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Monday 16 May 2011

Journal des débats (Hansard)

Lundi 16 mai 2011

**Standing Committee on
Social Policy**

Building Families and Supporting
Youth to be Successful Act, 2011

**Comité permanent de
la politique sociale**

Loi de 2011 favorisant
la fondation de familles
et la réussite chez les jeunes

Chair: Shafiq Qadri
Clerk: Trevor Day

Président : Shafiq Qadri
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ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
SOCIAL POLICY**

**COMITÉ PERMANENT DE
LA POLITIQUE SOCIALE**

Monday 16 May 2011

Lundi 16 mai 2011

The committee met at 1406 in committee room 1.

**BUILDING FAMILIES AND SUPPORTING
YOUTH TO BE SUCCESSFUL ACT, 2011**

**LOI DE 2011 FAVORISANT
LA FONDATION DE FAMILLES
ET LA RÉUSSITE CHEZ LES JEUNES**

Consideration of Bill 179, An Act to amend the Child and Family Services Act respecting adoption and the provision of care and maintenance / Projet de loi 179, Loi modifiant la Loi sur les services à l'enfance et à la famille en ce qui concerne l'adoption et les soins et l'entretien.

The Chair (Mr. Shafiq Qadri): Ladies and gentleman and colleagues, welcome to the Standing Committee on Social Policy. As you know, we're here to continue public hearings on Bill 179, An Act to amend the Child and Family Services Act respecting adoption and the provision of care and maintenance.

We'll begin with our presenters. As everyone will know, they have exactly 10 minutes in which to make their presentation. That will be enforced with military precision. Any time remaining within those 10 minutes will be offered to the parties for questions and comments.

An additional point to all individuals who are going to testify before us: We have an external television crew from YES TV that has sought and received permission from Parliament to make a documentary on this issue, on the children's aid society and, of course, the bills that are related to it. Any of you who do not wish to be filmed for that external television documentary have the right to refuse to be filmed. We would simply ask that you please specify that before beginning. I will also direct clerk Trevor Day to ask people individually.

ORIGINS CANADA

The Chair (Mr. Shafiq Qadri): With that, I would now invite our first presenter to please come forward: Ms. Andrews of Origins Canada. Welcome, Ms. Andrews, and I would respectfully invite you to officially begin now.

Ms. Valerie Andrews: Thank you. My name is Valerie Andrews. I'm the executive director of Origins Canada, which is a federal non-profit organization advocating for approximately one million natural mothers and

adult adoptees in Canada. We have some serious concerns regarding Bill 179 and appreciate the opportunity to present them here today.

Problem 1: Bill 179 is based on a report that did not include the key stakeholders in adoption. Bill 179 is based on the report Raising Expectations, which was tabled August 26, 2009, a report that did not include the key stakeholders in adoption. As a note, it must be stated at the outset that infertility and adoption are not related. Adoption is not a cure for infertility.

When the province of Ontario appointed this Expert Panel on Infertility and Adoption in 2008, it did not include natural families, adoptees, the Foster Care Council of Canada or any other appointees that would hold any opposing views or speak for the actual people who are affected by adoption separation. Those who are separated by adoption do not include prospective adoptive parents. Instead, the expert panel was made up of adopters, adoption lawyers, fertility experts, private adoption businesses, infertility support groups and others who represented only one point of view: people who have adopted or intend to adopt. This was a one-sided think tank with an agenda that has nothing to do with children but has everything to do with the desires of infertile couples.

The problem of infertility, although very sad, does not entitle people to form forever families at the expense of others. Adoption is no longer an altruistic institution; it's big business. In fact, it's a \$3.4-billion industry in the USA alone.

At the time, Origins Canada wrote to Deb Matthews, the MPP, asking to be included in the panel, and received a form letter. We wrote to David Johnston, the chair of the committee, asking to be included, but were ignored. None of these responses were surprising to us, as the agenda of the expert panel was clear.

Even the title of the report, Raising Expectations, refers to increasing the number of children for infertile couples. We state for the record that Origins has no issue with supporting infertile couples with infertility treatments using their own eggs and sperm, but that our concerns deal only with the adoption issues of the bill and the trend toward the emphasis on the desires of people wanting to adopt being paramount.

In his report, Rights of the Child, the special rapporteur of the United Nations states: "Regrettably, in many cases the emphasis has changed from the desire to provide a needy child with a home, to that of providing

needy parents with a child. As a result, a whole industry has grown, generating millions of dollars of revenues each year, seeking babies for adoption and charging prospective parents enormous fees to process paperwork.”

The special rapporteur was alarmed to hear of certain practices within developed countries, including the use of fraud and coercion to persuade single mothers to give up their children. Leaving out the key stakeholders in adoption is wrong, and speaks to the agenda of this bill.

Access orders: Bill 179 does not protect the rights of children and their natural families. Clause 141.1.1 of the proposed bill states: “(2) Where a society begins planning for the adoption of a child who is a crown ward, the society shall consider the benefits of an openness order or openness agreement in respect of the child.”

Without Ombudsman oversight, the 53 children’s aid societies in Ontario will continue to act with impunity in these matters. They will also have 53 different interpretations of the law. They will not hesitate to abandon access in favour of adoption, since they have a long history of being biased in favour of people hoping to adopt.

Origins Canada has received testimony from countless natural parents and adopted persons that supports the conclusion that the history of the children’s aid societies in Ontario with respect to adoption includes the illegal detainment of children, using coercion to illegally obtain adoption consents, lying to mothers about the traumatic impact of adoption separation, withholding resources and information to mothers regarding their rights, and placing children in abusive homes, leading to injury and death—including my own child.

Evidence thus strongly suggests that the children’s aid societies in Ontario cannot be trusted to uphold the rights of parents with respect to access. Bill 179 will expand their existing power to ignore the rights of natural mothers and extended family, all without the checks and balances of an Ombudsman or any other elected official to oversee their deeds. This is a step backwards, not forwards, for Ontario’s mothers and children.

Clause 143.1 states: “(1) When a child is placed for adoption by a society or licensee, every order respecting access to the child is terminated, including an access order made under part III ... in respect of a crown ward.” The United Nations Convention on the Rights of the Child states that “parties shall respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child’s best interests.”

Current access orders that are in place for crown wards have been carefully thought out by Ontario court judges. Terminating these orders goes against the court and against the right of the child to have access to his or her natural parents. This is a crime against children and a violation of the rights of the child which Canada has ratified—all of this so that infertile couples are free to form forever families without the nasty bother of a child’s mother and family. Any current access orders in place by a court of law in Ontario must be upheld in the adoption of a crown ward.

Notice to natural parents: Bill 179 provides no guarantee of notice to natural parents. Section 145.1.1, notice, provides natural families with 30 days to apply for an openness order upon the notice of adoption of their child; that is, if they’re in town, not on vacation, not in hospital or otherwise occupied. This section has been entirely created to terminate access to natural families for children, with no respect for the rights of children and natural families. Adoptions done in this way will cause many future problems. There will be many mistakes made in the lives of children and families for which this bill will be responsible. This section must be amended to more accurately reflect the rights of natural families.

Adoption: The problem is that Bill 179 frames adoption as a first resort, increasing adoption rates at the expense of natural families. With the introduction of Bill 179, a newborn baby with a mother who is arbitrarily deemed to be at risk will quickly become a commodity, and any chance for a troubled mother to regain her child will simply disappear. Her parental rights will be severed and the child adopted, all within 30 days. There will be no mechanism to ensure her human rights or parental rights are protected, that she is provided with the required resources or that she can present her case in court. This opens the door for more abuse of power by the children’s aid societies to obtain a supply of newborns for the adoption market, and this will take us back to the baby scoop era of the 1950s and 1960s. Haven’t we learned anything from those terrible times? Grieving mothers, searching children, closed records? Adoption is never a quick fix; it is a life sentence for those separated by adoption.

The true agenda of this bill is revealed when one reads that “No person or society” can apply for a status review if a child has been placed in a person’s home for the purposes of adoption. This does not protect children; this protects adopters. Permanently separating mother and child should always be the very last resort in a civilized society, and only then if the mother poses some harm to her child which cannot be resolved—and only then when other kinship opportunities are exhausted. As the representatives from Children in Limbo have already presented in this committee, legal guardianships and kinship agreements are not being utilized enough to help children who have been taken into care and need protection in the province of Ontario. Modern domestic adoption is completely unnecessary to provide stable homes for children.

Adoption is not something to be encouraged by society; it is not an ideal to strive for. Supporting mothers and children should be the goal of modern society. Many countries are rethinking adoption and reforming adoption laws. Australia has decreased adoptions, and currently in Australia there is a federal inquiry into adoption practices and the damage done to mothers and their children by governments that support adoption. The Ontario government should be aware that this inquiry is coming to Canada as well, and many mothers and adult adoptees are already registering and submitting their stories to us.

Thank you.

The Chair (Mr. Shafiq Qaadri): Thank you, Ms. Andrews. About 30 seconds a side, beginning with Ms. Jones.

Ms. Sylvia Jones: Your brief was very thorough. Thank you. I have no questions.

The Chair (Mr. Shafiq Qaadri): Thank you, Ms. Jones. Mr. Prue.

Mr. Michael Prue: None, thank you.

The Chair (Mr. Shafiq Qaadri): Thank you, Mr. Prue. Ms. Andrews, please be seated. Mr. Colle.

Mr. Mike Colle: I just want to thank you for your presentation.

The Chair (Mr. Shafiq Qaadri): Thank you, Mr. Colle.

Thank you, Ms. Andrews, for your deputation on behalf of Origins Canada.

I'd just ask, is our next presenter available, Ms. Kelly Mackin?

MS. TRACY CLEMENGER

The Chair (Mr. Shafiq Qaadri): If not, we'll proceed to our presenter afterward, Tracy Clemenger. Welcome, Ms. Clemenger.

Ms. Tracy Clemenger: Hi.

The Chair (Mr. Shafiq Qaadri): Please be seated, and please begin.

Ms. Tracy Clemenger: Thank you to the honourable members for inviting me to come and appear before this committee. Given we have only a 10-minute block, including Q and A, I'll be very brief.

To understand adoption is to understand that adoption is a moral and social issue involving all Canadians; it is not just a fertility issue. It is also not bound by geography or jurisdiction. It is a national issue.

