of the Custody and Access think tank portion of ASpar which was founded by Australian disabilities advocate and author Judy Singer.

5. [3] Nicole Hackett & Lynn Henderson Asperger's Syndrome in Child Contact Cases Feb 2002 Fam Law (U.K.) Jordan Publishers

6. They credit Dr. Venetia Young with this list that we and they have derived from her pioneering article Asperger's Syndrome in the The Solicitors Office also in Fam Law Sept. 2001 (U.K.). Jordan Publishers



# OACAS Decision to Apply for Intervenor Status in the “Aylmer” Case: Some Considerations

by Marvin M. Bernstein

## Background:

On June 1, 2003, the OACAS Board was asked to provide its approval for the OACAS to seek Intervenor status in the Aylmer (Church of God) Appeal Case.

The Aylmer case is one that generated a great deal of media attention, when seven children were apprehended from their home after an investigation by staff at the Family and Children’s Services of St. Thomas and Elgin disclosed that the parents, who were fundamentalist members of the Church of God, were using excessive corporal punishment on their children. The agency then applied to have the seven children found to be in need of protection.

The relevant background facts of this case, which are referred to in this article, are extracted from Madam Justice Schnall’s comprehensive 99-page decision, consisting of a series of evidentiary rulings, which can be cited as *Family and Children’s Services of St. Thomas and Elgin v. F. (W.)*, (February 27, 2003), Doc. St. Thomas 107-01 (Ont. C.J.).

Family and Children’s Services of St. Thomas and Elgin first became involved with this family in October 2000 when an anonymous caller reported that a child who had been accidentally burned was not receiving medical care. The social worker investigated and found that the parents were treating the burn with a mixture of water and bleach, before applying Vaseline and Vitamin E cream. When told to take the child to hospital, the parents quickly complied. The child needed seven medical appointments to ensure

the healing of this burn, an indication of the seriousness of the injury.

The social worker also noticed a bruise on the child’s leg, and was told that the father had struck the child because he would not sit still while the burn was being cleaned with the bleach and water mixture. This bruise was visible several days after the child was struck. The parents were told that striking a child so as to leave a bruise was not acceptable, and the case was left open for follow-up.

On May 1<sup>st</sup>, 2001, the case was transferred to Shelley West, who called the family a month later to arrange a visit. She was told that they were about to leave for a church camp in Ohio, and that they did not want to discuss “spanking” or talk to her without their Pastor being present. Ms. West asked them to call her on their return and to have the Pastor call her. When she did not hear from either the family or the Pastor, she consulted with her supervisor and made an unannounced visit to the family on July 4<sup>th</sup>, with an interpreter present.

In Ms. West’s initial discussion with the mother of the family, she was told that both parents used objects, such as sticks, to strike the children as a form of punishment. The mother also informed the social worker that the parents’ use of corporal punishment was based upon the teachings of the Bible. When Ms. West asked to speak with the children, the mother indicated that she wanted her husband and her Pastor present. After more discussion, Ms. West left, saying she would return in one hour.

When the social worker returned, accompanied by a police officer, the doors were locked and their knocking was at first ignored. Eventually



some children came to the door. The police officer called the Pastor who arrived 10 minutes later bringing several other members of the church with him. The Pastor told Ms. West that he would not allow her to talk to the children, and that if she obtained a court order they would not obey it. During the discussion, more members of the Church of God arrived and gathered at the house – ranging from 30 at the beginning to over 100 by the end. As a result of the swelling numbers of church members, Family and Children's Services of St. Thomas and Elgin called for police back-up support.

The mother and Pastor eventually agreed that Ms. West could speak to the girls, with the mother present, and the police officer could talk to the boys. When Ms. West interviewed the girls, they described being hit with objects, such as fly-swatter handles, electrical cords, belts and sticks. The girls explained that they often experienced pain for several days afterwards and that the objects frequently left marks. The reasons for these punishments included being in the bath too long and leaving the house with messy hair.

After these interviews, Ms. West decided to apprehend the children. She took this course of action, with the knowledge that another Church of God family under investigation had previously left the country, with the assistance of the Pastor, when their case was before the court and the parents had agreed not to use corporal punishment, with the children remaining at home, pending the determination of the proceedings.

During the course of the apprehension of the children, the Pastor aggravated an already volatile situation by instructing the congregation to prevent the removal of the children and by encouraging the children to resist. The children were subsequently placed in foster care.

After three weeks, there was agreement for the matter to be adjourned, with the seven children to be returned to their parents' care, subject to an interim supervision order, with one of the conditions being that the parents were to refrain

from the use of corporal punishment.

