

**Fourth Session - Thirty-Ninth Legislature**  
**of the**  
**Legislative Assembly of Manitoba**  
**Standing Committee**  
**on**  
**Legislative Affairs**

*Chairperson*  
*Mr. Daryl Reid*  
*Constituency of Transcona*

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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Ninth Legislature**

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**LEGISLATIVE ASSEMBLY OF MANITOBA  
THE STANDING COMMITTEE ON LEGISLATIVE AFFAIRS**

**Friday, June 25, 2010**

**TIME – 1 p.m.**

**LOCATION – Winnipeg, Manitoba**

**CHAIRPERSON – Mr. Daryl Reid (Transcona)**

**VICE-CHAIRPERSON – Ms. Erna Braun (Rossmere)**

**ATTENDANCE – 11 QUORUM – 6**

*Members of the Committee present:*

*Hon. Ms. Howard, Hon. Messrs. Mackintosh, Robinson*

*Ms. Braun, Mr. Cullen, Mrs. Driedger, Messrs. Martindale, McFadyen, Mrs. Mitchelson, Messrs. Reid, Saran*

**APPEARING:**

*Hon. Jon Gerrard, MLA for River Heights  
Ms. Bonnie Kocsis, Acting Children's Advocate  
Ms. Irene Hamilton, Ombudsman  
Ms. Carol Bellringer, Auditor General*

**WRITTEN SUBMISSIONS:**

*Lynne Wickman, Private Citizen*

**MATTERS UNDER CONSIDERATION:**

*Child Welfare in Manitoba*

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**Mr. Chairperson:** Good afternoon, everyone. Will the Standing Committee on Legislative Affairs please come to order.

The previous Chairperson of this committee—*[interjection]*—Vice-Chairperson of this committee, Mr. Saran, has resigned from that position, so our first item of business, then, is the election of a Vice-Chairperson. Are there any nominations?

**Mr. Doug Martindale (Burrows):** I nominate Ms. Braun.

**Mr. Chairperson:** Ms. Braun has been nominated. Are there any further nominations for Vice-Chairperson?

Seeing no further nominations, Ms. Braun has been elected as Vice-Chairperson of this committee.

This meeting has been called to consider child welfare in Manitoba and, before we get started, are there any suggestions from this committee on how long we should sit this afternoon? Any suggestions from committee members on how long we wish to sit this afternoon?

**Mr. Martindale:** I recommend that we sit for two hours, maybe three hours, and, at that time, re-evaluate how long we want to continue after that.

**Mr. Chairperson:** It's been recommended that—by Mr. Martindale—that this committee sit two to three hours—I'm not sure which one, but—and then have a review at that point.

**Hon. Jon Gerrard (River Heights):** I think we would need at least three hours.

**An Honourable Member:** Agreed.

**Mr. Chairperson:** Is the committee agreed that we will sit for three hours and then review at that point in time to see if there is further questions? *[Agreed]*

Thank you to committee members.

We have received a letter—for the information of committee members, and you may have a copy in front of you—that letter has been received from Lynne Wickman, who—which has—the letter has been provided to the committee members, and Ms. Wickman has requested to have the letter read aloud at this meeting.

What is the will of the committee with regard to reading the letter aloud?

**Mr. Martindale:** I think we should follow the normal practice of committees which would be to receive it for information.

**Mr. Chairperson:** Is that the will of the committee, to have the letter received and then included in the *Hansard* transcript of this meeting? *[Agreed]* Thank you.

Now we'll begin with some opening remarks from the minister, the critic and the three independent officers who we have with us here this afternoon and invite the honourable Minister of Family Services and Consumer Affairs to make an opening statement.

**Hon. Gord Mackintosh (Minister of Family Services and Consumer Affairs):** I want to thank the independent officers for coming. They have very busy schedules, and it's tremendous that we were able to have a meeting like this with the three individuals who report to the Legislature as independent offices that help ensure that decisions of the Legislature are carried out and that the administration of government is carried on in an appropriate way.

I would say that all three of them have relatively recently been given new powers. Specifically, with child welfare, however, the Ombudsman and the Children's Advocate have new powers of oversight over child welfare in Manitoba.

The fact that we're meeting here this afternoon and the fact that we have newly enhanced powers for those offices attest to the importance that Manitobans give to the protection of our most vulnerable and at-risk children in this province.

I just have some brief remarks—an overview. We are all vitally aware of how challenging the social service of child welfare is. We see all across this country, in the last couple of weeks alone, front page headlines in almost all the provinces about child welfare issues. We're seeing immense pressures put on child welfare, and, of course, we know how inherently challenging and emotionally laden child welfare is when we have families that lose their children to safer places, there could be no greater strain on a sense of family and on, of course, communities than that.

That is why, of course, in the fall of 2006, the outside independent reviews conducted largely by the Ombudsman and the Children's Advocate and other outside officials looked at child welfare in Manitoba as a result of increased concerns about the application of our expectations for the well-being of children and our standards and laws. And to make a long story short, the—one of the reviews concluded that child welfare in Manitoba had become broken. That is a very powerful word. And they said it had been broken for quite some time.

They offered a blueprint then for action to transform the system to get it back on track, and that blueprint has been adopted. In the findings of the outside reviews, they also looked at the recent initiative to empower Aboriginal people of Manitoba to have greater control over their children. And they commented that what has been called devolution

holds out great promise to attack the shortcomings in child welfare as we proceed.

So, as a result of those outside reviews, the Changes for Children initiative was launched in the fall of 2006 and now represents a tremendous work in progress, of course, an overhaul that is ongoing and, for which, particularly, the office of the Ombudsman has been given some authority to oversee but, as well, the Children's Advocate, certainly, and the Auditor General as well. And the Auditor General has gone in and looked at specific areas in child welfare that are being addressed.

\*(13:10)

I just wanted to touch very briefly then on some of the works in progress and I think it's important to remember that this is all in progress.

We have to be tireless in our commitment to strengthen child welfare in this province. But what we're doing now is a partnership approach to strengthening child welfare. This is historic both in terms of Canadian social policy and social policy generally, is that we have responded, at long last, to the calls from the Aboriginal Justice Inquiry which concluded that, and I quote: "Aboriginal people must have more control over the ways in which their children are raised, taught and protected".

And yes, indeed, there are growing pains, and I know that chiefs and grand chiefs and the agencies and authorities are all looking to see how they all fit and how we can better move ahead with the governance and structural issues and that can be—and that is to be expected. And we'll proceed but in a way that was different than in the past, where it was a broad way. It is now a partnership initiative involving First Nations and Métis people as well.