Canada's adoptable children tell us how we are measuring up as a society, and if potential adoptable children in the system were our teachers, they have been telling us for some time now that it's time to get results of justice.

I am happy to see the arrival of Bill 179. The intent to empower agencies and courts to bring closure to very difficult situations that are leaving children stuck in the system is overdue. Giving youth an opportunity to have more of a say is also a good move. Confronting issues in home study backlog is also a good thing.

At the outset, I also want to acknowledge that it is the front-line workers, especially the judges, who are tasked with sorting through deep levels of brokenness.

For the committee today, I want to focus on four specific items and then comment on the national context in which this legislation is tabled.

Bill 179, section 216, concerns the new regulatory prescribing powers being given to the minister at the regulations stage. This puts key details into the hands of the bureaucracy and could mean little incentive for an ongoing interdisciplinary process that might keep adoptive families and all stakeholders, especially children, at the centre.

However, not wanting to delay this legislation, and during the amended regulations phase of section 216, I submit the following recommendations for consideration:

The minister, along with his or her staff, commit to openly consulting with stakeholders to have a substantial dialogue with executive directors of each of the CASs in Ontario and among First Nations communities.

Section 145.1.1, notice being given to a person who has an access order: I would like you to consider expanding this definition. Stakeholders are more than just those with access orders. I would like to see adoptive parents who have biologically related siblings to the child in question to be included here. By this, I mean those existing adoptive parents who may already be parenting another child from the same birth mother or father. Even though this adoption may have taken place years prior and with another agency, these adoptive parents may not have necessarily been told about another child's existence or circumstances.

As I understand it, there is no legal obligation for agencies to consult with one another or notify adoptive parents that a new child has come into care. I'd like to see adoptive parents included in this section and notified of the existence of the child coming into care and kept abreast of the proceedings. There is going to be a flood of children and potential siblings available for adoption with a change in this legislation. As a provincial and legal standard, adoptive parents need to be given the chance to consider adopting any siblings or half-siblings and/or be given the opportunity to be included in an openness agreement, also within that 30-day period, with either the birth parent or any alternative arrangement being made with the grandparents or another prospective adoptive family.

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Clause 145.1.2(6)(b): Age 12. If there could be clarity on that? I understand that age 12 is a threshold in the act in general when it comes to protection.

I think we have to understand what is the nature of "child." This is a national problem right now, in terms of having a national standard and how we understand what is a child and what is a youth. Is the child treated as an autonomous individual or as a unit—whether the child, older in age, could be connected to known siblings. In Quebec, as I understand it, "child" is considered as a family unit at the intake level. I'm citing the Canadian Incidence Study of Reported Child Abuse and Neglect. They're one of the few agencies that are now starting to collect data at a national level.

How does this work out? I have in mind the potential burden being placed on the eldest child. For example, a child turns 12 and is faced with being directly involved in any possible openness order agreement. The child has three younger and curious brothers and sisters. The weight is falling upon small shoulders, who will be aware enough to know that their individual decision will have an enormous impact on themselves and their siblings. So I think that at the regulation stage, it would be good to finesse what we mean by "child": Are they a unit with their siblings or one person?

Adoption is a national concern. As I said from the outset, adoption is not just a so-called infertility issue, but a moral and social one. My husband and I chose adoption from the get-go of dating, and after our marriage, when it came down to it, chose it in lieu of family formation via a pregnancy. Our thinking was that if there was one child needing a home, you make yourselves available to that child.

The adoption of Ontario's 9,000 crown wards calls us all to refill the empty nest, to expand our sibling numbers and to open our homes a little wider. It calls grandparents to encourage and support potential adoptive grandchildren. But adoption is also a social issue that requires us to make new priorities at home, and more so, professionally. It means that children must be at the front and centre of all legislation, not just a children's welfare bill. And I believe that parenting is not a right to fill infertility issues; it actually is a social privilege.

When I meet with legislators, no matter their portfolio, I encourage them to ask witnesses who appear before the committee the following simple question: How does your proposal today improve the quality of life of a child? This could have an enormous impact on the types of decisions being made on all legislation at all levels of government. I am asking each one of you here today to commit to asking this question in your own priorities and planning.

As a social issue, adoption and the improvement of the quality of life of all Canadian children shows no partiality to geography, but at the same time, in respecting jurisdiction, is a constitutional issue of national concern. The federal House committee studying measures to support adoption began the journey into learning about these important, out-of-the-box issues this past fall, during their hearings. Unfortunately, the tabling of the report died on the order paper with the call of the election. They learned that there are no national standards among terms, services, accessibility and portability; no gathering of data; and no pool of best practices working in collaboration with departments. For those of us who appeared and welcomed the discussion, a national child strategy was encouraged and well-received, so I would also ask all MPPs to support a meeting among first ministers and chiefs to discuss the welfare of children.

MPs were also interested in the idea of working together with MPPs in their constituencies to brainstorm. I want to encourage you to speak with your MP today, as an MPP but also as someone who voted recently, to connect with them and find out what possible arrangements can be made at a collaborative level.

I want to applaud all MPPs for welcoming Bill 179 and for turning their attention to the systemic challenges of children's welfare, the needs of the front line at the local level, the needs of families, the hopes and prayers of the children longing for a permanency plan. It is a first step on a road less travelled by most adults but one well trodden by children who, through no fault of their own, are finding themselves in need of government care. Thank you.

The Chair (Mr. Shafiq Qaadri): Thank you, Ms. Clemenger. There's very little time. Mr. Prue, just a handful of seconds.

Mr. Michael Prue: It's okay.

The Chair (Mr. Shafiq Qaadri): Thank you, Mr. Prue. Mr. Colle?

Mr. Mike Colle: Yes, just thank you for all the attention you've given to the children and just continue to do that. I hope you will.

Ms. Tracy Clemenger: Okay, thank you.

The Chair (Mr. Shafiq Qaadri): Thank you, Mr. Colle. Ms. Jones?

Ms. Sylvia Jones: I don't have any further questions. Thank you.

The Chair (Mr. Shafiq Qaadri): Thank you, Ms. Jones, and thanks to you, Ms. Clemenger, for your deputiation.

MR. BRUCE CLEMENGER

The Chair (Mr. Shafiq Qaadri): I would now invite our next presenter to please come forward: Mr. Bruce Clemenger. Welcome. Please begin.

Mr. Bruce Clemenger: Thank you. Far be it from me to disagree with anything that you've heard from the previous presenter.

I want to thank you for the opportunity to appear before you on this most important topic of adoption. I come as a member of an adoptive family, brought together by the children's aid society in Ontario, and also as the president of the Evangelical Fellowship of Canada, which is a national association of denominations, ministry organizations and local churches. Out of our belief that all are created in the image of God and are deserving of care and protection, particularly the vulnerable, one of EFC's areas of engagement is the well-being of children in Canada.

Caring for crown wards is a high calling, and the power to intervene and remove children from their parents is one of the most important powers of a provincial government. These responsibilities must be exercised with wisdom and with care. Both to act without due diligence or to procrastinate can detrimentally affect the lives of children.

The CAS workers who I have met understand well their responsibilities and, I believe, work hard to ensure the well-being of the children in their care. At the same time, every effort, I believe, should be made to assist the natural parent to nurture their child, if possible, or to explore kinship possibilities.

Bill 179 is an important, I think, and worthy step along the path of finding a forever home for children and youth in this province. As you've discussed in the debates at second reading, there is more to do. This bill represents some two of the 40 recommendations made in Raising Expectations. There's more for you to do as legislators to enable and facilitate a significant reduction in the number who are waiting.

My first recommendation is that this legislation not be held up in order to include other substantive changes. The process of ensuring access orders that (1) are not benefiting the child or (2) are not utilized by adults should not become a barrier to adoption, and this is important. It is all the more complicated, however, when dealing with sibling groups for whom different access orders are in place for each child.

Continued access may be beneficial for the child as well as the birth parent, or the member of the kinship group. I am concerned for those parents who have lost access—some because they're not well parented—and what the loss of access will mean to them. I wonder who will care for them and how this is being facilitated. While some will retain access through openness orders, the best interests of the children and the importance to the child of permanency of adoption offers, I think, should take precedence. The extension of support of the CAS to the age of 21 for those crown wards who desire it is an important step of extending care for those who have no place to call home.

There are other steps the Legislature should pursue, many of which are outlined in Raising Expectations. My second recommendation is to ask that you might consider, as a committee, bringing forward an all-party motion to the Legislature that sets out a mutually agreed time frame for the implementation of other important steps that will reduce waiting time for children. For the sake of these children, our children, I encourage you to rise above the partisan positioning and, together, come to an agreement on the next set of priorities, to announce it publicly and plan for it legislatively so that the upcoming election does not delay what needs to be done. I know this is not easy.

Many provinces are also reviewing the current models and approaches. I've read many other studies. The number of children in care in Canada is increasing, and there's no indication that the underlying issues that result in neglect and abuse of children are abating. There's no national strategy. There's no equivalent to the Canada health care act for children in Canada. Provinces continue to revise their systems and programs. I do not question the sincerity or goodwill of all involved, but can we do more?

The five years since legislation was passed to speed the process of adoption may not be long in a legislative time frame, but for a child waiting, it is a significant part of their life and will impact their whole life.

My third point is that the care for these children and encouraging families to step forward and make themselves available is not your responsibility alone. The minister's intent to increase the number of events that link waiting homes to waiting children and better Web-based access to information for respective adoptive parents are vital and should be pursued.

1430

Likewise is the importance of developing a coordinated and broad strategy for recruiting families.

For recruitment, though, partners are needed. It is good to know that there are some 1,500 homes waiting to

adopt. There should be many more. The typical resident of Ontario needs to break out of the presumption that looking after these kids is someone else's responsibility. When the CAS was founded, it was quite the opposite.

In the 1880s, the need for reform, and particularly the need to foster concern and humane responses to the weak and the vulnerable, captured the heart of a young journalist named John J. Kelso. Caring for the vulnerable was a principle of his Christian faith and was nurtured in him by the lives and actions of prominent citizens in Toronto, like then-Mayor W.H. Howland, whom he covered as a reporter.