During the course of the protection trial, Madam Justice Schnall determined that the evidence, which was being introduced, should be considered in the context of a "voir dire" (i.e., a hearing within a hearing), so that she could ultimately rule on the admissibility of the evidence at a later date. This was because counsel for the parents had submitted that much of the evidence was illegally obtained and violated the *Charter* rights of the parents. Their position was based on such arguments as: that the CAS entered the parents' home without a warrant or their consent; that the CAS interviewed the seven children, upon entering the home, without a warrant or parental consent; that the CAS apprehended the seven children without a warrant or parental consent; that the CAS arbitrarily detained the children's mother and questioned her without any caution; that the CAS interviewed the children on videotape without parental consent or court order; and that the CAS interviewed the children and the mother before the mother was able to consult with legal counsel.

On February 27, 2003, Justice Schnall released her 99-page "voir dire" ruling, where she determined that all of the impugned evidence was to be admitted, as there had been no breaches of the parents' *Charter* rights. This decision has been widely praised within CAS circles. For example, it clearly states that procedural protections in criminal law do not apply to child protection proceedings and that the *Charter* protections of the children take precedence over those of the parents. As part of the context of the ruling, Justice Schnall states, at pages 95-98:

*There were no violations of the parents', nor the children's rights that would result in exclusion of the evidence.*

*Exclusion of the evidence, admissions that the children are struck with objects and marks are left, would bring the administration of justice into disrepute.*



*... The fact that the parents believe that they strike their children out of love, and that they are obliged to do so because of the teachings of the Bible as interpreted by their Church, does not detract from the view that excessive force cannot be condoned, under any circumstances. Application of force to a child that leaves a mark is unacceptable.*

*... The rights of the parents cannot be elevated to be paramount to the rights of the children.*

*Where the needs and interests of the children to be safeguarded from abuse of any form come into potential conflict with the rights of the parents to freedom and security of the person and to privacy, the children must come first.*

*... There is no obligation on the Society to advise a parent of their "right to counsel" under the circumstances of the child protection investigation.*

*On a practical analysis of that argument the unacceptable consequence ... would be a situation where a child is within a home, unavailable to the society to interview, or even intervene, while the child is potentially at risk, until the parent has a chance to telephone a lawyer, perhaps not be able to contact one who speaks a language other than English, as in this case, and then wait until the parent obtains legal advice.*

*[The] argument on "right to counsel" would have to be equally applicable to a case where a child is lying bound and gagged in a locked room while the parent is obtaining legal advice, having been informed by a Society worker that is her/his right, just as in the case before me, where there was information that the children were being struck with objects, and in the past, marks had been left by hitting with an open hand.*

*The same analysis applies to answer the parents' argument that the Society must not be allowed to speak to children without the parents' consent.*

*... No community, or society, could reasonably*

*agree with the concept that a parent who sexually abuses or physically mistreats a child should be entitled to give his/her consent to the interviewing, or examination of the child by a member of a Children's Aid Society. That would be sheer nonsense.*

Although this case has been referred to as a "spanking case", this case is not about spanking at all, but is about the infliction of physical abuse through the use of implements. In this regard, it is important to note that in Justice Schnall's "voir dire" ruling, she makes findings of fact that the family was using implements to discipline the children, leaving marks that the children called "stripes". At page 73 of her ruling, Justice Schnall states as follows:

*The summary of the contents of their interviews is that the children are "spanked" with various objects: a belt, the wire handle of a fly-swatter, electrical cords of appliances, a stick without leaves, a "spanking rod" which is like a twisted wire.*

Justice Schnall also comments, in her ruling at page 64, about the importance of using proper terminology when describing the mode of physical punishment:

*The words "hit", "strike", "spank", "discipline", have different meanings for different people. The word "spank", in particular, evokes different images for different people. Some consider it one hit with an open hand administered to a child's buttocks... There is diversity of opinion as to whether it includes the use of an object, instead of an open hand, bare buttocks as opposed to clothing, one hit or more, with or without marks being left.*

*The 1982 version of The Concise Oxford Dictionary defines "spank" as: a slap, a blow with open hand on buttocks.*

In the course of the "voir dire" ruling, Justice Schnall also notes that the Elgin CAS social worker was justified in apprehending the seven children without a warrant. She describes the difficulties inherent in the position of a front-line

CAS worker in the following terms, at page 43:

*The role of a child protection worker is very difficult. A worker, on site, does not have the luxury of time to determine the degree of emergency. There is risk and difficulty in trying to discern between an emergency and a non-emergency situation, while a child's health or safety may be at stake.*

On March 26, 2003, Justice Schnall granted a final disposition on consent of the parties, finding the seven children to be in need of protection and ordering that they remain with their parents, subject to the supervision of the Elgin CAS, for a period of six months, with terms and conditions.