So, 10 areas I wanted to touch on very briefly. The outside reviews have compelled us to ask Ottawa to finally provide a true partnership with the Province in funding child welfare on reserve. It really is the foundation of many of the recommendations that have been made by the outside reviews. We do suffer from two-tier child welfare in this province. I think that's widely known. It's the subject of a national human rights complaint where there's a difference of about 20 to 25 percent in funding services on reserve versus off reserve. And I'm very heartened as a result of communications made at the staff level, at the political level, involving the grand chiefs as well, that the federal government does appear to be most interested in

trying to rectify this historic imbalance and provide preventative services in First Nations communities.

And I know Dr. Gerrard, in the House, talked about his concern about the east-side communities. We have to always recognize that the child welfare services in those communities is federal funding jurisdiction, but it all impacts on the ability of provincial standards, then, to succeed in safely protecting our children. So we are all in this together, but I'm heartened and I look forward to some positive announcements from Ottawa.

To get the job done we've invested 60 percent more in child welfare since Changes for Children was launched. That's \$112.5 million more. What does that mean? What has that delivered so far?

I would say another key piece of the recommendations was to move to what is called a differential response model of child welfare, where the main way of responding to concerns about family breakdown isn't just apprehension but, as well, it is intervention and help for families before there is physical, sexual abuse. Where it can safely be done, it is important to provide interventions and help for families.

And so that has been launched and, given the pilots that are under way and the new risk-assessment tool that will make the foundation of the streaming, we expect that that will be institutionalized over the next year and a half at the outside. But that is a very fundamental shift in how child welfare will be delivered and is being delivered already, where the pilots are under way. But as well, FASD prevention, the suicide prevention strategy, the sexual exploitation strategy called Tracia's Trust, all form part of the emphasis in those external reports to try and get to the root causes of family breakdown and the suffering of too many children.

The next point, the fourth, is hotels. There was, rightly, public outrage about the extraordinary use of hotels to house children in need of protection. And, indeed, there was a day—I know the *Free Press* reported, in 2006, 166 children in hotels in one day. But we went from an average of about 123 children in hotels, on a monthly basis, down to, now, a range of two to five children on average per month.

And we just did a little health test this week, a one-day snapshot, and we found that, across all of Manitoba, there was just one family of five that was housed in a hotel—and I cross my fingers because of the fires in the north. But it's only on exceptional

basis now and that seems to be holding. That strategy, which was a tremendous effort, seems to be making a systemic change.

The fifth area was foster beds. We certainly have focussed on increasing the rates that had been reduced in the earlier decade, and it now appears that the number of foster parents who are leaving, we see in the last year a definite trend downward. And we looked—we took an agency, for example, we look to see why foster parents may leave, because we want to ensure that people are attracted to help children in this way. And, for example, one larger agency we found that there were 10 foster families that had left, but four had work responsibilities or illnesses that prevented them from continuing, one left the province and, in two cases, the children were removed for improper conduct of the foster parents.

So they leave for many reasons, but the bottom line is this, never in the history of Manitoba have there been more foster resources than today. Manitobans have responded with open hearts and open homes, over 2,000 more foster beds now as a result of the Circle of Care campaign that was launched under Changes for Children. And so both in terms of the overall numbers and the trend to losing less foster parents every year is—means we're on the right path.

A few more comments—staffing stabilization—adding 230 more staff resources. We've got to continue to reduce the workload. We've been able to reduce workload, but we need the help of the federal government. Hopefully, that's coming. The vacancy rates appear to be much below the rate across the province as a whole for public services and, in fact, you know, with the Métis authority, we understand their agency only has one vacancy. The southern authority has about 5 percent vacancy. Across the public service in Manitoba it's 8 percent. So we seem to be turning a corner there, but there is more to do and there is still very serious pressures on the front line. So as we continue on we'll strengthen standards and our training, the operational reviews, our discovering shortcomings and, of course, the use of our computer system.

But we have to deal with the elephant in the room, and that is: Why are there 8,600 children in care in this province? That's a small city of children whose parents cannot be—whose parents cannot safely care for them. And this chaos in our families is really where we have to turn our attention. I think we have underestimated the impact of residential

schools. We've underestimated the cumulative impact of residential schools, the '60s scoop and the loss of local economies in so many communities, but we have got to redouble, collectively, our efforts to guard against family breakdown and make sure that we create stronger communities.

And, in fact, judiciously considered, of course, in the Tracia Owen inquest report, where the judge concluded that in the long term the community has to be made healthy by attacking the problems of infrastructure and the basic needs of life: food, clothing and shelter. Unless these areas are dealt with, the result of poverty and neglect will continue to be crime, violence, abuse, neglect, substance abuse, suicide, and the children will bear the brunt of these problems.

That is what we must all dedicate ourselves to dealing with in a way that we haven't in the past. Thank you.

**Mr. Chairperson:** I thank the honourable minister for the opening statement.

Does the critic for the official opposition have an opening statement?

**Mr. Hugh McFadyen (Leader of the Official Opposition):** And I want to thank the minister for his statement today. I also want to just take a moment to thank the three independent officers who are with us today, the provincial Auditor, the Ombudsman and the acting Children's Advocate for being with us today to offer your very important perspectives and insight.

The number of people in the public gallery today is a reflection of the intense interest that Manitobans have in this very important area. And I want to thank the members of the public gallery who are here today to bring their own perspectives and demonstrate their own care and concern for what is happening in the world of child welfare here in Manitoba.

\* (13:20)

Finally, I want to thank all of those people who today are working in the field of child welfare. There are—with all of the negative publicity and the negative stories that we have a tendency to focus on, there are many people who are doing incredible things in our community as we speak, who are working hard with dedication and genuine care. They need and deserve our respect and support, and it's important that we voice that because I think the risk is that people become demoralized and feel that they

want to go and make a living in a different area. And we don't want them to be demoralized; we want them to know that they're respected, that they are supported and that our objective, through these legislative processes, is to really try to move things forward in a very positive direction for everybody that's involved.

The minister is quite right to acknowledge the emotional power of this issue for everybody involved. It's an emotionally powerful issue for anybody who is a parent, for anybody who is a foster parent, for anybody who is a member of a family or community who has had a child apprehended and for those who work within the system and interact with people day in and day out. The emotional power is very clear. And the debates that take place on these issues are emotional debates and they are a reflection of the fact that everybody has strong feelings about these issues, and I think the thing that we need to acknowledge is that the people's motives are in the right place. We may have disagreements over matters of policy, but we don't question the motives of anybody that is working in this area from the minister to the Premier (Mr. Selinger), to those involved in senior administration and throughout the system. We respect the motives of all involved, and we may have some respectful disagreements on matters of policy and how we move forward, and I think that's also important to state.