Kelso's own engagement was prompted by an experience he had while working as a reporter for the *World*, a Toronto newspaper back in the 1880s. Late one night while walking on Yonge Street, he was asked by two crying children, a brother and a sister, for 25 cents. Their father had told them that if they did not return with money, they would be beaten. After a three-hour search, he found a place willing to take them in. The next day, the parents were charged with neglect, but the case was dismissed, as the judge felt there were insufficient grounds for prosecution.

Kelso began to envision a voluntary society that would promote the prevention of cruelty. Subsequently, he founded and directed the Toronto Humane Society, whose mandate was to protect children and animals. As the needs of children and the complexity of their care unfolded, the children's aid society was formed a few years later and the humane society narrowed its focus to address the ill treatment of animals. Kelso soon became president of the children's aid society in Toronto and later was responsible for the development of societies across the province.

The society was intentionally non-governmental. It was to be a society of citizens: lay people, neighbours and colleagues. The well-being of children and community was understood to be the responsibility of all. There was not a strict separation of roles, and the government was seen as playing a supporting and enabling, but not the primary, role. In the first years of the CAS, the need for full-time professionals was recognized, but it was still understood to be primarily the responsibility of the local community, hence the idea of a society, and hence the development of 53 CASs across Ontario; they were to be community-based and community-oriented. However, with increased government ownership, ensuring the welfare of children came to be seen as the responsibility of one sector: the government and its agent, the CAS. This perception, or misperception, limits an adequate response from the broader community.

I Am Your Children's Aid is a marketing campaign that carries an important message: The CAS works on behalf of us all. Crown wards are not just the minister's kids or the CAS's; they are our children. The CAS is acting on our behalf for the good of our children. It is we as a society who have decided that children should be protected from abuse and neglect, to the extent that they are not only placed in the care of others but adopted with

birth certificates that recognize the adoptive parents as birth parents. It is the CAS that we have empowered to act on behalf of children, with the consent of our courts. We need to broaden ownership of the need for adoptive families and care for children and youth. The matter of recruitment cannot be that of the CAS alone or yours as government.

The additional task imposed by this legislation will generate additional work on the CAS. Not only do they need help, but some of the burdens they have need to be shared. What is needed, I believe, is a more coordinated strategy to recruit prospective adoptive families and foster families. This is where the other societies of people of goodwill—the Adoption Council of Ontario, the Dave Thomas Foundation, religious groups and other communities—can be of help. The goal is to encourage as many families as possible to take the first step and take a PRIDE course. The goal should be that there are more waiting homes than waiting children.

Let's work together for the well-being of children and finding homes for children. That is my last recommendation: that the government seek ways to partner with others in its important task of recruitment.

The Chair (Mr. Shafiq Qaadri): Thank you, Mr. Clemenger. You have thirty seconds, Mr. Colle.

Mr. Mike Colle: Thank you for your comprehensive and very informative presentation, including a history of the origin of the CAS. I commend you again for this publication and your focus on children and the need to bring awareness to this critical issue about our children.

The Chair (Mr. Shafiq Qaadri): Ms. Jones?

Ms. Sylvia Jones: Just one brief question: I'm sure you know that in Bill 179 there is an addition that suggests children should be involved in the process from, I believe, the age of 12. Do you have any thoughts on that age: whether it should be lowered, if 12 is appropriate?

Mr. Bruce Clemenger: I'm not an expert on that. As children become more and more aware, they should have more and more—

The Chair (Mr. Shafiq Qaadri): Thank you, Ms. Jones. Mr. Prue.

Mr. Michael Prue: One of the things that's not in the bill—I've had a chance to look at your article a little bit—is the recommendation that adopting parents be afforded a certain amount of money, if necessary, to smooth out the adoption and also to pay for children with special needs. Any thoughts on that?

Mr. Bruce Clemenger: I think it would be quite important to continue subsidies assisting parents who are adopting children with special needs. I see that as more of a failure—

The Chair (Mr. Shafiq Qaadri): Thank you, Mr. Prue, and thanks to you, Mr. Clemenger, for your deputa-
tion.

MS. KELLY MACKIN

The Chair (Mr. Shafiq Qaadri): I invite now Ms. Kelly Mackin to please come forward.

Welcome, Ms. Mackin. You have exactly 10 minutes. Please begin.

Ms. Kelly Mackin: Good afternoon. I am here to speak against Bill 179.

The children's aid societies and the Ministry of Children and Youth Services have been failing Ontario's crown wards for far too long. The reason I am here today is one of personal pain. When my son was just a little boy three years old, I voluntarily put him into care of the Catholic Children's Aid Society of Toronto. At the time, I had a substance abuse problem, there was nowhere else for me to turn and I knew I could not be a good mother, and I trusted them. This would be the biggest mistake I have ever made in my life, and I don't believe that I, nor my son, will ever forgive me for this.

My little boy had to sneak down at night and get food—remember, he wasn't even four years old yet—for a boy even younger than himself. This happened quite frequently in the year and a half he spent in the first place he was put in, a so-called foster home. There is much more that happened, but I will not disclose that here.

I am here today representing the children who have died due to the incompetence of various children's aid society employees: Afua Boateng, Shanay Johnson, Matthew Reid, Sara Podniewicz, Jordan Heikamp, Jeffrey Baldwin, Randal Dooley, Katelynn Sampson and, as of late, baby Miguel Fernandes. These children would be alive if children's aid society employees really did their jobs.

Children in crown care are medicated and diagnosed at a much higher rate than the general population. Nearly half of our crown wards are medicated. I have included several articles of facts for everyone, and they will be available at some point, as there is a lot of it.

On April 1, 2010, a 51-year-old man, a foster parent in Windsor, Ontario, was sentenced to six months in jail for sexually assaulting a girl in his care. There are still foster children in that home. Again in Windsor, Ontario, on March 9, 2011, a foster mother pleaded guilty to sexually assaulting a 14-year-old boy in her care. She also provided him with alcohol and drugs. In January 2011, Maurice Lavigueur, 52 years old, a man who was honoured by Family and Children's Services Niagara, was charged with six sexual offences against children in his care. In Sudbury, Ontario, 11 months ago, why did the CAS want the father's name kept secret—this girl was adopted. At 11 years old, her foster father began molesting her; at 14 she gave birth to his now two-year-old son, and she was the one responsible for the publication ban being lifted. He got seven years in prison. That's four child molesters in 13 months.

As for safety nets for children, an article was done on roughly 20,000 serious occurrence reports—those are for children being physically restrained: "These 'serious occurrence reports' are considered a 'major irritant' by the Ministry of Children and Youth Services and children's aid societies, according to a review by a Commission to Promote Sustainable Child Welfare. The commission also found the paperwork is rarely" acted on by the ministry. I have several articles here.

In closing, I will say that it is not—I'm sorry; I'm so emotional, I'm so angry and so disgusted—in children's best interests to be adoptable after 30 days. I'd really like to know what—let me quote Mr. Cardozo correctly—a portable home study is? Is that a meet-and-greet?

With a track record of incompetence resulting in many needless deaths of children, fraudulent spending, firing over pornographic emails—that's the Catholic children's aid society in 2002—overmedication of children, abuse by foster parents, child molester after child molester fostering and \$1.4 billion a year with no accountability, imagine what we don't know.

1440

What I want to know, as well as what people of this province deserve to know, is who could actually believe that the children's aid societies and the Ministry of Children and Youth Services are capable of choosing "forever safe" people to adopt when they cannot keep children safe in their so-called care?

The best interests of the children need to truly be the priority.

The Chair (Mr. Shafiq Qaadri): Thank you, Ms. Mackin. We have about 90 seconds a side, beginning with Ms. Jones.

Ms. Sylvia Jones: You mentioned that you disagree with the 30-day period that is in Bill 179. Do you have a recommendation for a different number?

Ms. Kelly Mackin: As far as I'm concerned, if you want to adopt a child, you shouldn't be given anything more special than what a parent who has a natural child should have.

Also, how many of these children have grandparents or family members who can and would raise them if they were allowed?

Ms. Sylvia Jones: So you think nine months would be more appropriate?

Ms. Kelly Mackin: I did not say that. Ombudsman oversight actually would be the best thing.

The Chair (Mr. Shafiq Qaadri): Thank you, Ms. Jones. Mr. Prue.

Mr. Michael Prue: You anticipated my question—Ombudsman oversight. My colleague Rosario Marchese tried to put something through last week or two weeks ago, and it didn't go anywhere. Do you think that if we had Ombudsman oversight, many of the problems that you are mentioning would be resolved so that we could get on with the difficult task of having children find adoptive families? I'm really worried about those who are adopted and abused.

Ms. Kelly Mackin: Thirteen months, four child molesters that we know of—in this province alone. We are the only province without Ombudsman oversight. The party that voted against it, the Liberal Party—why does the ministry not want the Ombudsman to look? What don't we know? These are children.

The Chair (Mr. Shafiq Qaadri): Mr. Colle.

Mr. Mike Colle: Thank you for your presentation

The Chair (Mr. Shafiq Qaadri): Thank you Mr. Colle, and thanks, Ms. Mackin.

MS. ROSE BRAY

The Chair (Mr. Shafiq Qaadri): Now I invite our next presenter to please come forward: Ms. Rose Bray. Welcome. Please begin.

Ms. Rose Bray: Thank you for the opportunity to make this presentation to your committee. My name is Rose Bray. I live in New Dundee. I am here as a concerned citizen. I have become aware of the actions of the children's aid society against good families. I have also learned that the children's aid society is privately owned and has no independent oversight.

After hearing so many stories of children being forcibly removed from loving families for reasons other than child abuse, I became alarmed. Children are being removed for poverty, and parents are being coerced into giving up custody to secure government funding for required medical and therapeutic services. This is so wrong. It is not a crime to be poor or to have medical needs.

Both of these issues are very near and dear to me as I was a medically fragile child who came from a poor family. I was born in 1962 with a complete heart block. Back then, there was nothing that could be done for my heart condition. I was sent home, and it was not known how long I would survive. My family kept a constant vigil over me. I was always in and out of the hospital. I had a heart attack at ages 2, 6, 11 and 17.