One of the conditions imposed by the court was that the parents continue to refrain from the use of corporal punishment. The parents' counsel agreed to this disposition, without prejudice to the parents' rights to appeal from the earlier "voir dire" ruling of Justice Schnall. Immediately after the court appearance, the parents' counsel convened a press conference outside of the courthouse indicating their intention to appeal from the "voir dire" ruling.

On March 28, 2003, Steve Bailey, the former Executive Director of the Elgin CAS, sent a letter to Jeanette Lewis, requesting that the OACAS consider seeking Intervenor status in any future appeal, with the supporting reasons outlined as follows:

*The lawyers for the parents have indicated to the media their intent to appeal the earlier ruling by [Justice] Schnall on the admissibility of our evidence. Specifically, they seek to continue the challenge regarding the powers of child protection workers to enter homes without parental consent and apprehend children without a warrant under the Charter of Rights and Freedoms. They also seek to challenge the right of child protection workers to interview children without parental consent.*

*I believe that these issues have province-wide if not national implications for child protection workers. Depending on the actual wording of*

*the appeal notice when received, I would urge the Association to consider applying for intervener status on the appeal.*

Subsequently, the OACAS received a copy of the Parents' Notice of Appeal, dated April 25, 2003, which raised a large number of far-reaching appeal grounds.

### **Issue of OACAS Seeking Intervenor Status:**

The issue in question, which was put to the OACAS Board on June 1, 2003, is whether it would be beneficial and appropriate for the OACAS to seek Intervenor status in the Aylmer Appeal (Church of God) Case.

### **Considerations In Support of OACAS Seeking Intervenor Status:**

It was submitted to the OACAS Board that the following considerations justified giving approval for the OACAS to seek Intervenor status in the Aylmer (Church of God) Appeal Case:

1. On March 28, 2003, Steve Bailey, in his aforementioned letter, made a persuasive case for the OACAS to seriously consider seeking Intervenor status in the event of a future appeal
2. The Notice of Appeal, which is dated April 25, 2003 and has been filed in the Superior Court of Justice, is a 22-page document and sets out 62 grounds for appeal. The multiple grounds call into question the very issues raised in Steve Bailey's letter. Additionally, the grounds are of general and systemic application and would have an enormous impact upon the work of all CASs in the province, if the parents' position were to be upheld and have binding effect throughout Ontario
3. The OACAS is in a unique position to speak to these larger systemic issues and the seriousness of the implications for front-line CAS staff, who require the capacity to act quickly and decisively when conducting child protection investigations and protecting children from imminent risk of harm. As well, the OACAS could speak to the underlying legislative intent behind the March 31, 2000 CFSA amendments, which were intended, as a matter of public





policy, to cast a broader net for the protection of children. If the parents' position were to be upheld, not only would this safety net be shrunk, but it would become very difficult, if not impossible, to gather information upon which a finding of need for protection could be made in most cases

4. Subsequent to receiving and reviewing the Notice of Appeal, Steve Bailey advised the OACAS that, in his view, the case was only strengthened for the OACAS to seek Intervenor status in the appeal proceedings, given the wide breadth of the Notice of Appeal

5. Subsequent to receiving the Notice of Appeal, the OACAS also received a communication from Alf Mamo, Counsel for Family & Children's Services of St. Thomas and Elgin, advising that he would be in favour of the OACAS seeking Intervenor status

6. In conversations with both Steve Bailey and Alf Mamo, it appeared that there was some possibility that one or more organizations could seek Intervenor status in support of the parents' position, in which case it would be helpful for the OACAS to intervene in support of the Elgin CAS

7. Greg Richards, of the law firm of WeirFoulds, has once again generously offered to represent the OACAS in this appeal on a *pro bono* basis, with this author serving as co-counsel, should approval be obtained for the OACAS to seek Intervenor status

8. Alf Mamo, counsel for the Elgin CAS, has advised that the appeal would not likely be heard until late 2003 or early 2004. This would provide the OACAS with sufficient time to prepare its materials in a meticulous manner

9) There is precedent for the OACAS seeking Intervenor status in court proceedings, as evidenced by the OACAS successfully obtaining Intervenor status in the section 43 of the *Criminal Code of Canada* constitutional challenge case at 3 different court levels, being the Superior Court of Justice, the Court of

Appeal for Ontario and the Supreme Court of Canada

10. This appeal is effectively being treated, for all intents and purposes, as a "reference case", with the merits of the protection application having been decided on consent, but with the important systemic issues from the "voir dire" ruling being considered on appeal. Given this larger "reference case" context, it is more likely that the Court would grant the OACAS Intervenor status.