We know that Manitoba has a very specific and particular history that has set the stage for the sorts of challenges and issues that we're debating today. The abject failure of the residential schools system which has been much in the public eye over the past period of time is a significant chapter in that history and plays a significant role in the circumstances that everybody is working within today, and that is important to recognize, and the minister has made note of that point, and it's something that we all, as Manitobans, need to understand and appreciate as the backdrop to where we are today.

We also know, as we look at the history of child welfare issues in Manitoba, that inasmuch as we may all hope for and wish for a perfect system, that the nature of child welfare is such that it is imperfect; the system becomes involved in circumstances where there are problems and challenges in a family. And so, unfortunately, we have the reality of life that we will never have a perfect child welfare system. It is not the nature of these issues to lend themselves to perfection, but the key piece of all of this is to bear in

mind, always, our goal, which is to move toward a more perfect system rather than away from one.

I think a lot of the debate surrounds not whether or not anybody is perfect, because that—we already know the answer to that question. The issue is whether the policy decisions that are being made are moving us closer to perfection or further away from it. And I think that's really the perspective that we bring to this debate and discussion here today. We want to have a better understanding as to whether we are moving toward more chaos in the system or are we moving toward more stability, with all of us wanting stability. And most importantly, regardless of the history in the past and regardless of where we stand today, the fundamental challenge for all of us is how do we move forward from today in a positive direction. How do we learn from mistakes of the past? How do we attempt to avoid repetition of mistakes of the past, and how do we fundamentally bear in mind, always, the needs of those children who are not in a position to participate in this debate and who are the people who, fundamentally, we are entrusted to care for as parents, as legislators, as administrators, as foster parents, as people working within the system? How do we ensure that we are trying to—that we are providing that stability, safety, love, nurturing and cultural connection, which is important for everybody?

And so I want to say that I appreciate the comments that have been made. We've really appreciated the feedback and input of all the experts. I was speaking for myself only. I am far from an expert in this field. And so we come here asking questions and seeking information and advice. We don't come here with all of the answers because this is far too complex and far too important for anybody to think that they've got all of the answers as we enter into this discussion.

The minister has focussed a great deal of his commentary on the issue of resources, and it is partly about resources. Nobody disputes that. It's also partly a matter of policy, perspective and ideas that are fundamental to our notions about what makes for a stable and successful child welfare system. And we need to have a discussion and a debate on all of those issues, resist the temptation to point fingers either in a partisan way or an interjurisdictional way, which sometimes happens here. And I will not claim to be perfect in that regard either, but we do know that this is far too important for any of us to fall back into that sort of a finger-pointing exercise. What we look for today is clarity around the reality of the system as it

stands today, the direction it's moving in and how we all might constructively move forward toward a better and a more stable child welfare system.

So thank you again to the officers and everybody who has provided their perspective. We're incredibly grateful to all of those who work in the field who have provided us with their feedback directly, and their input, and we hope that, today, that in our wisdom we can take a positive step forward in the right direction, recognizing, again, that there are things that are working well today within the system, people who are doing magnificent work, and we ought not lose sight of those things as we look to try to address some of the negative things that are clearly taking place. Thank you.

**Mr. Chairperson:** I thank the Leader of the Official Opposition for the opening statement.

Does the acting Children's Advocate wish to make an opening statement as well? Ms. Kocsis?

**Ms. Bonnie Kocsis (Acting Children's Advocate):** Yes, I do. Thank you.

I want to start my comments by thanking the Legislative Assembly for the opportunity to make this presentation today. Anytime we can discuss child welfare in an open-child welfare issues in a public forum, we have the opportunity to reflect upon how we can improve our system of protecting children and youth in this province, and that's always a good thing.

Allow me to begin by clarifying the role of the Office of the Children's Advocate. The OCA is an independent office of the Legislative Assembly. It exists to represent the rights, interests and viewpoints of children and youth who are receiving or entitled to receive services as prescribed under The Child and Family Services Act and The Adoption Act. This office is empowered to review, investigate and provide recommendations on matters relating to the welfare and interests of these children. Our advocacy services are child-centred, family-oriented and anchored in the community. They are delivered in an ethical, culturally sensitive and respectful manner.

In September 2008, the OCA's mandate was expanded to include a review of services after the death of a child who was—or who had been receiving services through the child welfare system within one year of their death. This review is known as a special investigation review. The purpose of the special investigation review is to identify ways in which the programs and services under review may be

improved to enhance the safety and well-being of children and reduce the likelihood of a death occurring in similar circumstances.

For the most part, our office hears from individuals in our community who do not feel that children are being well served and adequately protected in the context of the child welfare system. Anyone can call our office: children and youth; community members; parents; foster parents; and those who work within the systems. All callers are assured of confidentiality and, similar to the child welfare system, people calling do not have to leave their names if they do not choose to.

People don't call us when they've had a good experience with the child welfare agencies. When children's lives have been transformed because caring and responsive social workers, foster parents or others in the system came together to provide the best service possible, generally we don't hear about it.

Much has been made about the budgetary submission the Office of the Children's Advocate made to the Legislative Assembly Management Committee in terms of it being a commentary on the state of child welfare today. To be explicitly clear, it was not a commentary on child welfare today. The last comprehensive review of the child welfare system in Manitoba was carried out in 2006, and our colleagues are here and can speak to that as well.

\* (13:30)

This review set many initiatives to improve aspects of the system into motion, however, there's much more to do. The comments I made in the LAMC submission provided a rationale for increased resources for staffing in my office. It reflected the realities within the child welfare system that have placed an increased burden on the OCA. It did not provide a full contextualized commentary on child welfare in this province or the overall level of safety of the children in the care of those child welfare agencies. It also did not make any recommendations beyond the increase of staffing resources to the OCA.

So what are some of those realities within our child welfare system that affect the number of calls to our office? First, there are approximately 8,629 children in care in the province, the highest ever recorded. At the time of devolution in 2005, there were 6,629 children in care. The reasons for this

increase are complex and beyond the scope of this presentation.

It is clear, however, that this increase in numbers puts additional strain on workers charged with one of the most stressful, demanding jobs in our community. Planning and intervening with families and children experiencing acute crisis and dysfunction is difficult, emotionally taxing work. In addition, these workers face intense public scrutiny and are often criticized for the role that they carry out in the child protection system.

The system has never been particularly easy to navigate for those needing to access it. This seems to be especially true since the process of devolution began. Individuals appear to be unclear about who to contact for their particular situation. We hear of the confusion about the processes and procedures within a child welfare system where agencies with different governing authorities are providing service within the same communities. While this creates confusion, it does, however, allow families to exercise choice and receive service from a culturally appropriate service. Therefore, it must be supported by an effective communication strategy to inform the public about services available, responsibilities and appeal processes.

Communication within the system also appears to be weak in certain areas. This is evident in the lack of a seamless, fully integrated information system that shares case and resource information between offices, agencies and authorities.