Every day, my mom or dad would check my temperature numerous times. If I had a temperature, I was given a bath and a nitro pill, and the family doctor was called. One time my mom called the doctor, and he told her to give me two Aspirins and put me to bed. She did not follow this advice and phoned another doctor who came to our house and gave me a shot. My family doctor said that if she had done what the first doctor had said, I probably would have died.

It was very scary being such an ill child. I would sometimes be so weak that I could not walk; I had to crawl. I was not able to run and play the same as other kids. My parents never left me alone for fear I would have a bad spell. I cannot imagine anyone but family who would take such good care of a sick child. I was only allowed to stay with family and never stayed over at a friend's house. My parents would have never taken the chance that I might have a bad spell when family who knew what to do and watch for were not around.

The children's aid society says that the children who die in their care are medically fragile, but they do not tell you that upon investigation, 75% of these deaths were found to be preventable. The safest place for children is with their loving families.

Poverty is not a reason for taking children and adopting them out to strangers. I have been raised to believe that you give to the poor and that you help those less fortunate. As a child, I never went to a restaurant with my grandparents, yet I ate the best meals of my life at their home. I never went to a zoo with my grandparents, yet I learned to love and care for farm animals. I never went away to faraway beaches, yet I swam at the best beach

ever. I never went to a movie with my grandparents, yet watching bears at the dump was the best entertainment ever. As a child, my grandparents never bought me gifts, yet I had the warmest homemade quilts, mittens and socks.

The message here is that family is about love, not about money. Poor and sick children do not want forever families; they want their families forever.

I have included three news articles for the committee from the *Intelligencer*, the *London Free Press* and the *Expositor*—you'll have to watch my pronunciation; it is hillbilly—to show how the poor, the sick, the disabled and native people are unfairly targeted by the children's aid society.

The *Intelligencer* press release children's aid article is very disturbing to me as this is where my poor family is from. The Hastings children's aid has two and a half times more kids in care than the provincial average. This area consists of family farms and is sparsely populated, yet there are more kids in Hastings children's aid than Mississauga's, which has an estimated population of 1.2 million.

The manager of the children's aid society in-care services department, Francis, says, "We know that poverty in this area is an issue," as are addictions, the economy and mental health, and also says that some of the children do have high medical needs. None of these issues are reasons to take a child from their good family.

In the *London Free Press* article, the children's aid society says that the agency will try to take fewer kids into its care by keeping more of them with their families. Children's aid also states the number of children in need will be affected by issues outside of the agency's control, such as poverty. The most disturbing statistic is, "Five years ago only 10% of kids under the agency's care were cut off from their biological family. But now 70% of all new kids taken into agency care are cut off from biological family." This 60% difference represents the stolen poor kids taken from good families for profit and forced adoption.

This article also refers to the deal reached with Queen's Park. The province has agreed in principle to cover the agency's costs. It did so with big strings attached. The province will cover the \$4.2-million deficit, but the number of kids in its care must be cut by 25%. The effort to keep kids in family will get provincial funding, the government says. The article also stated that the cost of children's aid societies nearly doubled in five years, growing more than three times as fast as the provincial government as a whole. It is very clear that the privately owned children's aid society needs to be reined in, not given more power without Ombudsman oversight.

The *Expositor* articles are the most recent articles, from a month ago, on how native children and parents are being unfairly treated by Brant children's aid. On a Tuesday, Six Nations clan mothers brought their message to council toting 483 balloons to represent the number of aboriginal children in the care of the children's aid society. According to the Brant children's aid society,

there are only 57 aboriginal children in care; the other 426 native children must be the stolen ones that the children's aid society does not want the public to know about. If this is how the children's aid society counts, the true number of children in care is out of control. Enough is enough. It's time to bring our children home and reunite the families.

I'm not sure how my time is.

The Chair (Mr. Shafiq Qaadri): You have three minutes left.

Ms. Rose Bray: I have three minutes?

In 1972, I received my first pacemaker. In 2009, I received my 10th pacemaker. It is the machine that keeps me alive, but it is my heartbeat that gives me life and feeds my soul. It is said that no machine can beat as strong as the human heart, so please, use your political position to do the right thing and save family. Thank you.

1450

The Chair (Mr. Shafiq Qaadri): Thank you, Ms. Wyte-Bray. There are about 30 seconds or so per side, beginning with Mr. Prue.

Mr. Michael Prue: You talked about leaving children with their families. By that, I think you mean the extended families, so they should go to the grandparents or a sibling or something first?

Ms. Rose Bray: Anyone. If a person has an addiction, that is a sickness. That needs to be helped. There are grandparents, there are aunts, there are uncles, there are friends; there are so many places for these children to go without strangers.

Me personally, had I ever not been in my family's care, I would have surely died, I was so sick. These medically fragile children do not need to be taken away from their families so that they can get government funding and the medical care that they need. They need to be with their families. No one loves their child like the family.

The Chair (Mr. Shafiq Qaadri): Mr. Colle?

Mr. Mike Colle: Thank you for the very passionate and compelling presentation. I know it's not easy. It's just that the question is, though, what if you can't find a loving grandparent, sibling or relative or someone? What happens then? And I'm saying in the case where—

Ms. Rose Bray: Well, I mean, there is a need for the children's aid, but the most disturbing thing I find is that when there is a need, nothing is done. But for the most part, we have extended families. Very rarely would there be a case where the child would have no family members. We all have extended families. We have aunts, uncles, friends, neighbours. I think that there's a whole list of people—

The Chair (Mr. Shafiq Qaadri): Thank you, Mr. Colle. Ms. Jones.

Ms. Rose Bray: —before ever a child should go to foster care.

The Chair (Mr. Shafiq Qaadri): Ms. Jones.

Ms. Sylvia Jones: Thank you. I was going to let you finish what you were saying. Thank you for your presentation.

The Chair (Mr. Shafiq Qaadri): Thanks to you, Ms. Whyte-Bray, for your deputation.

MS. LINDA PLOURDE
MS. LAURIE MONTAG
MS. MAGGIE STEISS

The Chair (Mr. Shafiq Qaadri): I invite now our next presenter, Ms. Linda Plourde, to please come forward. Welcome, Ms. Plourde. I'd invite you to please be seated. Please begin now.

Ms. Linda Plourde: I think we have two more with me as well. Two more—within the 10 minutes?

The Chair (Mr. Shafiq Qaadri): Your time has begun.

Ms. Linda Plourde: I am here today to speak on behalf of all the children that died so miserably under the well-funded institutions by our government in the name of greed.

Dealing with Bill 179 is really a question of following the money. Who profits?

I would like to know who gave the right to the Minister of Children and Youth Services—oh, excuse me. No film, okay?

I would like to know who gave the right to the Minister of Children and Youth Services to mastermind and present a harmful bill on our families. Who gave her the right to propose this bill, only to serve the huge money-making industry of children's aid? Her job is to protect the children, not to put them for sale. She is creating and supporting crimes against humanity and holding herself unaccountable for crimes against people committed by the employees and executive of the children's aid.

We have 398 children that died in foster care in four years in Ontario alone, under the supervision of the child protective services. Those children, under the right to life, had the right to live, had the right not to be killed by another human being and had the right to be protected, and children's aid and the government failed miserably to protect those children.

The government is mute. Why? Are they receiving compensation from the children's aid? I want to know why the government refuses to bring accountability in children's aid and wants to sell our children to them by giving them more power. I really want to know why.

It is a choice, from the head down in the government, from the executive director, to allow this to happen. It is a choice of all of you here to oppose or support this harmful bill. This bill will create desperate situations, and desperate situations create desperate actions.

I would like to end my remarks by saying that by allowing this bill to pass, it will be your kids, your grandchildren who will pay. This bill is sending a chilling message to all Canadian people.

As for me, I am Canadian. The people, the children, the seniors, the veterans, all most defenceless, and this country matter to me.

Thank you for listening.

The Chair (Mr. Shafiq Qaadri): Thank you, Madame Plourde. We have two minutes or so per side, beginning with Mr. Colle.

Ms. Maggie Steiss: We're all together.

The Chair (Mr. Shafiq Qaadri): Oh, I'm sorry. Please continue, then. Please introduce yourselves.

Ms. Laurie Montag: I'm Laurie Montag.

Bill 179 is an inhumane treatment to Canadian families who do not want to give up their babies by forced adoption. With Bill 179, young mothers are at high risk to lose their babies in a second. For some, the trauma of losing their baby is a death sentence to suicide. The trauma is simply unbearable. My question is, how did you convince yourself that you have the God-given right to decide when a mother should or should not keep her child and force adoption for her newborn baby? Who gave you that right? The decision is not yours to make. The decision should only be decided by the mom or the dad. It's a violation of Canadian law, and let's drop this bill before any more of our children die.

Looking at the reputation of the children's aid, we know that the children's aid is toxic, and I believe this bill should be put on hold until a specific statute of limitations for delayed discovery and damages caused to families by children's aid and a full investigation. Taking babies at birth unlawfully for forced adoption is simply another gravy train for their own project. Drop the bill.

What was done to my daughter was simply evil, and an apology or a paycheque is not enough for me. My daughter was harassed by CAS, not because of what she was currently doing, but because of her past. Say a new parent has drug issues or other problems and they find they're having a baby. How is 30 days time to recover and stabilize themselves and prove to children's aid that they can take care of their baby? CAS claims that they are in the best interest of the child. Where is the support they claim to offer? Even after my daughter agreed to a six-month supervision order, she was continually harassed the month she was at the hospital while her new son recovered from surgery. She was home a week and she committed suicide. This was the letter that she left behind:

"My mind doesn't make sense no more.

"It's like I'm hurting deep to the core.

"Please, dear God, make these thoughts go away,

"Please, dear God, I don't want to live today.

"I look into my little boy's eyes

"Is our world built on lies?

"I lost the fight for this world,

"Please, dear God, make my thoughts go away.

"Please, baby Michael, don't feel my hurt or anger,

"Just lay back, my little boy, in a manger.

"I am sorry for bringing you into this horrible place,

"I am sorry for the tears running down my face.

"My baby boy, I am sorry, I am so sore,

"My baby boy, I am no good for you.

"It's what they say, and I'm thinking it's true.

"Please, my little boy, if I have to go, don't be sad,

"Please understand these people think I'm bad,

“And I think I am too, when I should be giving you hugs and kisses.

“Please, my little boy, don’t you ever miss me.