## CONCLUSION

The OACAS Board of Directors found the above submissions to be persuasive, and on June 1, 2003, agreed to provide its approval for the OACAS to seek Intervenor status in the Aylmer (Church of God) Case. At that time, one Board member wisely observed that it would be inconsistent for the Board to withhold its approval, when it had, in similar circumstances, granted its approval for the OACAS to seek such status in the constitutional challenge to Section 43 of the *Criminal Code of Canada*.

With the OACAS now being authorized to initiate a motion for Intervenor status in the Aylmer Appeal (Church of God) Case, there is the potential for an important precedent to be set – namely, that there are selected child protection cases, involving a local CAS, where there is merit in the OACAS intervening because the issues have important province-wide and systemic implications. If the OACAS is successful in obtaining Intervenor status, such a precedent could be of assistance to member CASs in the future in other "high-stakes" child protection cases, generally at the appellate level.

By way of update, subsequent to the Board of Directors granting its approval for the OACAS to seek Intervenor status, Alf Mamo has advised that he heard from Counsel at the Provincial Constitutional Law Office that the Office would be participating in the appeal proceedings. This statement of intended participation reflects the



provincial significance of the issues raised in this appeal. Even though the constitutionality of the *Child and Family Services Act* is not being questioned directly, the impact on this legislation, if the parents' arguments were to be upheld, would be dramatic – with the child protection scheme set out in the *Act* being fundamentally undermined. Accordingly, it is important for the OACAS to seek Intervenor status in the appeal proceedings, in order to preserve the integrity of the statutory mandate conferred upon all Ontario CASs pursuant to paragraphs (a) and (b) of subsection 15(3) of the *Act* – particularly, “to investigate allegations or evidence that children who are under the age of sixteen years...may be in need of protection” and “to protect, where necessary, children who are under the age of sixteen years...”

## About the author

**Marvin M. Bernstein**, B.A., LL.B., LL.M. is the Director of Policy Development and Legal Support at the OACAS

The author wishes to acknowledge the helpful input of Alf Mamo, Barrister & Solicitor, Mamo & Associates, in London, Ontario, who acts as outside counsel for Family and Children's Services of St. Thomas and Elgin in the Aylmer (Church of God) Case.



**Mark Your Calendars!**

**The next OACAS Consultation will be held at the International Plaza Hotel in Toronto on December 1st and 2nd. This will be an important opportunity to discuss current issues in child protection in Ontario.**



# Developing Racial and Cultural Equity in Child Welfare

by Gary C. Dumbrill and Sarah Maiter

## Introduction

In 1996 the authors wrote an article in a national publication (Dumbrill & Maiter, 1996), arguing that “ethnocentric multiculturalism” existed in Canada. They contended that at the center of Canadian multiculturalism lies White, European, English culture which dominates the nation and accepts other cultures through tolerance and concession. The authors called for an end of “ethnocentric multiculturalism” and urged the development of cultural and racial equity in social work by bringing diverse cultures brought into the center of society. Little has changed in Canada since 1996. Although Canadian diversity has increased and those identifying themselves as “visible minorities” are now the majority in Toronto, ethnocentric multiculturalism persists and the nation is still dominated by white, Eurocentric ways.

With permission of the original publishers, the authors reiterate their original article but update its content and also refine their recommendations to show the ways Children’s Aid Societies can achieve racial and cultural equity. In this revised article, the authors explore the ways child welfare agencies can enhance their services and help end ethnocentric multiculturalism.

This paper argues that the first step in developing culturally sensitive child welfare services does not lie in Children’s Aid Societies understanding minority cultures, but in understanding the dominant Canadian culture agencies are steeped within. The authors examine the dominant Canadian culture and identify ethnocentric characteristics, which frustrate attempts to develop an equitable

society. How this ethnocentrism is sometimes reflected in child protection practice is discussed. Ways of avoiding ethnocentrism by developing truly equitable social work services are outlined.

## Striving for Equity

Canada strives to ensure equity for all citizens. In particular, child welfare services attempt to ensure that families of all ethnic, racial, and cultural groups have equal opportunities to benefit from services. Like other social work services, child welfare agencies attempt to do this by examining minority cultures and adapting services to meet the needs of clients from these cultures (Laungani 1993; McGoldrick, Pearce, & Giordano, 1982; Thrasher & Anderson, 1988). Although this “cultural sensitivity” approach has merit, trying to understand minority cultures without first understanding the dominant culture is counterproductive. Developing an understanding of ethnic and minority cultures is shaped not only by the nature of these cultures, but also by the culture of the observer (Herberg, 1993; Katz, 1978; Laird 1994; Latting, 1990; Laungani, 1992). Most Children’s Aid Societies are based in the dominant Canadian culture; the social work theories workers learn, the social work schools they learn in, the boards of directors governing agencies, the Ministry and parliament legislating the parameters of service, are all steeped in white European ways of knowing, and for the most part, are dominated by white people of European descent. Consequently, the dominant culture is the framework within which agencies attempt to understand minority cultures. Children’s Aid Societies must develop or refine their understanding of this Eurocentric dominance and the way it impacts the services



they deliver to clients before attempting to understand minority cultures.