During the course of our work, we see multiple staff changes indicating to us that work force stability remains an issue. We are most concerned about the loss of senior staff with long-term experience, as it leaves a greater number of less experienced staff to carry out the load.

It is well known that a number of CFS authorities have undertaken reviews to identify critical challenges and issues affecting their delivery of service. The number and frequency of these reviews leaves an impression with the public that the system is in crisis. We have seen an increase in calls coming to the OCA that should actually be going through the system's internal service complaint process first. There seems to be a diminished sense of confidence among callers that their concerns will be addressed if they take the proper first step by appealing to the agency and, subsequently, the authority.



As we continue to respond to the needs of the children, who are at the centre of the calls we receive at our office, our paramount concern is about what the child welfare system is doing for them. Yes, many of these systemic issues make it difficult for the social workers, support staff and foster parents within the system, but our overriding concern always comes back to whether Manitoba's children and youth are safe and their best interest are served.

The Office of the Children's Advocate clearly sees the need for continued improvements to the system, but the burden of responsibility for the safety and care of our children does not fall solely on the shoulders of government. It takes a co-ordinated, committed effort from individuals and organizations throughout our communities and we must all play a part because kids can't wait.

**Mr. Chairperson:** Thank you, Ms. Kocsis, for your opening statement.

Does the Ombudsman wish to make an opening statement?

**Ms. Irene Hamilton (Ombudsman):** Thank you for the opportunity to make this statement. I would just like to briefly describe the role and function of my office and then talk specifically about the role and function in relation to child welfare and the reviews that have been conducted by us.

My office has 30 staff and is responsible for reviewing administrative decision making of provincial government, its boards, agencies and commissions, and municipal government under The Ombudsman Act. I am the information privacy commissioner for the Province. I have the responsibilities under The Freedom of Information and Protection of Privacy Act and The Personal Health Information Act to review complaints from the public and proactively comment on matters related, again, to provincial and municipal government.

I am also responsible for receiving complaints under The Public Interest Disclosure (Whistleblower Protection) Act, and I have the responsibility, as well, of the reviews that were referred to, resulting from the special investigation reports from the Children's Advocate office. I have 30 staff, roughly, divided between access and privacy in the Ombudsman division.

The role of the Ombudsman in relation to the child welfare system is the same as it is with any other department in that is that I receive complaints

from members of the public and investigate those individual complaints. I do that on an independent, impartial basis. I am not an advocate, and so I obtain information from the complainant. I also, then, go to the system itself and obtain information from the system and come to a conclusion based on my findings about whether the complaint is supported or not.

I also have the ability to do systemic reviews and initiate investigations on my own initiative, and I have done that and am able to do that based on issues that I see arising in relation to any particular issue or in relation to a further problem that may be revealed as a result of doing an individual complaint investigation.

With regard to the child welfare system, in 2006, I was asked by the minister of Family Services and Housing, as it then was, to conduct a review into the opening, closing and transfer of cases in the child welfare system. The Children's Advocate was also a member of that investigative team, as was Micheal Hardy, executive director of Tikinagan Child and Family Services in Northwestern Ontario. We issued that report in September 2006 and made over a hundred recommendations in relation to that. We then indicated, in response to the minister's request, that we would do follow-up reviews for the subsequent two years, and we did, in fact, review, from November 2006 to March 31st, 2008 and a further review April 1st, 2008 to March 31st, 2009.

Those two subsequent reviews were not as a result of further investigations in the child welfare system, but, in fact, were reviews that were written based on information that we received from all of the participants in the system and primarily from the standing committee group, which is the director of the Child Protection branch and the CEOs of the four authorities.

We have also commented in our annual reports, from 2006 to date, about the follow-up activities that have taken place. I have the ability to inquire of all agencies, authorities, the Child Protection branch and the division in the department responsible for Child and Family Services, and that's how our reviews are conducted, is to speak to the individuals who are involved.

So that's something that continues and, certainly, I've issued the reports. All of them have been tabled in the Legislative Assembly, and if there are any questions that arise from them, I would be more than happy to answer them. Thank you.

**Mr. Chairperson:** Thank you, Ms. Hamilton, for the opening statement.

Does the office of the Auditor General have an opening statement?

**Ms. Carol Bellringer (Auditor General):** I do.

I'm looking around the table and thinking everybody has been part of at least one Public Accounts Committee meeting, so I'm not going to go through general information about what our office does, but I will go through just a quick summary of those reports which we have issued over the last few years and the status of the follow-up on each of those.

The three older ones, the Child, Family and Community Development Branch audit on agency accountability is the oldest. It was issued in 1999, and most of those recommendations have been resolved, and we have one remaining in progress around obtaining information from agencies who haven't complied with reporting obligations.

The second, around Hydra House, issued in 2004, which has been implemented, and the Child Protection and Support Services report issued in March 2004, and half of those recommendations have been implemented.

Three years after we issue a report, we start to do a follow-up with the department. We believe that three years is an appropriate length of time to allow the department to have everything implemented or at least well along the way, so we think that's a useful time period to report back to you, which means that the December '06 report, Audit of Child and Family Services Division, the Pre-Devolution Child in Care Processes and Practices, which is most the relevant, I would suggest, to the discussion today, and the most comprehensive report that our office issued, is—has not yet been followed up. We have issued the letters requesting follow-ups as at June 30, 2010, and that will be a public report to the Legislature in March of 2011. So we haven't yet done that.

\* (13:40)

But having said that, we've had various discussions with the department along the way. The audit looked at the accountability framework. We looked at the funding models. We looked at four mandated agency operations, but we didn't actually name those agencies in the report. It was meant to just be a picture of what was happening in the agencies as opposed to an investigation into any one

particular agency. And we did look at the roles and responsibilities from the department to the authorities—very early days when we did the report so the governance structures were not fully in place at that time.

We decided for 2010-11 that we will select one agency for a thorough investigation. We will be discussing that with the authorities and the department as to which agency that will be, and the reason is that we're looking for systemic issues, but we also have the authority to go through and follow the dollar. And so we're able to go not just into departmental and authority operations, but all the way through to agencies, and that is an access that we want to be able to provide information to the authorities in the department around how monies are being spent. Our—we do look at things broader than just money, but in terms of the system and the spending, we think it's very important, in this case, to ensure the funding is being spent as it was intended and that the money for the kids is going to the kids.

We are monitoring the various reports that are being issued and available publicly, but it may or may not be one of those agencies we select.

**Mr. Chairperson:** Thank you, Ms. Bellringer, for the opening comments.

The floor is now open for questions.

**Mr. McFadyen:** Just some questions to the acting Children's Advocate.

As everybody knows, we're in this meeting today because of the release of a report that was prepared by your office, dated April 27th, 2010, which contains information that was of great concern to many when it became public.

