



## Canada Court Watch

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Catholic Children's Aid Society of Toronto

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Email: c/o Andrea Mills [a.mills@torontoccas.org](mailto:a.mills@torontoccas.org)

Attention: Mr. Stephen Taylor (President) and the Board of Directors

Dear Board of Directors

### **RE: Use of recording technology to promote public confidence, accountability and professionalism for Children's Aid Society workers**

This past weekend, Canada Court Watch (CCW) received a telephone call from a teenager who wished to report a complaint against one of your workers and to express his/her displeasure in the manner this CAS worker had been dealing with members of his/her family. We were advised that the CAS worker involved was not registered with the Ontario College of Social Workers which the worker is required to do under the *Social Work and Social Services Work Act (1998)*. Under the Act, the practice of social work has been regulated since August of 2000.

The teen indicated that he/she was so fed up with the way in which your agency and its workers had been dealing with him/her that he/she wished to come forth to Canada Court Watch as the CAS workers had not been listening. In follow-up to this teen's complaint our organization will be conducting a video recorded interview with the teen and parents regarding the teen's claim against your worker.

This recent call for help from the teen is not the first time that Canada Court Watch has received calls from minors claiming to have been adversely affected by the actions of workers with the province's various CAS agencies, including the Catholic Children's Aid Society of Toronto. In fact, just a small sampling of the complaints from parents and children about their dealings with the CAS can be viewed on video at the following website links:

<http://vimeo.com/15694289>

<http://vimeo.com/28034150>

<http://vimeo.com/15737407>

<http://vimeo.com/12982082>

More videos about the abuse of children and families by CAS workers can be seen at <http://vimeo.com/user387217/videos>. Many other videos in the public domain can be seen just by doing a Google search using various key words coupled with "CAS" or "Children's Aid".

At this time we will not disclose the name, gender of the teen nor any other information which may have the effect of identifying the teen, his/her family or the worker involved as we believe this problem is not case specific but part of a more widespread problem within the child protection

industry. In addition, parents and children have reported being punished by child protection services for complaining about workers. Case law does exist which supports that some CAS agencies and workers have engaged in malicious prosecution and have used blackmail and perjured court documents against parents in the past. The case of D.B. v. the Durham CAS is one example that was discussed on the floor in the Parliament of Canada.

One of the main points that this teen made was that he/she was frustrated because the worker kept twisting his/her words around. The teen reported that he/she had to repeat the same information five (5) times in order for the CAS worker to get the information correct. The teen reported being frustrated and fed up with the worker not listening to him/her. The teen reported that he/she felt that the worker seemed to take notes on what the worker was interested in but did not appear to be taking notes about information which the teen felt very relevant for the worker to know. Many children report being asked leading or suggestive questions about one parent but none of the same questions about their other parent.

Over the many years, Canada Court Watch has received many similar complaints from children and their parents who have reported similar situations where it is alleged that CAS workers twist information around to benefit the interests of the agency which employs them. Children report that CAS workers are not listening to them. CAS workers themselves have contacted our organization off the record to tell us that workers are using “selective reporting” techniques to disadvantage children and their parents. Many would consider “selective reporting” to be an obstruction of justice. Many children have reported that workers have asked them leading or suggestive questions. In some cases, children report that the CAS workers have told them to keep secrets from their parents. Children as well as teachers from schools have reported reading affidavits from CAS workers which completely change around what the children or their teachers have reported to CAS workers during meetings.

To effectively put an end to such claims of unethical conduct by CAS workers, Canada Court Watch and its supporters would urge your agency to consider this letter very carefully and to implement the following procedures for your workers:

- 1) **That all case workers include the audio recording of meetings and interviews with parents, children and other professionals such as teachers where files are open on a family.**
- 2) **That written notices be given to parents and children informing them that they be encouraged to use their own digital audio recording devices during any meetings with CAS workers for the purpose of accuracy and supplementing notes.**
- 3) **That all workers be required to acknowledge that parents can record meetings using their own audio recording devices without argument by the worker.**

Today, digital recording devices are both inexpensive and convenient. Costs for high quality personal recording devices are generally less than \$100 in today’s market and easily obtained at any major electronic retailer such as Best Buy or Future Shop. These recording devices will record for many hours on one battery charge. No training is required and audio files can be easily uploaded to a computer via a computer USB port. It is easy for workers to store and retrieve audio files. Where parents are under financial hardship, it would cost next to nothing for workers to provide a digital copy of the meeting to parents. This alone would help build respect and confidence between the Society and the families it is serving.

The benefits of using personal digital recording equipment are very clear. Implementing the use of digital recording devices by workers and acknowledging the right to audio record by all parties during meetings with CAS workers will result in the following benefits:

- 1) **Will protect the child protection workers from false allegations made against them by children or parents. (such as threats, assault, blackmail, extortion, coercion, etc.) In the event of a complaint against a worker, the recording can be used to verify what was said.**
- 2) **Will ensure an accurate record of what was said during meetings.**
- 3) **Will reduce the likelihood of false allegations against former spouses who are engaged in conflict, especially between parents involved with custody and access issues.**
- 4) **Will provide a important source for quality control for workers. Supervisors and training personnel could listen to selected recordings on a random basis to ensure that their workers are using appropriate questions during meetings and interviews.**
- 5) **Will assist case workers to accurately recall information from meetings in the event that information is forgotten or confused with another case. (Recordings can be invaluable as evidence in court hearings and trials).**
- 6) **Will provide increased public confidence in the child protection system. (In general the public support the use of audio and video recording technology).**
- 7) **Will promote accountability, transparency and professionalism for all workers who embrace this technology.**
- 8) **Will help protect the Society and it Board of Directors from future lawsuits caused by its workers failing to maintain accurate and reliable records.**
- 9) **Will save the Society money as accurate and reliable record keeping will a) reduce lawsuits; b) reduce errors and omissions in Society records; c) ensure more reliable court transcripts which cannot be challenged in court cases; d) promote quicker settlement of cases before the courts.**

Canada Court Watch would appreciate a written response to this letter email or general mail indicating whether your agency will exercise what many would consider “due diligence” by implementing audio recording technology into the Society’s standard operating procedures for its front line workers. If your agency is not willing to implement this protocol to promote accountability, it would be greatly appreciated if reasons could be provided with your agency’s response for the public record.

In closing, we hope that this information will promote further discussion and careful review of this issue by your Board. Our organization feels that it is time for all CAS agencies in Ontario to embrace this modern and helpful technology. Should any member of the Board wish to speak to this writer in person about this issue, or should the Board be interested in accommodating a formal presentation on this subject, then please feel free to contact this writer by phone at (905) 829-0407.

Respectfully yours,



Vernon Beck, Child and Family Justice Advocate

cc: Various member of the Provincial Legislature