## Understanding the Dominant Culture

We Canadians have difficulty understanding and defining our culture. We sometimes find it easier to say what our culture is not, rather than what it is. One of the things we define ourselves as not being is “American.” Many, however, would also say that Canadians do not traditionally wear turbans, speak Cantonese or Italian or attend temples, mosques or synagogues. Despite this claim, Canada is and has been a multicultural society for generations. Canadians have spoken Italian, Cantonese, and many other languages besides French and English since the founding of the nation. Recognizing that Canada includes people from most races and cultures, many of whom helped build this nation, a formal policy of multiculturalism was adopted in 1971. Consequently, it is “Canadian” to wear turbans, veils, and yarmulkes as well as baseball caps. Canadians attend temples, mosques, and synagogues as well as churches. Former Prime Minister Trudeau captured this when he said: “To say we have two official languages is not to say we have two official cultures, and no particular culture is more official than another. A policy of multiculturalism must be a policy for all Canadians” (cited in British Columbia Social Services, 1993, p. 29).

Despite a policy of multiculturalism, Canadian “minorities” and people of colour are still considered as separate from Canadian society or culture. Blacks for instance, first came to Canada in the sixteen hundreds and the Chinese in the nineteenth century, yet members of these and other visible minority groups are frequently asked where they come from. In contrast, white Canadians of European descent are seldom asked to explain how they got here—their being a part of the nation is not questioned (James, 1992).

## Ethnocentric Multiculturalism

White English, and to a lesser extent French, European dominance causes a form of ethnocentric multiculturalism to exist within Canada. Multiculturalism is practiced with an ethnocentric bias. White British and French cultures define the nation, while minority cultures are seen as an appendage to mainstream society. As an adjunct on the fringe of society, minorities are only accepted by the dominant culture through concession and tolerance. Wearing of turbans with police uniforms and allowing Muslim prayers at schools has not emerged from a recognition that Canada includes minority values and norms; these developments have been “tolerated” because Canada “concedes” to minorities. Although tolerance by the dominant culture is noble, David See-Chai Lam, British Columbia’s former lieutenant governor says that tolerance, “...is like saying ‘You smell, but I can hold my breath’” (cited in Dalglish, 1994). Being “tolerated” and relying on concession to participate and belong in society keeps minorities in a perpetual marginal position. Minorities are not seen as full members of society whose presence should shape and influence Canada’s culture, practices, and national identity.

## Ethnocentric Multiculturalism in Society

Ethnocentrism has a devastating impact on children.

*In a small town just outside Toronto, John, a four-year-old child of colour cried wishing he were white; something in Canada caused one of its young to believe he was inferior because of his colour. Something excluded John and made him feel that he did not belong.*

*John’s negative self-image worsened when he began school. There were no teachers of colour at his school and he was hounded with racist remarks in the schoolyard. John returned*



*home from school one day saying that he had learned that white really was better than "brown," because he had seen a picture of God in a book, and God was white!*

If Canadian culture does not change, John will grow up to discover that he will be treated differently in hiring processes. He will only get one job offer for every three his white peers obtain. If he works hard enough to rise in a corporation, he will discover that 94% of corporate head hunters will not consider him because of his colour and 80% of head hunters will be asked to ensure that he and other people of colour are excluded from the hiring process (Ministry of Multiculturalism and Citizenship Canada, 1989). Despite Canada's multicultural policy, John will continue to find that he does not belong.

In an attempt to help John belong, his teacher suggested that he bring books to school with stories about his culture, so that other children might better understand him. John's teacher failed to recognize that John and his family identified with mainstream Canadian culture (even though mainstream culture had not fully accepted them). Even if John had identified with a minority culture, understanding this culture would not remedy the problem. Indeed, the problem was not with the minority culture. It was the dominant culture and its failure to accept John as a part of the fabric of Canadian society.

A similar response was received by Sikhs and Jews, whose religions require the wearing of turbans or yarmulke. Sikhs and Jews were effectively barred from Canadian Legion halls by requiring the removal of headdress to enter the halls (Bill and Edwards, 1994).

Understanding Sikh culture or Judaism could not solve this problem, because Legion administrators were aware that their requirements barred Sikhs and Jews. The problem was the way the dominant culture conditionally accepts minorities. In times of war the dominant culture readily accepted thousands of Sikhs and Jews into military

service and adapted uniforms to meet religious requirements. Yet after the wars were won, mainstream Canadian veterans would not accept their Sikh and Jewish comrades in Legion Halls.