In order to get a little bit more context around the report itself and your role in connection with the report and the office, I wonder if you can just provide just a quick chronology in terms of when you joined the office, when you assumed the role of acting Children's Advocate and what your role was in connection with the report before we get to the report itself.

**Mr. Chairperson:** Ms. Kocsis, before I get to you, would you—thank you very much for pulling the microphone forward.

**Ms. Kocsis:** I joined the Office of the Children's Advocate as a deputy in 2005—in summer of 2005. I remained the deputy until Billie Schibler went on leave in mid-April of this year, 2010, and a week

later, was making a submission to the LAMC on—for funding.

The original submission had gone in, of course, under Billie, and I just brought in the comments that I had written, and I say comments, because it wasn't a report. You know, it was a two-page document of comments and—that highlighted some of the challenges for—that are in the system that see a reflecting increase of business in our office. Like, whenever things are going on out in the broader child welfare community, it bumps up against our office, and we have six advocacy officers and three intake officers in our office serving the whole province.

And so when you have an increase of children in care that is so substantial, it obviously—you know, just simple math will tell you that you are going to get more business just because there's more people involved in the system. And so that's where some of those comments in the submission came through was that—and as I said, it stated it was absolutely not a commentary on child welfare in the province of Manitoba, because our role is very distinct.

We have a very different view of child welfare services in the province from the point of view from the child and whoever their natural advocates are that are calling our office, and that's usually foster parents, custodial or non-custodial parents who are having difficulty with the system. So our view of child welfare, first of all, is somewhat skewed because, first of all, we have a bias. We're biased towards the children. We will always have that bias and our role is very distinct to speak about the children and what the children are telling us and what they are feeling.

And so, it's in that context that that submission was made and in the context of—these are some of—even—and that wasn't even a comprehensive list. These are just—these are some of the issues that are going on that are causing an increase of traffic to our office, to our front door, and to our callers. And so our calls are going up. We've already seen a huge increase again this year. Every time something goes in the paper, we get more calls because people are also confused about where to call. And I think that that's where all the confusion in the system seems to be residing, is around who to call, where to call. They're trying to navigate.

**Mr. McFadyen:** Thank you for that. And I think that context is important in terms of the particular role of the Children's Advocate's office vis-à-vis the child welfare system, which are distinct organizations.

And you have a certain perspective on it, which is an important one.

Can I just ask whether there is anything, now that the report is public, whether there is anything in that report that you would want to change, or do you believe it's an accurate reflection, from the perspective of the office, of the way things stand today?

**Ms. Kocsis:** Well, I'm not quite sure I understand what it is that you're asking me. Perhaps you could repeat the question.

**Mr. McFadyen:** It was really just on the report itself. There are some significant statements in the report. And I realize that they're written from the particular perspective of the Children's Advocate's office, but the question was just whether there is anything in there that you, if you had chance, would want to change currently or whether you believe that the report is an accurate reflection of the perspective of the Children's Advocate's office?

**Ms. Kocsis:** I would say that the report—or the submission, I should say—if I changed anything in that submission, I think I would have taken the time to make sure that I filled—I fleshed out, more thoroughly, the context of what it was being put into.

I had an opportunity at that meeting to discuss it. We did discuss it. We discussed a number of issues. I felt that it was a good discussion and it did allow me time to put the context into it. But as a stand-alone submission piece, no. You know, it wasn't contextualized. It was just a submission piece and I did have the opportunity to be there, in person, to explain what I meant by this.

So, having said that, do I still feel that there's a lot of confusion for families? Absolutely. There's a lot of confusion for families. There's a lot of confusion for kids. Because if adults can't navigate a system, either can children and youth.

Do I think there's a lot more to do? Absolutely. And I don't think anybody—I didn't get any sense from anyone that I've ever talked to, in the system, that there isn't a lot to do and to keep moving forward. And that's exactly what I think needs to happen.

We do see trends emerging. The trends that were occurring last year are already different from some of the trends that we're seeing this year. You know, there are certain areas of weakness in the system yet

that, you know, year over year, for the last five years that we've tracked it, seem to be the same areas.

Is there improvement in some areas? Absolutely. There's a lot more improvement, for example, in how many youth, aging out of the system, are getting extensions of care. There's been a huge increase in that. We're very pleased to see that, considering that, you know, we did a report on strengthening our youth. We would absolutely be pushing it to increase the age limit for youth aging out.

So are there still issues? Absolutely. There are still issues. Are we still going to see an increase in calls to our office? We would like to say that we're not going to, however, indications are, even just for this year, that we are seeing an increase in calls to our office, again, even this year. And a lot of it has to do with this communication and lack of information. And, that, in and of itself, is something that's always been sort of a—something that's inherent with the child welfare system.

First of all, you've got people with high anxiety accessing a system that they're quite fearful of. And the anxiety and the confusion alone sets up a tone so that they're scared to start with; they're not sure where they're getting the information; they don't know where to go to get the information, and they're not sure who to call.

\* (13:50)

A lot of people are calling us rather than calling an agency first. We do try to set them on and give them numbers to call and say, you know, call the agency first. We have people who don't want to wait in a queue on a telephone for 20 minutes, and then will call us, and ask us to report a child in need of protection. And that, as you know, from—you would understand that that is not our role. We are not a child protection agency. We will refer those on to a child protection agency, and we do that through the use of risk notification letters.

**Mr. McFadyen:** Thank you for that. And we want to get, today, to getting your advice and perspective on where things go, moving forward, to make improvements. But just to get a clear understanding of where things stand today, one of the things that was mentioned—and you've talked just now about trends and increases in calls to your office—one of the references was an increase by over 27 percent in requests for service. That's mentioned on the first page of the report, the second last paragraph.

Can you just indicate, what is the time period over which you had that 27 percent increase?

**Floor Comment:** That would have been from 2005 to present.

**Mr. Chairperson:** Ms. Kocsis.

**Ms. Kocsis:** Oh, I'm sorry. That would have been 2005 to present. Because it was in that context I was still thinking of the numbers of kids and to show that there is a correlation between extra business in the system and a correlation to what we see as well. We tend to reflect—our system tends to reflect the correlation. If there's a lot of business going on in child welfare, with extra kids in care and more movement, we're going to see that same correlation in our office. And it's interesting, because it is about the same correlation.

**Mr. McFadyen:** And so, just to be clear, on the 27 percent, that's an increase, you were saying, from 2005 until the end of 2009. Is that the time period that you were dealing with?

**Floor Comment:** No, actually—

**Mr. Chairperson:** Ms. Kocsis. You have to wait until I recognize you so that the folks can turn your microphone on, if you don't mind.