“Just remember I love you.

“Please don’t cry for me, little one.

“I will always love you for ever and ever, and that’s the truth.

“Suicide, suicide, say you’re not a sin,

“Suicide, suicide, do you know where I’ve been?

“Suicide, suicide, please cut me deep,

“Suicide, suicide, take me in your sleep.

“Suicide, suicide, I know you’re right,

“Suicide, suicide, come get me tonight.”

She was protected to death by the CAS. She walked away from drugs for her child, and they pushed her right back into it.

Mr. Michael Prue: Go ahead. Your time is running out.

Ms. Maggie Steiss: Okay. My name is Maggie Steiss. My daughter and I were also victims of CAS. She was ripped away from me. I’m not really here to talk so much about her. Children are dying. Children are abused. This is Samantha Martin: Her parents are wonderful parents, but they were told that their child would never get the care that she needed unless she was put into foster care.

1500

The other thing I would like to bring up is that I myself am adopted. I was adopted as a baby. I’ve been hearing about adoption subsidies for adoptive parents. When my parents adopted me, there were no subsidies. I became their legal child, with all the legal responsibilities, including financial, that go along with that. How can you justify giving adoptive parents subsidies when natural parents do not get subsidies? As a natural parent, I was not given money; I was not given subsidies for being a natural parent. But now you want to give adoptive subsidies. In the case of Samantha Martin, a child with disabilities, they were not helped; the natural parents were not helped. “Put her in foster care, you’ll get help. Keep her yourself, you will get nothing.” This is wrong. This is totally wrong—and by the way, she was abused in foster care, as many children were, as my own daughter was in the first home that she was at. Eventually, she ended up in a very good home—she was one of the lucky ones—but she never should have been in care in the first place. It was based on lies.

All I can say is that FACS has to go. FACS, children’s aid, they have to go. We have to have a new system. They’re evil money-makers.

The Chair (Mr. Shafiq Qadri): Thank you, Ms. Plourde, to you and to your colleagues. There’s really just enough time for me to thank you on behalf of the committee for coming forward and providing us with your written submissions and deputations.

RAISING OUR CHILDREN’S KIDS

The Chair (Mr. Shafiq Qadri): I’d now invite our next presenters to please come forward: Ms. LaFleshe,

Ms. Irizarry, Ms. McIntosh and entourage. Welcome, and please begin.

Ms. Eileen Irizarry: Good afternoon, members of our soon-to-be-re-reformed civilized society, concerned parents and advocates for children of this province. My name is Eileen Irizarry. I am here to state for the record that I verily believe that the children’s aid society should be abolished. I have had extensive dealings with this agency—corporate baby monsters—and have witnessed an abuse of power and authority over children and the ones who love them.

I do not think this bill should pass, simply because it gives more authority to an organization that has misused its authority so far. And without Ombudsman oversight, there is no end to the abuse of power and authority of the so-called children’s aid society. We treat our puppies better than we treat our children.

If we are to consider ourselves a civilized society, we should take a look at how we treat our children, how we treat the biological non-offending parents of this so-called “civilized” society. They are not the society, my friends; we are. Please oppose Bill 179 for the well-being of our children.

I further recommend, whether this is my position or not, that an extensive investigation be launched against the children’s aid society for the sake of my child, your child, your grandchild and your neighbour’s child.

The people have spoken, and we will speak again and again and again. I spoke to my MP this morning. I spoke to the provincial children’s advocate this morning. I recommend to permit the Ombudsman to have power over the children’s aid society once and for all and that the CAS be held accountable for all the damage to all the families and all the children in this great province.

Ms. Barbara LaFleshe: My name is Barbara LaFleshe, and I’m a member of a group in Hamilton, Ontario, called We ROCK. It’s We Raise Our Children’s Kids. We are a support group for grandparents and kin families.

We feel that we more than go above on record as being a voice in our community. We not only support each other but we are out in community, supporting community. With peer-to-peer mentoring, we mentor people on OW/ODSP. We also know of many members of our community who, for lack of funds or lack of jobs, get cut off their—say their heating gets cut off. The direct line of communication is from, say, Union Gas to the director of community and social services, Joe-Anne Priel, in Hamilton. Her dear friend Dominic Verticchio, director of the children’s aid society, is informed, and those children are apprehended. It takes months and months to get through court systems to get your children away from children’s aid.

I want to speak on that, but I also want to say, as a grandparent and one who has cared for her granddaughter, that my daughter was diagnosed with a mental illness. She is levelled out and is doing quite fine now. Her life is her child. If I hadn’t been there to support her—children’s aid is not viewing grandparents as the

best scenario in raising grandchildren. A lot of our grandmothers had to fight vigorously through the court system, exhausting all of their finances, to keep the children within the home. I can't imagine me worrying and wondering, "What ever happened to my granddaughter?"

With that, I'll pass it along to Bev McIntosh, another member of We ROCK.

Ms. Beverly McIntosh: Good afternoon. I'm here for the children. I have two grandchildren that I have been raising. They're both fetal alcohol plus ADHD. The problem is, people will not take these children because they're too much to have to look after. We're at doctors' appointments where we have to do this and we have to do that. We have to be very careful with these children. Even at school, they're sent home a lot of times because they can't sit still, even though they're on medications. And it's not just mine; there are a lot of children out there that are like this, who need the help. The school is doing as much as they can. The government needs to help these children as well.

They are going to be teenagers. My granddaughter's going to be a teenager next year, and I've had her since she was nine months old. Right now, she is up at Lynwood Hall, because she's having such a hard time, so she's up there. Her brother is here with me. I had to take him out of school. I won't be home in time to pick him up, so I brought him here with me. He's also fetal alcohol effect and ADHD, and he has a lot of problems at school as well. Sometimes they're sent home, because the teachers can't control them. To me, that's not right.

There are more and more children that are being born from parents who don't think, when they're pregnant, what they're doing to their child, and that's the biggest thing. The mother of my two still says, "I didn't drink." But it's been found in their hair. Rosina is really bad. She's very tiny. You wouldn't even think she was 13. She only weighs 42 pounds; she's just a little thing. Austin weighs more than her. But I was around when he was around, so the mother did not get as much alcohol in her system. She swore to me she didn't, but she did, because they tested him when he was first born and it was in his hair.

This is a big problem—I think you have it in Toronto; we have it in Hamilton—that these young people are out there and they're hurting the children that they're supposed to be taking care of by taking drugs and alcohol. The drugs you can get out of their system; the alcohol you can't. Alcohol is in the amniotic fluid for 48 hours before it is cleaned out, so every little baby is sitting in alcohol for 48 hours. So when they're born, they usually have a lot of problems.

1510

Ms. Barbara LaFleshe: One of the things I wanted to add for Bev is, when you're considering putting through—rushing through and hammering through—Bill 179, you must be extremely careful, because there aren't many people other than family members, grandparents, who would go 100% the distance with their grand-

children, ensuring that they have a fully functioning life, one that is sustained through all the years of growing up. As far as adoption goes, there aren't many people on earth who will have gone the distance like Bev McIntosh.

I just want to say that this is an extremely important bill, one that we do want you to—really, at best, we want to say to shut this down right now. Definitely the CAS needs to be investigated on many strains, and I think one of the reasons why this is being pushed through right at this point is because CAS has failed.

With that, I just wanted to add one thing. Our president couldn't be here. Her name is Diane Chiarelli. She does say that the constitution does give rights to people, but one right can't overstep the right of another. I wish you would consider this today.

The Chair (Mr. Shafiq Qadri): Thank you very much, on behalf of the committee, to you, Ms. Irizarry, Ms. LaFleshe and Ms. McIntosh, for your deputation. The time has expired.

MR. ATTILA VINCZER

The Chair (Mr. Shafiq Qadri): I'd now invite our next presenter to please come forward. I understand Ms. Vinczer is coming to us via conference call from Newmarket. Are you there, Ms. Vinczer?

Mr. Attila Vinczer: Yes. That's actually Mr. Vinczer.

The Chair (Mr. Shafiq Qadri): Welcome. I'd invite you to please begin. You have 10 minutes before the Standing Committee on Social Policy in the Parliament of Ontario. Please begin.

Mr. Attila Vinczer: Thank you. Good afternoon, committee Chair and committee members. My name is Attila Vinczer, a father of two wonderful children. Thank you for affording me this opportunity to speak to matters of concern with respect to Bill 179.

In consideration of the serious ramifications pertaining to the public and family interest and well-being, I respectfully make the following submission for the committee's serious consideration and contemplation prior to voting on Bill 179, which, from what is understood, will make it much easier for children to become crown wards.

I am a member of the York CAS, as well as active within the community of Newmarket. I am the secretary of the Canadian Maltese Charitable Service Trust, a duly registered charity that has been in operation by my family for 16 years, raising over \$250,000 to help families and children worldwide. Furthermore, I take an active role in assisting families who are having difficulty with CASs throughout Ontario, Canada and even internationally. As such, I have extensive knowledge of the dangers within CAS agencies and their ancillary veins of operation.

In 2008, I was dumbfounded when my vindictive ex-wife made false allegations to the CAS, which then unlawfully ordered my children detained by the school principal. I had to attend a CAS office, where I was coerced into signing a service agreement and was threatened with having my children put into foster care should I not comply—this, based on one phone call and no

investigation. The allegations were found vexatious and untrue after a period of 30 days—the same amount of time that this bill would enable the adoption of children in care to become crown wards.

The Liberal government intentionally defeated the second reading of Bill 131, which would give the Ombudsman power to investigate. Minister Laurel Broten indicated on May 5 that there are plenty of avenues for parents to pursue if they have issues with the CAS. Recently, a father in Muskoka made such a complaint to a review board, to find himself being served with legal documents within two days after that complaint, and that he had to appear in court the next morning.

Mistakes can be and have been made—such as the disgraced pathologist Charles Randall Smith, who has caused grave issues of concern to countless families, such as William Mullins-Johnson and many others. He spent 12 and a half years behind bars for a crime he did not commit, costing Ontario taxpayers \$4.25 million in compensation. CAS was heavily involved in that case against an innocent man.