## **Ethnocentric Multiculturalism in Children's Aid Societies**

Developing "culturally sensitive" services requires Children's Aid Societies to be sensitive to the ways they are shaped by and support ethnocentric multiculturalism. The authors, who have provided core child welfare training and specialized "cultural" training to Children's Aid Societies for eight years, find workers consistently raising as a "cultural issue" parents from "minority cultures," particularly newcomers, abusing their children and needing to be told that "we don't do that in Canada." Of course these workers are dealing with a very real problem, but ethnocentric multiculturalism tricks them into dealing with it in a way that creates social division. By telling these parents "we don't do that in Canada" the parents are being told they do not belong—the statement excludes them from the definition of Canada and Canadian. Additionally, the statement "we don't do that" is untrue, because "we" do abuse children in Canada. Child abuse occurs in all Canadian families not just Canadian families from minority cultures. Yet when a visible minority family abuses a child it is regarded as "cultural" and when a white family of European origins abuses a child the family is believed to deviate from the Canadian norm.

Subtly, therefore, ethnocentric multiculturalism shapes the ways workers interact with families from "minority" cultures and causes such families to be defined as "different" from an idealized white Canadian norm. Although this white norm exists as a power base that defines Canadian society, it does not in fact represent the reality of Canada as a whole or even white European Canada. Within a context of ethnocentric multiculturalism, focusing on minority cultures while ignoring the dominant



culture, bolsters the dominant culture as a norm or standard from which “other” cultures are weighed and measured. This reinforces minority cultures as existing outside mainstream culture. Minority groups are confirmed as “them” and the “majority” as “us” resulting in the ethnocentric nature of the dominant culture being reinforced and reproduced in agency practice.

## Children’s Aid Societies Promoting Equity

Children’s Aid Societies must ensure through policy and practice that people from minority racial and cultural groups are not defined as “other” and pushed to the social margins. Agencies must grasp the vision of a Canada where “no one culture is more official than another,” a Canada where cultural and racial equity replaces ethnocentric multiculturalism. Achieving cultural and racial equity requires recognition that minority cultures form a legitimate part of mainstream society.

Of course many Children’s Aid Societies are making progress in incorporating minority influences in their organizations by having minority representation at Board, staff, and consumer levels. Such measures are positive, but unless they are accompanied by an understanding of ethnocentricity and a commitment to racial and cultural equity, the result will be no more than tokenism. Racial and cultural equity is not just a matter of representation and adjusting services to meet the needs of minorities, but a fundamental shift in the way diversity is conceptualized.

What would this fundamental shift look like? First, the way Canada is conceptualized and portrayed by the agency would change. Practices that reinforce the notion that Canadians only worship in churches, speak English or French and are white, would be replaced by practices that demonstrate that Canadians are also a people of colour, speak Cantonese, Italian, Punjabi, and worship in

mosques, temples, and synagogues. Not only would the images and pictures on the agency walls reflect diversity, but also agency Boards would become increasingly reflective of the diversity in the communities agencies serve. Foster homes reflecting a broad range of cultures would become increasingly available. In addition, agencies would ensure that all children in all foster homes have access to toys and books representing various races and cultures because they would recognize the importance for white children, as well as children of colour, existing in an environment that reflects diversity. All foster children would grow up learning that their environment included people from many cultures and races and would not be subjected to exclusively white images that reinforce the definition of society as white and Anglo/French.

If John’s school had reflected multicultural images, he would have had his racial identity positively reinforced and would have grown to understand that Canada included rather than excluded him—John’s white friends would have learned this too. John and other children of colour would not be placed in the position of having to explain or justify their place in Canada and John’s white friends and teachers would not grow up seeing him as an “outsider.”

Of course diversity in the workplace would shift so that workers reflected the diversity within the community, but not because workers of specific racial or cultural groups are hired to work with people of “their own” culture, but because the agency as a whole is beginning to reflect the diversity of the community and nation.

Agencies moving beyond ethnocentrism will be reshaped by the entire community. Reshaping will focus on the agency reflecting objectives to which families and individuals from minority cultures and the dominant culture can relate, without a “them” and “us” mentality developing.

Children’s Aid Societies reshaping their norms and values to include minority perspectives would not only ensure that services become sensitive to the needs of all members of society on a micro level, they would also play a part in



reshaping Canada on a macro level. Indeed, social work agencies avoiding ethnocentrism and developing truly equitable services might influence and change wider Canadian culture. Perhaps Trudeau's vision might then be realized—a multicultural Canada where every Canadian can retain a racial, cultural or religious identity while enjoying a true sense of belonging within Canadian society as a whole.