**Ms. Kocsis:** Yes, sorry. No, I do believe that those numbers went in right up until the submission—up until the time of the submission, because those are preliminary numbers, because—as people are aware—the last two annual reports are not finished yet. So those are preliminary numbers, but they will be, hopefully, finished and tabled this fall.

**Mr. McFadyen:** And one of the other factual points you make is that, on any given day, there are approximately 110 callers waiting for a worker to respond to them. Is that still the case today or has that number changed at all since the time of the writing of the report?

**Ms. Kocsis:** Yes, it has changed, that number, because that number is very fluid. For example, we can have—and maybe I should take a minute first to explain to our callback system. When people call into our office, they are logged into a callback system. And, of course, their names go in and people are waiting for a callback. Some get a callback and are playing phone tag with the worker. Some are waiting—the caller is going to have to wait until we can gather some of that information because, from there, we will go out and start gathering information, talking to agencies. So, any given day there can be,

quite easily, 110 calls on that system. They might be in different stages of preliminary work to, sort of, start gathering information. They might be waiting for a callback.

One of the things that I have to say that we're very, very proud of and I think that the three—we only have three intake officers doing this position—they do a phenomenal job of always making sure that calls back, even if it's only to make that initial contact, and say, yes, we heard you—we hear you, we are going to get back to you as soon as we can. That kind of dialogue starts occurring, and children and youth are 'prioritized' and that's something that people need to be really aware of. If a child or youth comes into the office, or does call into the office, they are 'prioritized'. They are never put onto a voice mail. They're never queued through. If they walk into the office, they see someone immediately. They don't wait. Children and youth do not wait. They always get first service.

So, at the time of the submission, there was about 110 calls on our callback system. Last week there was 182. You know, it changes. It's very—it is fluid. What we are noticing is that, when I started in 2005 as the deputy, a very high call load would've been about 30. And so that gives you, sort of—and that was with one intake officer. And so what we're seeing is that with three intake officers, obviously, we're seeing that same, sort of, you know—25 to 30 percent increase over time is the same reflection that we're getting in our office as well. So, hopefully, it won't be quite that high again.

**Mr. McFadyen:** And so, just to be clear, did you say it was 182 as of last week, or this week, on that list?

**Ms. Kocsis:** On one day last week there was about 182, if I'm not mistaken. Our officer is here, and our program manager, and she can verify that. But it's a very fluid—because as calls are resolved, some people will choose to wait the process through and be moved on, and some of those files will become full case files and move on to advocacy. Some will be closed out after a few preliminary calls; some people are just looking for information. It's really hard to gauge which parts are—as of today, I can tell you there's 181.

So, thank you.

**Mr. McFadyen:** Thank you for that, and I—I mean, you certainly painted the picture of an office that's very busy. I wonder if you can just provide us with your view on what's driving this. I know that there

won't be a single factor that's driving this. Some might argue that higher awareness of the existence of your office may increase the number of people who are contacting you. Others may say that there's just more going on in terms of issues and problems. Can you just provide your perspective on what is driving this increase?

**Ms. Kocsis:** I would say that what's driving this increase is the same drivers, and it's a multi—multi—it's so complex what drives this. One is media. Like I said, when media, anytime child welfare's in the news, media is in there. Any time that a child comes to harm in the community and it's on the front page of a paper, people—I think that the community really kind of becomes heightened and aware of watching the children around them and saying, you know, I wonder if that child really is, you know, if there is a problem with that child, and what's my responsibility, which I think is a good use of it.

I think that, from what we're seeing in our stats, our preliminary stats for this year's, children are calling about their rights, and that's a wonderful thing. That's the first time that it's come that high on our list. Children, themselves, are calling us now about it: rights. More children are using our office. We do have a storefront office now. It's across from Portage Place mall. There's lots of kids there. We've had kids come down and say, hey, I've seen you from the walkway. And so that's a good piece of it. Agencies themselves are encouraging children to call us. Group home operators are encouraging their children to call us. There's been facility visits.

We've made a very concerted effort this year as, you know, in honour of the rights of the child, the 20th year anniversary. The office—the advocacy officers, even though there's only six of them, they've made a really, really concerted effort to get out and try to get to communities, including rural and remote communities, and advise youth and children that are in care or possibly deserving of services, of what their rights are as well.

And so, that, in conjunction with a rights pamphlet that we've entered into with the Ombudsman's office and USF and Human Rights Commission and letting youth know what their rights are, their rights with school, their rights with education. We're getting a lot of calls with—around rights with education even though our office is not charged with that and we have no jurisdiction there. We're getting a lot of calls from parents and caregivers saying, you know, can you help us with

this school issue. Can you help us with this and, unfortunately, we have to refer them on and help them find somebody that they can do.

So there's a lot of different reasons for the calls. Some of it is just related to numbers. When you have a correlation and increase in numbers, you're going to get an increase in business. And I think it's going to trickle across all of the services that are out there. Child welfare offices are going to be charged with more work at the front end, and we're going to be charged with more work. I'm sure other organizations that serve children and youth are going to see more youth—or more demands for their service as well. So it's not just one piece or another, it's all of the pieces together.

But the surprising piece for me, I think the most surprising piece for me is the children and youth who are starting to become very aware of their rights. The use of the Internet is amazing. Like, we have over 100,000 hits on our Web site, and our Web site is just—we're just in the business now of tweaking it because we're starting to find out that a lot of youth are using technology, across the board, much more than I; I'm a dinosaur with it. But they're using technology, they're reaching out. They want to find out what their rights are, and it's on the front page, so.

**Mr. McFadyen:** Thank you for that, for that—the level of detail—that's helpful. You had mentioned—just to give us a sense of the breakdown—you'd mentioned the number of 181 today on that call list. Are you able to also indicate, of that 181, how many, roughly, would be children calling in from that list? Is that data you've got available?

And if you'd like some time, we can come back to that, if you'd like to come back to it.

\* (14:00)

**Ms. Kocsis:** Yes, we'll—I'll have to get back to you because on any given day, generally, what we're seeing now in preliminary stats is that, on any given day, 20—between 15 and 20 percent could be children or youth. And some days, it's a lot of children and youth; other days, we won't get any children and youth. What we'll get is their caregivers. We get teachers calling on their behalf. We'll get, you know—we've had social workers call on their behalf. We have mental health workers call. We have physicians call. It just depends. You can never really gauge what it is going to be like. You just know that—you know, I worked front line for a long time and I have

to say, in this position here, it's a much more consistent kind of busy. Child welfare—you would get the occasional day, like even in the summer, where things would quiet down even for a day or two so you could catch up on things. This position, you don't do that. It's constant, so—

**Mr. McFadyen:** One of the other statements in the report that has caught the attention of lots of people was the statement that as caseloads increase, more social workers are leaving the child protection field.

Can you elaborate on that statement and just outline the basis for that comment in your—any comments you might want to provide on why it—what's causing people to leave the field?