Given the mistakes that have been made, can the Liberal government guarantee that a child wrongly removed from a family will not be adopted out? Who will take personal responsibility should such errors take place? It should be known that those who fail in their fiduciary responsibility to the public can be held personally liable. What real protection does a parent have to combat the now-proposed accelerated adoption process of children in care? Considering it can cost \$50,000 or even \$100,000-plus to defend against such intrusive action by the provincial government—that is, CAS agencies and other social agencies—how is an average family supposed to afford a defence against such action?

This committee must consciously be aware that if they vote on passing this bill, and having knowledge as I put before you that there are serious flaws in this bill where errors can be made, each and every one of you are jointly and severally responsible for the making of a bad law that will have dire consequences on the very fundamental fabric of our society: our families and our children.

I am gravely concerned, as are hundreds of other people I've spoken with, that this bill will grossly erode the fundamental rights of parents. I ask that each and every committee member seriously consider what I and others have brought before you in ensuring that a flawed bill such as Bill 179 is not passed into law.

The Chair (Mr. Shafiq Qaadri): Thank you, Mr. Vinczer. We'll have about 90 seconds per side, beginning with Mr. Prue of the NDP.

Mr. Michael Prue: Part of the problem that I see—and you talked about it—is the lack of Ombudsman oversight. If there was Ombudsman oversight, would you be as concerned with what's in the bill?

Mr. Attila Vinczer: If there was Ombudsman oversight, I would still be concerned with what's in the bill, but at least citizens would have an avenue to deal with such issues, other than having to hire a lawyer, which can cost tens of thousands of dollars.

Mr. Michael Prue: Should there be some kind of mechanism where, after 30 days, if they decide that a child should become a crown ward—should there be some method of appeal of that?

Mr. Attila Vinczer: There always should be a method of appeal. Our judicial mechanism is geared in such a way that if a lower process committee, a judicial process, makes errors, those errors can be addressed at an even higher level.

I am very concerned. CAS agencies have made mistakes over and over again. I hear about this at least once a week. When children are taken away from parents and they end up in foster care, it becomes literally impossible to get the children back.

The Chair (Mr. Shafiq Qaadri): I now hand you over to Mr. Colle of the government side. Mr. Colle.

Mr. Mike Colle: Thank you for your presentation.

I thought I heard you say that this bill will make it easier for children to become crown wards. Could you explain that, please?

Mr. Attila Vinczer: As I understand it, it will now only take 30 days to make it possible to adopt a child out that is in care. Am I wrong?

Mr. Mike Colle: I guess the intent of the bill is to remove barriers whereby a child can go from being a crown ward to being in an adoptive family.

Mr. Attila Vinczer: I understand. The issue is, we need to be very clear that no child is taken from a family without due process. From what I understand, this bill will give further power to move that process along.

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Mr. Mike Colle: Okay. Thank you.

The Chair (Mr. Shafiq Qaadri): Thank you, Mr. Colle. Mr. Arnott.

Mr. Ted Arnott: Mr. Vinczer, thank you very much for your presentation. In spite of the fact that you are speaking to us by conference call and you're not here physically present making your presentation, you've expressed yourself very well. I think committee members have a very good understanding of the position that you wish to pass along to us. We appreciate the input of all the presenters, and we thank you very much for participating in the process.

Mr. Attila Vinczer: Thank you.

The Chair (Mr. Shafiq Qaadri): Thank you, Mr. Arnott, and thanks to you, Mr. Vinczer, for your deputation.

MS. ANDREA ARMSTRONG

The Chair (Mr. Shafiq Qaadri): I'd now invite our next presenter to please come forward, Ms. Armstrong. Welcome. Please begin.

Ms. Andrea Armstrong: I'm Andrea Armstrong. I have a legal administration diploma from college; I've worked as a legal advocate for low-income people for 20 years on a volunteer basis. I also worked as a nanny for the Canadian Tire family, Alfred Billes; I've worked as a nanny for Jeffrey Simpson, the Globe and Mail journal-

ist. I've also done special needs work in the homes of people who had CAS involvement.

I am both for and against Bill 179. I'm adopted at birth myself. I was adopted immediately through York Region CAS into a very loving adoptive home. I support adoption when it is properly investigated and the children are going to a proper home. My parents were meant to be parents; they just had infertility issues. I have also gone through an adoption reunion, and my natural mother would have also been a very suitable parent. At the time, though, in 1968, that was not an option for her.

I also had a crown ward child over the age of 18 living with me. She had been placed into foster care on a kind of voluntary basis. The other siblings were left in the home: There wasn't a need to remove them, apparently, but this girl did not want the discipline of her father and chose to go into crown wardship. When she went to college, she moved into my home for a short period of time. She didn't have the life skills that her sister had, which she had learned staying at home with her family where she had to do chores and everything else. The girl who grew up in foster care had everything handed to her on a silver platter, including two laptops two years in a row. The second laptop she didn't need, so she gave it to a friend who ripped her off for it instead of giving it to her sister who really needed it. So there are limits to what funding should be available to support these children up until the age of 21.

Ontario Works benefits are not sufficient to keep a dog in a humane situation. I'm on an ODSP pension and I'm forced to pay \$1,100 a month for an apartment that still does not meet fire or health codes.

I have voluntary CAS involvement at the moment because of issues that involve the death of a child in Peterborough, so let me get into that.

Ombudsman oversight: This crown ward child of mine, who was a roommate, was actually falsely listed as my child on the provincial database. Shortly after a fire that killed a child that I was—I have evidence of systemic government negligence that led to this child's death. Three government agencies knew that her sibling had been starting fires. The child had been taken to the fire department to be spoken to before the fatal fire. Probation and parole had been told about a bed fire that had been put out and that someone "was going to get killed." Subsidized housing knew about this child's fire-starting abilities. The neighbours complained, even asking about firewalls. They were ignored. There were several orders against the unit to do with fire hazards in the past: smoke detectors being disconnected, garbage having to be removed from the basement. That was a welfare fraud case because the grandmother was paying \$1,500 every six months to have garbage removed from the basement, and it wasn't being reported to welfare.

Sorry; I'm totally working without notes here. This is on the fly because you had an opening.

My matter is still before the Child and Family Services Review Board. I have never, ever had a custody issue with my children. The only reason children's ad

has been involved in my case is because I have an ex-husband who has post-traumatic stress disorder from serving in the army and, of course, he cannot get treatment for his post-traumatic stress disorder. I have to send him back to Alberta to get that, it seems. I still supervise my ex-husband's visitations.

Toronto CAS found these serious errors on my file from Peterborough CAS, as in the fact that this crown ward child had been noted as being my child when she was not. We also noted errors on the file that I had apparently been gang-raped in the past, and there is no truth to that. There are also errors on the file saying that one of my children, however with a different birth date, is actually in the guardianship of somebody I don't know, who is actually another CAS client; they've just confused the files and sandwiched them together. This file also states that the change of guardianship is in regards to a death in the family. All of this is untrue.

Toronto CAS disclosed these errors to me because they were concerned that due to my legal advocacy work and the false arrests that I had been suffering, if a judge was to see these CAS records, my children might be put falsely into CAS care. It's these types of issues that I find a problem with when it comes to a 30-day adoption.

Being on ODSP, I have a constitutional issue, and do not have \$7,000 to retain a lawyer. If you are on disability or on welfare, you are not allowed to even borrow money from your life insurance or anywhere else for your legal defence, to order court transcripts, for divorce papers, and that is against human rights. I should be able to get that stuff, and this is one of the matters that has really been causing some problems.

My asset level on ODSP, with two children, is \$6,000. To do a constitutional issue is a minimum \$7,000 retainer by a lawyer. So even if I can borrow the \$7,000, it's above my asset level and I would be cut off.

There are many middle-class families that do not qualify or do not have the money for legal representation. Legal aid covers next to nothing, and I have several letters on the way trying to explain why they've dismissed two applications of mine. Legal aid does not deal with administrative matters, they only deal with custody matters, so I've been denied legal aid for the child and family services board after about eight months of wasting my time trying to get that.

If my children had been taken from me, then maybe I would have some legal representation, but if I'm fighting errors based on what CAS has created, I have no legal representation and no legal rights. This is what concerns me about 30-day adoption. There needs to be some more time to allow people to get proper legal representation, if it's even available to them. A lot of people are given false information about the timing and what they need to do in the court process to ensure that they can continue visitation with the children. I'm concerned about grandparents who have visitation orders and those being taken away from them.

I myself am a perfect case of nature over nurture. I would have done well in either family that I was in. My

siblings who grew up with my birth mother are RCMP officers, corrections officers etc. Although I was adopted into a loving home, I was abused outside of my home, and that has affected me greatly throughout my life.

I supported a woman whose child was taken from the hospital; she had had several other children taken. She was a neighbour of mine. I happened to be at the hospital when CAS came to take the child, so it was a little difficult for me, being adopted myself.

At the time, I thought that they should give her a chance and let her keep the baby. However, about eight months later I was in her home visiting, and she had burn marks all up her arms, and I asked her about them. She stated that she was falling asleep while smoking and she was burning herself. She was supposed to be on a sleep apnea machine that she refused to use.

She lived in the same townhouses where this other tragic fire happened on December 14, 2008. These townhouses do not meet present fire code. In the row of townhouses where the child died in December, six townhouses burned in 15 minutes flat because there were no firewalls. I live next door to this woman who was having the sleep apnea smoking issue. Obviously, a fire hazard like that is a threat to a child, and the CAS apparently did step in and removed the child again.

1530

I also worked in another home where the parents were severely special needs. The woman couldn't even do up her blouse to go out in public. She would just be hanging out of her bra wherever. Her child would be sent home from school to change her clothes because she didn't even know how to wear a sanitary pad at the age of 14. Two other children had already been removed from the home and had been placed for adoption, yet these two children were left in the home, and I felt it was a huge disgrace that these children were left in the home.

So yes, there are different cases. Every case is individual. Without Ombudsman oversight, you can't ensure that decisions are being based on true, factual information—

The Chair (Mr. Shafiq Qaadri): Ms. Armstrong, I'd like to thank you on behalf of the committee for coming forward and also for coming forward on a day subsequent to your original schedule.

FAMILY LAWYERS ASSOCIATION

The Chair (Mr. Shafiq Qaadri): I'd now invite our next presenter to please come forward, Ms. Starr, chair of the Family Lawyers Association, and entourage. Welcome. I'd invite you to please begin now.