## Conclusion

Although understanding minority cultures is an important part of providing social work services in a multicultural society, this alone cannot lead to the development of equitable services. Social work agencies must do more than just try to understand and meet the needs of minority communities. Agencies must be shaped by minority communities. Only then, will a culture exist within which truly equitable social work services can be developed.

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# Crown Ward Reviews Compliance Measurement Analysis

by Mark Laurin

The Crown Ward Review is a laudable and necessary endeavour in child protection and welfare. The annual analysis of files is, however, laden with a measure of compliance which is misguided and potentially dangerous. In the current mathematical formula that the Reviewers are given to use, the final rating is measured by number of files counted which are 100% compliant. **Overall** adherence to Ministry standards is **not** reflected within this measure.

This form of marking scheme has several unintended implications: It does not acknowledge or reflect all of the compliant items that exist within a discounted file; it does not further chastise the agency for other non-compliant issues that might be present within the discounted files; it lacks, within its numerical structure, any way to capitalize on its potential as a teaching tool while maintaining the accountability function. Finally, it may be complicit in shaping bad practice among workers across the province by the rewarding of pooling error within one or a few files that might already have accrued a non-compliant infraction during the year. This last facet of the marking scheme - inadvertently rewarding the conscious or unconscious pooling of error on a single child's file - is of grave concern.

I would suggest that this last measure of success, and error, is a more accurate and laudable representation of the work being done in Child Protection/Welfare. I would also surmise that this form of measurement would also reflect more favourably in the public and political arenas than the current marking scheme's results. The need exists for the Ministry to have a mathematical system that is versatile enough to both chastise poor

contended with: a percentage of error will always be with us (whether in industry or human services). The realities of under-funded programs will predictably exacerbate the matter. The goal of agencies is always to minimize error. The pressure to have high percentages in the Review is felt everywhere within the service yet the unintentional dilemma that the Ministry puts workers in (when facing what to do with any error) is to either strive for high marks on the Review by consolidating error on one or a few files, or to shun the Ministry's marking scheme and to disperse any occurrence of error widely over the caseload in order to minimize any negative impact upon a given child. This latter option would have workers strive for a lower 'percentage of compliance' within the Review and would cause the efficacy of the assessment process to be lost.

Understandably, the matter is also a political one. How can a Ministry claim that it is accepting anything lower than the 'minimum standards' it has set for compliance? I would argue that the Ministry's current system must reflect rather poorly upon public opinion if the annual ratings of compliance, such as they are, are reviewed. By not numerically acknowledging the actual percentage of compliant items within the files, the Ministry is denying itself the opportunity to claim the victories that it is due. The following example will highlight the matter:

If we assume that there are approximately 30 potential compliant (directive vulnerable) facets to any given file, and the Team has reviewed 60 files, then there's a standard of 1800 potential compliant items that need to be met. If the Team finds 15 errors needing directives, it could leave the agency with a score as low as 45/60 compliant files or 75%, for widely dispersed error, or as high as 59/60 compliant files or



98.3% if all the error was pooled on one file (these are the extremes). **Both profiles deny the reality that, of the 1800 compliancy items, 1785 were compliant, resulting in an actual overall compliance of 99.17%**

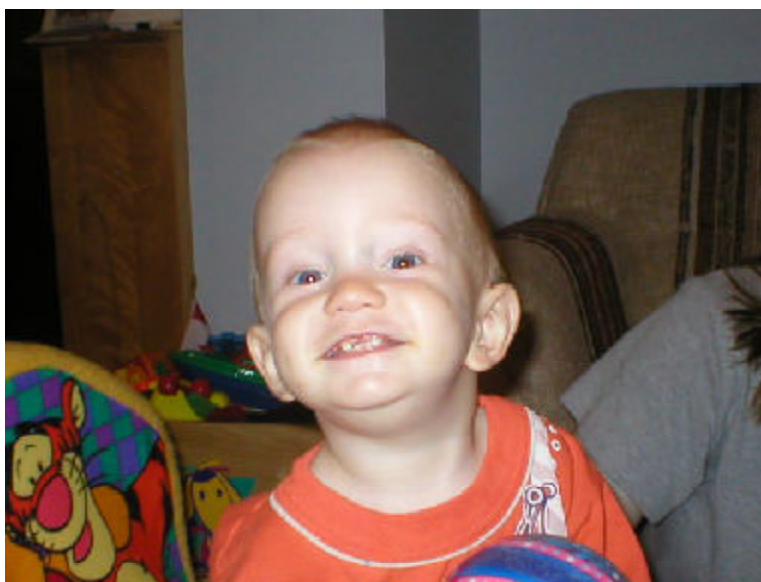
I would suggest that an overall rating of compliance, rather than a file-compliance, system be instituted. In this method of calculation, if an agency's error analysis is producing themes or areas of neglect, then a side-bar 'systemic deficiency' category could accompany the final assessment score such that the agency might receive 99% overall compliance with a 'system deficiency or need for growth' rating of 25% in Social Histories. This would direct the agency to focus upon developing a system that would address the problematic areas and would be reviewed and accounted for in the following year's Review such that the following year's assessment could read: 99% overall compliance with no outstanding areas of systemic deficiency.