**Ms. Kocsis:** Child welfare is a very difficult system to continue to work in all the time. Now, the comments I made about social workers, this is the comments that the social workers that are calling us are telling us. I—like I said, this was not a comprehensive review of the whole child welfare field, so there may be, you know, there may be organizations out there where they have a lot of stability. I can only go by what we're being told is—and we've been told that, you know, some workers are leaving the field because they're taking positions in other areas. Some are retiring, which is natural. Some are taking positions in, for example, education or health. Is it part and parcel because of the stressors of the front-line work? I would say, it is a very stressful job. People do need to move on.

What we are looking at more closely is the stability of workers for children. Now workers may even be staying within the field themselves, the social work field generally, but the stability for the kids we're not seeing in the same way. We're seeing multiple changes of worker for children, and that stability really concerns us because it's very difficult for children to try to engage with somebody that they don't know and then to have to keep over and over again finding a new worker, getting a new worker, getting to know them all over again, to the point where youth have said, why bother, they're going to be gone again anyway. So even though you might have some stability within the field itself, and maybe not so much leaving the actual front-line protection field and maybe moving off to some of these other social work fields, the stability for the children is still be very challenged, and that's what we are tracking and that's what we're seeing on both teams.

**Mr. McFadyen:** Do you have any numeric or statistical analysis just on the turnover rate and, if

not, is it—would it be worth somebody doing a study to provide that kind of analysis?

**Ms. Kocsis:** I'm pretty sure that, probably, the agencies and the authorities themselves would keep that statistical data on the turnover rate, and I'm quite sure that they do because they can speak to it. We don't in our office for one very good reason. We are a child-driven business, and so every file that we open in our office is under a child's name or a youth's name. We never open a file with a family name on—you know, it's child and youth only.

So we don't carry that, so that's why this submission is our impressions. This is our picture of the world. This is our view of the world and so—and this is what people are telling us anecdotally when they're calling in, and we're starting to see the trends. However, even with the trends, we can also track in our reporting. We can, when we're doing a file review or we're doing a special investigation review, those investigators can actually track and count, literally, how many times a worker has changed for a child and that will be in those reports. Those are very confidential reports, but we can count them and we do track those, and that's when we do our tracking. But on the advocacy services side, like on the callback side and that, we're not going to be tracking that because we're—you know, our interest doesn't lie specifically with the adults in the system. Our interest lies with the children and the youth and what needs to happen for them.

**Mr. McFadyen:** Thank you. And one of the other comments that you made which was significant was in relation to foster parents, who clearly play a really important role in this whole world. And the comment was that foster parents are also leaving the system as they bounce from agency to agency trying to find the support they need to care for the children placed in their home, and terrified the children will be removed.

Can you elaborate on the—that statement and just provide some background as to your perspective on that dynamic and what may be causing it?

**Ms. Kocsis:** I can only speak to those foster parents that have contacted our office at this point in time and we do get—quite a few of our sources of referral are foster parents. The ones that are struggling and that have told us they're leaving, we don't know. We don't track them and we don't confirm, did you actually leave the system, although we have heard back from a few that they have or they've moved to a different agency.

A lot of the concern seems to centre around support and resources and inconsistency of resources. A foster parent in one area may not be getting the same services and support in another area. We hear of foster parents having to pay out of pocket, for example, for their children in their home to be able to take activities like hockey or an after-school activity, whereas another agency—they may hear from another agency that that is covered for them. And so foster parents get very frustrated and have said, we're going to leave the agency.

We've also had a handful of cases—somewhat high profile—where there seemed to be a very strong clash between the foster parents, the agency, and the children in their home, and this discord over the planning for this child, especially if it's a First Nations child. There seems to be still a weakness in ensuring that, from day one, the permanency plan for that child is on the table, it's well developed, it's discussed fully with the foster parents, the foster parents are very much engaged in that part of the process and have a say in that process. They get to be collaborators in that process.

Some of the weaknesses in the system that we are still seeing is that not all foster parents are afforded that courtesy of saying, you know what, you are part of our team. We're going to plan this together. We're going to make the move in the best interests of the child at the time that that needs to happen. And so that's why foster parents—some of the foster parents have told us they're leaving is that they are just not going to do it anymore because the plan wasn't well thought out. They didn't know about it in a timely fashion and they're going to leave this business. They're just not going to do this anymore.

I would really like to mention that one of the things, as a foster parent—and I spent 20 years as a treatment foster parent so, you know, I've got a little bit of experience as a former child in care and as a foster parent. And one of the things that I'm always, always cognizant of, and I really try to remind people of this, the reason foster parents have such a hard time letting go of their children is because they're doing what they should be doing. They're loving those kids. They're caring for them. They love them. They care for them. They claim them, and we—and I will say we—myself, as well, included—I would have a very, very hard time letting a child go unless I know—and unless I know and I feel confident that I've had a chance to work with the agency as a collaborator. I've gotten to meet the family and I know that that child's going to be going to their home

or to their family community—which I absolutely support, 100 percent, if it's a safe and well-thought-out plan. And that's part of the plan from day one because permanency planning—even in the standards—permanency planning begins the day that you apprehend the child. It's not something that's just ad hoc that's added on after the fact. It starts the day you take the child in.

I've been part of a reunification team, a specialist reunification team as a social worker. I've seen what good reunification can do and I've seen the benefits both to the foster family and to the biological family. I still know today of biological and foster families that are still very connected through the children that they commonly shared, and they're all invested in these kids. And I think that that, to me, is the way it should be looking because it takes all of us. We can't just, you know, take kids and say, okay, well, it's your problem now. It isn't just that person's problem. They're all our problem. So, that, for me, for the foster parents, is a key piece.

Now, if I just could, though—on the question you had about the statistics. As on Wednesday—the snapshot for Wednesday on the intake was 173 calls, and out of those 173, 22 of them were youth that had self-referred, and that's just Wednesday's snapshot.

\* (14:10)

So I would also like to mention that, as busy as they were on Wednesday, too, there was only 11 calls that still hadn't had that first initial callback. Now that's pretty impressive when you watch how hard those—and we have all women right now in our intake—how hard those women are working and how committed they are to making sure every kid gets a call right away.

**Mr. McFadyen:** Thank you, Ms. Kocsis, and that is an impressive amount of work for one day to get back to that many people, and so I think it's important that your staff know that it's recognized and appreciated, that they're working very hard with really—in really difficult circumstances.

I've got one more question. I know there are other members of the committee who have lots of questions. There's a couple of points I want to come back to at some point if time permits later. But just on the issue of the number of children in care in Manitoba which the minister has acknowledged is a very high number, and the numbers that are quoted in the report are that there were 6,629 children in care in 2005. That number has now jumped to 8,629

children in care in the province, which your report states is the highest number ever recorded.