Ms. Victoria Starr: Good afternoon. I'm Victoria Starr, chair of the Family Lawyers Association. Many of our members are lawyers who represent children and parents in child protection proceedings. I have brought with me today my colleagues Mary Reilly and William Sullivan, both members and family lawyers—child protection lawyers—in Toronto, who will be making the submissions on our behalf today.

Ms. Mary Reilly: We've provided written submissions, and I will just take an opportunity to briefly summarize what our position is.

We do agree with the proposed amendment in section 71.1 of the CFSA, which would actually extend service to children beyond the age of 18. We agree with that. We also agree with the notion that a child who's been made a crown ward with no access for the purposes of adoption should be placed with a forever family as soon as possible. Our concern, however, relates to the provisions in the bill relating to crown wards with access.

As Ms. Starr indicated, many of our members, myself, Mr. Sullivan and Ms. Starr represent children and parents in court in child protection proceedings. Often, there are orders made, either on consent of the societies or the parents, which are placed before a judge. It's determined it's in a child's best interests to be a crown ward because their biological family can no longer care for them, but it's also in their best interests to remain in contact with family, grandparents and extended community. The concern about Bill 179 is that the notion is that these children for whom it's been determined that it's in their best interests to continue contact will be available for adoption. That's not the big concern. The big concern is that there should be a presumption within the legislation itself that these children should remain in contact with parents, grandparents, extended family and community members.

The other concern is that there should be a presumption within this legislation that at the time of the hearing, an application for an openness order should be brought. The onus should be on the children's aid society, not on the parent, grandparent, community member or child who enjoys access with their family. The onus really needs to go on children's aid.

The timelines within the bill are too short: 30 days. For some parents, this would be difficult to meet. Consider the situations for a lot of people up north.

At first instance, the court determined it was in the child's best interest to have contact. In the event that, after that order was made, the family members were no longer exercising access, the children's aid societies can bring a status review to the court to have that access contact terminated. The child will be free for adoption. It's the situations where the children still have contact with families that we're most concerned about, and the process under which the bill lays it out.

In all these situations, the Office of the Children's Lawyer should be appointed to represent the children to make sure that the children's views are before the court, to make sure these children's charter rights are protected and make sure that they're properly represented in any of these openness order applications. If it's not appropriate, a court will find it not appropriate to continue the contact. There has to be a process.

The other concern is a technical one. The legislation calls for the service of these applications on a lawyer of record. Once a crown wardship with an access order is made, that is a final order. There is no longer a lawyer of

record. That part of the legislation definitely has to be amended. Because a crown wardship with an access order is final, the matter does not go back to court at that point. It's a final order, so the person no longer has a lawyer of record.

Since the openness orders were brought into the 2006 legislation, there has been very little litigation. There is one case, which is Justice Katarynych from 2009. It's the only reported decision on openness orders. Children's aid societies are very reluctant to get involved in that type of arrangement, and the focus here really has to be: What is in the best interests of the children? If the children are having meaningful and beneficial contact with their parents or extended family or community, that contact should continue, even in the event that it is determined that these children should be adopted.

Maybe at this point we could just open up to the committee for some questions.

The Chair (Mr. Shafiq Qadri): About a minute or so per side, beginning with Ms. Jones.

Ms. Sylvia Jones: You're not the first presenter who has mentioned that the 90-day period is too short. I'm going to ask if you have a recommendation for the committee on what it should be.

Ms. Mary Reilly: I would, first of all, say that it's a 30-day recommendation.

Ms. Sylvia Jones: Yes. Sorry, 30 days.

Ms. Mary Reilly: But the onus really should be placed on the children's aid society, when the children are in contact with the parents, to bring to the court an application for an openness order. The parents would then be served. The present legislation calls for—the children's aid society gives the parent notice that they're going to adopt these children with access to them. The parents then have 30 days. I'm suggesting that it should be flipped over. The children's aid society should actually bring the application to the court. If the decision is made that these children are to be adopted, that that should be in their best interests, at the same time they have contact, it's the CASs that should be bringing that before the court.

If you don't change the legislation, you certainly have to extend that 30-day period. It's not long enough.

The Chair (Mr. Shafiq Qadri): Thank you, Ms. Jones. Mr. Prue.

Mr. Michael Prue: I like your idea on the presumption of contact; therefore it would be up to the children's aid to make a case as to why there should not be contact between the parent and the child. How would that work in legal terms—they'd have to go to court and a judge would have to listen to all the reasons why contact ought not to be made? Other than that, it would be.

Ms. Mary Reilly: They would have to bring what's called a status review under the legislation if there had been a final order. Crown wardship with access is a final order. They bring a status review and they ask the court to terminate the access. The parent or the person who was having contact responds, and it would be up to a judge

ultimately to determine whether that access should be terminated.

In the case of where you're looking at adopting children with access, what we're suggesting is that the children's aid society needs to bring the application for the openness order or bring an application to the court saying why access is no longer in that child's best interest.

The Chair (Mr. Shafiq Qadri): Thank you, Mr. Prue. Mr. Colle.

Mr. Mike Colle: It kind of sounds like a courtroom here. It's kind of complex. But there are very valid bits of information and procedural nuances that I think are really worth considering. Certainly I'll make sure to ask the questions about why we can't look at your suggestion. I really thank you for bringing those forward, because you're on the front lines of this thing and I think your input is very important. So thank you very much.

The Chair (Mr. Shafiq Qadri): Thanks to you, Ms. Starr, Ms. Reilly and Mr. Sullivan, for your deputation on behalf of the Family Lawyers Association.

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MS. SHANNA ALLEN

MS. RESHMA SHIWCHARRAN

MS. KAYLA SUTHERLAND

The Chair (Mr. Shafiq Qadri): I'd invite our next presenters to please come forward: Ms. Allen, Ms. Shiwcharran and Ms. Sutherland. Welcome. Please begin.

Ms. Shanna Allen: Hello. My name is Shanna Allen, and I am a crown ward from the Sarnia-Lambton children's aid society.

I've reviewed this bill, and I can imagine many positive outcomes in retrospective, but I have some questions and concerns.

First of all, I would like to state that this bill is very broad and confusing at times. I believe that if this bill is to be passed, there will need to be much more clarity on what actions are actually going to take place.

First of all, I want to address section 71.1 of the Child and Family Services Act: "A society or agency may provide care and maintenance in accordance with the regulations to a person" who is 18 years of age, specifically "may provide." This is a very broad statement. I believe that if the bill is going to be passed, we should be guaranteeing that all youth can come back. It is important that the bill is allowing all youth who leave care to come back until their 18th birthday or beyond their 18th birthday. Any other child with a family who left home before 16 would be able to come back. Children and youth in care right now don't have that option, so it's important that those youth have the option, because if not, those youth become homeless or are put into the same cycle of abuse, neglect etc. Again, this is why it's important that we change it to "will provide," not "may provide."

Looking at adoptions, I believe the bill surrounding adoptions is terrific because it eliminates so many

barriers around adoptions and creates more opportunities for crown wards to be adopted. I believe it is also important to create “forever families” for these crown wards rather than getting them terminated at age 21.

I can personally say that, as a crown ward after my mother passed away, I would have really liked to be adopted but never got the opportunity. I turn 20 in a couple of days, and I cannot say I’m really excited, like most other teens my age. Age 21 is not going to be a birthday that I’ll celebrate; it will definitely be one that I’ll be dreading. I will lose most of my social support, emotional support and financial support. I would have loved to have been adopted and, again, I never had the opportunity.

The only concern I have with the bill is that promoting adoptions with a neutral budget can cause a lot of flaws and problems. I pose the question: What will happen to crown wards and youth who have additional needs—for example, children and youth who have disabilities, youth who plan on going to post-secondary, and children and youth who have really high medical expenses? We know right now that low-income families cannot adopt those children, and we can possibly say that those children and youth have lower chances of getting adopted because of these circumstances. Again, what will happen to those children and youth?

Also, I would like to address that I’m really excited about the part of the bill focusing on supporting youth to be successful, but I’d like to know how the bill is going to address exempting CAS financial support—the ECM—counting as income on OSAP applications. I believe that it is important to address this issue as it directly affects all crown wards in post-secondary or who are planning to attend post-secondary. As well, it affects myself.

Ms. Reshma Shiwcharran: My name is Reshma Shiwcharran, and I’m currently a crown ward. I am in favour of this bill. However, it is way too broad and it really does need to be changed to “will” allow youths that are ages 16 to 18 to come back into care if possible.

Also, I believe that there should be a process of allowing those youth back into care. In some situations, you might have some youth that will be abusing the system. They should be given a chance to prove that, once they’re back in care, they will not abuse that system and they will actually use the resources given by the CAS.

Also, I believe that as far as the adoption piece, we really need to look at how to help families who are adopting kids with disabilities and high medical expenses, because even though some families are qualified to adopt, at the end of the day there might be an emergency situation where the family loses a large part of their income and for a period of time is not able to properly support that child. I would like to know if it is possible that the CAS or the government would be able to help that adoptive family to provide for the youth in care that was adopted for the specific amount of time that they’re financially unable to support that child.

Also, as far as allowing youths back into care who are under the age of 18, how will that affect the funding and the programs and the resources available to youth who are currently in care and who are planning to stay in care until their 18th birthday or moving on to ECM?

Ms. Kayla Sutherland: At this time, if you leave care when you’re 18 years old, you can go back. Previously to this bill, if you left care when you were 16 years old, you would not be allowed back in care. Now you can. If you’re in care, you can go right before your birthday.

I missed that boat by a week. I’m 18 years old and homeless. My mother is very mentally ill and sick. There are a lot of other youth that are going to be in this boat. We can’t go back into care, we can’t get ECM, and we have nothing. We’re trying to finish school.

It should be changed so that they can go back, even though they left when they were 16 years old. Of course they wanted to be with their parents; that’s the kind of decision most children make. But just because they went running to their parents, it doesn’t mean it was a good decision, and now they’ve been left with nothing.

The Parliament, which was our parent for years, has now abandoned us as well, and they won’t pick up the pieces that our parents dropped. It’s not fair for those youth. It should be changed so that they can go back, even though they’re 18 years old.