The Review Teams have offered much in the way of concrete assistance to case management decisions and to fostering the development of systems to better serve the children. They have, however, been laden with inheriting a numerical rating system that only

appears to demonstrate full accountability. They need a numerical system that is congruent with the favourable opinions of the work that is being done and one which has the versatility to direct focus to problematic areas. The suggested system would reconcile the sometimes disparate messages that are left behind when they acknowledge the great work being done but then, in the last moments of explanation, are having to leave an agency with a low percentage rating due to the wide dispersion of error (which is in reality good error management) rather than its true prevalence.

The need for the Ministry Review to capitalize upon its position and potential positive influence upon the agencies and workers in Child Protection/Welfare is high. It also needs to address its culpability in potentially inadvertently contributing to bad practice across the province. I wish for the efficacy of the Ministry Review to remain high within Child Welfare agencies of the province, however, changes in the marking scheme are needed to achieve this.

Mark Laurin is a Crown Ward Worker with the Children's Aid Society of the United Counties of Stormont, Dundas and Glengarry.



## HELPING CHILDREN WHO LIVE IN TOXIC SITUATIONS

One-day Conference sponsored by ORTHO (The American Orthopsychiatric Association) & The Sparrow Lake Alliance (Ontario)

**Date:** Friday, OCTOBER 3, 2003, 9 a.m.- 5:00 p.m.,

**Location:** Council Chambers, Metro Hall, 55 John Street (just south of King), Toronto, Ontario

**Keynote:** David (Dan) R. Offord, CM, MD

**Director, Canadian Centre for the Study of Children at Risk**

**Registration** (by Oct. 2<sup>nd</sup>): \$100 CDN; Students: \$50 CDN

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### Workshop Leaders:

- Elsa Broder, MD, FRCP(C), Hincks-Dellcrest Centre: *Breaking the cycle: Use of expressive arts.*
- Marlinda Freire, MD, FRCP(C), Hospital for Sick Children: *Child survivors of extreme situations (war, displacement).*
- June Maresca, LL.B, LL.M, Lawyer and Mediator, and Hanna McDonough, MSW, RSW, Child Psychiatry Program, Centre for Addiction and Mental Health: *Children involved in protracted chronic conflict between their parents.*
- Denise Martyn, PhD Candidate, Director, "Growing Together" (Joint program of the Hincks-Dellcrest Centre and the Dept. of Public Health, Toronto): *Early intervention with parents and children 0-6, living in a high-density, high-risk community.*
- Cheryl Milne, LL.B, Justice for Children and Youth: *Street-involved Youth.*
- Susan Penfold, MB, FRCP(C), Dept. of Psychiatry, UBC: *Children who live with parental violence.*
- Nitza Perlman, PhD (Psychology), Director of Children & Youth Division, Surrey Place: *Children with no secure home or attachment figure.*
- Ruth Stirtzinger, PhD (Psychology), George Hull Centre: *Treating aggressive children within the school system: An ecological program that partners mental health with education.*
- James R. Wilkes, MD, FRCP(C), Consultant Psychiatrist, Toronto Catholic CAS; Staff psychiatrist, Shoniker Clinic: *Truth or consequences: Children who lack knowledge of their history and families.*



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### **Region 17 Carolyn Lockett**

Toronto CCAS

### **Region 18 John Stieva**

Halton CAS, Wellington F&CS

### **Region 19 Sydney Misener**

Grey CAS, Bruce CAS

### **Region 20 Tom Knight**

Perth-Huron CAS

### **Region 21 Ron Eddy**

Waterloo F&CS, Brant CAS

### **Region 22 Sylvia Kajiura**

Hamilton CAS, Hamilton-Wentworth CCAS

### **Region 23 Frank Parkhouse**

Niagara FACS, Haldimand-Norfolk CAS

### **Region 24 Maria Odumodu**

London-Middlesex CAS, Oxford CAS

### **Region 25 Irene Ouellette**

Chatham-Kent Integrated CS, Elgin F&CS

### **Region 26 Richard Newton-Smith**

Windsor-Essex CAS, Sarnia-Lambton CAS