The Chair (Mr. Shafiq Qaadri): Thank you. We have about a minute or so per side, beginning with Mr. Prue.

Mr. Michael Prue: We’ve had a number of people talk about children going back. One deputant said that that should happen at least one time, up until you’re 21. Others have said that maybe you can go back many times, depending on whether the children’s aid agrees. What is your position? Should you be allowed to automatically go back at least once, or should you go back many times? Should they have the say as to whether or not you can come back?

Ms. Kayla Sutherland: A process should have been done better, to be honest, as to what care you were put into. I was let into shelters. That was not a good plan of care for a CAS to put a child into. Why would they just let a child go into an unstated home? A stable home should be necessary. If that wasn’t made, then why were they let back into their care?

Mr. Michael Prue: Have you got something to say on that?

Ms. Shanna Allen: I—

The Chair (Mr. Shafiq Qaadri): I’ll need to intervene there. Mr. Colle.

Mr. Mike Colle: You three ladies have been very succinct and have done a very important task here by letting us have some insight into your real-life experiences of being crown wards. It’s hard to get back and forth with the questions, but I certainly hope that staff will follow up on some of the comments you made, especially the young lady on the left, who found herself just—you said a month?

Ms. Kayla Sutherland: My birthday was April 29. I just missed it.

The Chair (Mr. Shafiq Qaadri): Ms. Jones.

Ms. Sylvia Jones: Shanna, can you answer the question that you were about to answer?

Ms. Shanna Allen: I was just going to say, I think it is important to allow people to come back until they're 21, because the services are there for the youth who didn't leave. I think it's important that it is reviewed, possibly by the CAS. Yes, it might cause a little bit more work for the CAS workers. I think that if they're abusing the system, then I don't think it necessarily should be provided. But I definitely don't think 18 should be a cut, because then we're just going to come back to the same problem.

At 16, 17, 18, we sometimes make decisions that aren't always the best decisions. Just because someone made it at 16—someone else might make the same decision at 18. I definitely think there needs to be some type of cut-off. I just think it really needs to be clarified, because it's worrisome when you look at this, and it doesn't really make complete sense. It just kind of seems like—

The Chair (Mr. Shafiq Qaadri): Thanks to you, Ms. Allen, Ms. Shiwcharan and Ms. Sutherland, for your deputation.

PROVINCIAL ADVOCATE FOR CHILDREN AND YOUTH

The Chair (Mr. Shafiq Qaadri): I now invite our next presenter to please come forward: Mr. Elman of the Provincial Advocate for Children and Youth office. Welcome. Please begin.

Mr. Irwin Elman: Thank you for having me here again. As you know, I'm the Provincial Advocate for Children and Youth. My job is to elevate the voices of children and youth, particularly children and youth connected to care, and then, again, particularly crown wards. So this bill, this opportunity, is really important. I thank the young people who spoke before me.

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I wanted to say that you know, and this committee knows, that I believe the children we're talking about are the province's children and they're your children. I explained that before. So the young people that you've just heard were your children.

When I think about this bill, I think about the government dipping its toe in the water. I use that metaphor because I was with my seven-year-old child, teaching him to swim on the weekend. He was at the edge of the pool, and he just dipped his toe in the water; he was getting ready. You know, those children, when they're ready to jump in, they dip their toe in the water, perhaps out of fear, perhaps to check the temperature, but not ready to dive quite yet. You're encouraging them, and that's what I'm saying to the government. I'm encouraging you to continue this debate about family, connection, the importance of community—the things that young people in care, crown wards, have told us are crucial to their success later on. This bill is the beginning of a dialogue, not the end a dialogue—just the beginning.

When I think about this—and I've travelled the last year speaking to probably 1,000 young people in and from care and service providers—I remember a young man who said, and I wrote it down, "I came into care when I was eight years old. I moved around from home to home until I landed in a foster home at age 12. I really liked it there. They told me they loved me, and after a while, I told them I loved them. Close to my 18th birthday they told me that I was going to have to leave. I was so hurt. I mean, I said I loved them. I left that home and I never went back. They said it was the rules, but what type of family does that after they say, 'I love you' and let you say, 'I love you' back? I was so depressed. I'm surprised I'm still here."

I also remember meeting a group of crown wards in I think it was Guelph; it could have been North Bay, but I'm pretty sure it was Guelph. They said, "You have to remember that when you say 'We're building forever families,' we do have families. You can't pretend, especially when we're older and you're considering adopting us, that we don't have families. And sometimes our families are brothers, are sisters, are aunts, are uncles, are moms or fathers that we're still connected to, but sometimes, just as much, they're our friends."

This group said, "We have each other. We've gotten to know each other. We understand each other. We've been through the same stuff, and we're family members too. Sometimes a worker, a counsellor or a teacher is a member of our family, somebody whom we've connected to." They said, "We choose our friends and we choose our families. That's the nature of growing up as a crown ward in care. We need you to argue for opportunities for allowing us to choose our families sometimes, because adoption isn't for everyone. It's important, but adoption isn't for everyone."

That discussion with young people about how to create these what I call, "positive connections"—the bill calls them family. Before, we talked about permanency. We're not talking about that now, but it's the same thing. Those discussions about how to create them is diving into the pool. Maybe it takes courage—I'm not quite sure why it takes courage—but it's not sticking your toe in. The rules about adoption are really important. That's where we're at. So I do want to say something about Bill 179, but I think the discussion is more important to have it more broadly, and our children deserve that.

Around Bill 179: There are no targets set for how many children this is going to impact, how many adopted families there are going to be from this bill. I understand that there are many, many thousands of children with access orders essentially not being used, but how many young people are going to find families through this bill? I think it's important to set a target for that, and then look at seeing if we're meeting that target. Is the bill working? I believe that's something that is endemic to child welfare, that we set up a system but oftentimes don't have targets or expected outcomes for the children in the system, the crown wards. I think that's something we should do.

In terms of adoption subsidies, I actually believe in them. It's kind of a no-brainer; of course we should have adoption subsidies. The government has become the parent of children, and other people are willing to step forward. If they're special needs, those people should be supported if they can't provide for those children, in terms of special needs.

I believe probably the centralization of adoption, as the Raising Expectations report suggested, at least in terms of coordinating adoption services if not taking over adoption planning—that might stay with the local children's aid societies, but some centralized coordinating function of the ministry probably needs to happen to ensure that adoption happens consistently across the province.

I want to talk just briefly about the 16- and 17-year-olds. I was ecstatic, actually, when I heard that 16- and 17-year-olds were going to be allowed to come back into care. They were going to be allowed to come home again, if they had decided to leave or the agency had decided to let them go. Quite frankly, it's not in the bill; it's not there. The way in which to put it into the bill, I believe, most easily—and you've heard this before, I think—is to raise the age of protection to 18, the way most other provinces have. That would also allow young people who live in foster care, if they chose and the foster parent chose, to stay in foster care past 18. Those are important recommendations. That's about diving in.

The other thing I want to say is that we heard some talk about OSAP with the announcement of this bill, that extended care maintenance funds would not be used to calculate income when OSAP was being considered for a crown ward or former crown ward who was attending post-secondary education. I had made a very similar suggestion, that extended care maintenance should also not be considered if a young person was trying to pay geared-to-income rent, and it should not be calculated in the very same way. To me, it indicates the need for a whole government approach.

I fail to see how one part of the government—training, colleges and universities, which handles OSAP—can say, “This is a very valuable possibility for our children,” and another part of the government—in this case it was the Ministry of Municipal Affairs and Housing—says, “No, this is not appropriate.” This indicates to me that there's a need to look holistically, to have a whole-government approach, perhaps the way the Select Committee on Mental Health and Addictions did, a non-partisan approach to finally tackling the way in which our crown wards are leaving care and provide for them better so that they have better outcomes. I'd like to suggest that's a possibility we can do for our children.

I'm willing to take questions.

The Chair (Mr. Shafiq Qaadri): We have 30 seconds or so per side, beginning with Mr. Colle.

Mr. Mike Colle: Thank you for your very thoughtful presentation. I guess the question I have is about targets.

How can you set targets when you don't really know how many potential adoptive parents are going to make themselves available and how the process is going to work out in favour of the child and the parent? If you have targets, you're going to somehow artificially push toward those numbers when in fact you don't have qualified people to be parents.

Mr. Irwin Elman: We have parts A and B, and I know I have 30 seconds, if I can answer the question.

The Chair (Mr. Shafiq Qaadri): Thank you, Mr. Colle. Ms. Jones.

Mr. Irwin Elman: I can't answer the question. Okay.

Mr. Mike Colle: You can tell me later.

Mr. Irwin Elman: Okay, I'll tell you later. There is an answer to that question.

The Chair (Mr. Shafiq Qaadri): Thank you. Ms. Jones—oh, sorry. Mr. Arnott.

Mr. Ted Arnott: If you'd like the time to answer the question, I'd certainly be prepared to—

Mr. Irwin Elman: The first is part B. Of course, you would never push for an adoption that wasn't going to be effective; you need to be sure that this is going to work before you accept that.

But the first part of the question—I worked in the field for so many years, in many agencies, funded by many different governments. We were given money, for instance, to help young people find employment. The funding didn't say, “Find those jobs, figure out how many jobs are out there, and then you can get the youth and match them up, and aha, we're successful.” That's not the purpose of service; right? We set a target and say—

The Chair (Mr. Shafiq Qaadri): Thank you, Mr. Arnott. Mr. Prue.

Mr. Michael Prue: Just keep going.

Mr. Irwin Elman: Thank you. I'm sorry.

There are X thousand young people who need these “forever” families. We know these cases; the ministry doesn't, actually. They should have a body of knowledge so they know information about how many of those 7,000 could potentially be adopted, and then set a target and a strategy for how we're going to find the families for them. We need some kind of goalpost; otherwise, we're never going to score.

The Chair (Mr. Shafiq Qaadri): Thank you, Mr. Prue, and thanks to you, Mr. Elman, for your deputation on behalf of the Provincial Advocate for Children and Youth.

That concludes our public testimony. I'd just remind committee members that the deadline for amendments is this Friday at 5 p.m. and we will reconvene here on Monday, May 30, at 2 p.m. for final clause-by-clause consideration. Committee is now adjourned.

The committee adjourned at 1600.

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