Can you provide your perspective on what is driving that increase? Is it that we've just got so many more families breaking down and kids in difficult circumstances, or is there something else that is more systemic in nature, or is it a combination? Can you just provide your perspective on what's driving that, what's really a 33 percent increase over a very short period of time?

**Ms. Kocsis:** Again, it's not a simple, simple answer, children in care in—especially such a huge increase, is not a simple answer. I think, and I would have to say, you know, given the truth and reconciliation that's just going on, I think what we're seeing is a legacy, a legacy of the residential school effects. Anyone that's had an opportunity to ever sit down and hear some of those stories and to talk to any of those grandmothers or grandfathers who talk very eloquently, much more than I can, but just my own family's experience with that system, and watching how they don't know—one of the elders that I had the opportunity to talk to talked about how not being able to nurture her child or learn how to do those things, and was scared to touch her child and was scared to hold her.

And so when you see that breakdown—but I think it's much more profound than that. The Canadian council of child and youth advocates just recently—on the 23rd, as a matter of fact—submitted a paper around Aboriginal children in Canada, and I would suggest that everybody have an opportunity to look at it because it was submitted to—of course for the summit on child and maternal health, and it talks about across the country child and maternal health, but child health specifically, and the determinants of health, and when you're looking at that—and how poverty is driving so many of these issues.

Like, when you're looking at just the poverty issues, themselves, and I know that Brad McKenzie and Corbin Shangreaux had written a very good document a couple of years ago, as well, talking about the interplay with child welfare and poverty and how, you know, how that comes into play and how that works, so I don't think it's a one-line kind of situation.

I think there's a lot of issues out there. Addictions is a huge factor. There's not enough addictions treatment, and there's not enough addictions treatment for youth as far as we're concerned. There should be a much more comprehensive strategy around youth addictions for



kids in this province because we do have a lot of addiction issues and the addictions trends change. So one year you're dealing with crystal meth, and another year you're starting to deal with crack, and in another year it's OxyContin. Well, each of those addictions requires a whole separate, different approach.

The other piece that I found, especially as a front-line worker, is that even though we get some training in addictions, unless you actually took the onus on and managed to clear off your very, very high caseload and made the time to go and get specialized training, it's not part of the core training. Specialized addictions training is really needed for workers working front line, because one of the things, when you're talking about risks to families and to children breakdown, is addictions and domestic violence, and they go hand in hand, and the research has been bearing that out for years.

But you really need to be able to free up time on your caseload to go and take that training. So how do you do that? It's always going to be a really delicate balance because it's very specialized training, and it needs to be addressed. There's youth out there that we're seeing now—the amount of calls we're getting for mental health and youth is—has almost tripled. We're getting so many calls on mental health.

And the fact that there's no transitioning for them; they can go into the PY1 system, into the psychiatric services system. As soon as they're non-suicidal, they're released, but there's no services in place—well, I shouldn't say no services because there are services available, but not enough services that can shore those youth up right away—and that's a health issue.

So, you see, we can't just say, well, it's just child welfare. And this is why I keep saying, it's not just child welfare; it's health, it's justice. How many children do we have sitting in the youth centre for six months at a time that would—really shouldn't even be there, but there is no appropriate placement for them, you know, that can meet their very special needs?

We've got a lot of special needs kids in this province. We've got a lot of kids that are challenged with FASD. There are some wonderful programs I hear that are starting up. I understand the MyTEAM approach is going to be starting up. There's other specialized programs. But I think it still needs to have a wrap-around service. People—I still believe that some services, to get a referral in alone takes so

much effort and so much time, that people are waiting months and months. So that's part and parcel of all of that.

**Mr. Gerrard:** Yes, thank you. Thank you all three, for coming in and spending this time. I welcome your bias towards children. It's a bias which I share, and I think that, you know, all of us need to be very concerned about the children in our province.

I think that, you know, one of the things which is most disturbing about the situation in Manitoba is the large number of children who are in care—almost 9,000. And, you know, by comparison, British Columbia has about 9,000 children in care and if it was a per capita basis, then we would probably expect to have 2,000 to 2,500 children in care in Manitoba. And so, clearly, something is very different, right, here in this province.

You know, I'm one who, you know, believes in Manitobans. I don't think that we have, you know, people and children who are inherently worse and more troubled than in other provinces. But I think that either, you know—one of the problems is that we're not providing the supports, the baseline supports, for those who are most disadvantaged in this province, and you know, the Ombudsman has actually provided a—you know, an eloquently written report which really documents that, that the children who are less well off are not getting the kind of supports that they should be getting, and you talked a little bit about this.

I think the other side of this is that the way that the provincial government is providing leadership in Child and Family Services and structuring the way that things are operating, that I think a lot of that, quite frankly, is misguided and that, you know, one of the problems that I see—I mean, you talk about the increase in caseloads that you've had.

I mean, the extraordinary thing that I see, as an MLA, is the huge number of people who are coming to see me with problems dealing with Child and Family Services. One of the problems that I see is that children are sometimes taken out of their homes without people doing an interview of all the members in the household so that their assessment and understanding of the household situation and what can be done to provide the supports is not as good as it should be, and I would ask you: Do you see families and children who feel that they could have been supported and kept together instead of having the children taken away?

**Ms. Kocsis:** In response to that, it's interesting because, just recently, we have had a youth who said that what they wanted was real programs for their family. Having said that though, I'm always leery to say I agree. Case management, especially on assessment, and everybody knows that—it's in the reports; it was in the 2006 report that was highlighted; it still continues to be highlighted in our special investigations—that case-management standards must be followed when you're doing a full family assessment, and, actually, the standards do speak to a really good process of assessing families.

\* (14:20)

However, one of the things that when child welfare is really focussing on child protection—and they have been. And not to say that they shouldn't be because, you know, nobody wants a child hurt, but to be able to do that assessment and then to be able to do an assessment that can talk about what does this family need in order for this child to return home in a timely fashion, and what kind of supports can be in there in a very real concrete way.

And so that's a whole flip on the legislation because the legislation in The Child and Family Services Act talks about, you know, you shall provide child protection services but you only may provide, you know, family prevention services.

And I think what I'm hearing now and what we've been hearing, especially over the last year, is programs that are now starting to come on board, that are really starting to focus on shoring up families and addressing those issues so that the children don't have to come into care, so that the families can have a positive outcome.

And I'm thinking specifically of the differential response. I know that there's a lot of work being done in that area and that they're actually going to be testing that now. The standing committee has sent us information that they have moved quite a bit on that and that they're going forward with that. And so I'm hopeful—I'm hopeful that we're going to see something different happening.

As for the comment around B.C.'s same amount of children in care, that 9,000, well, actually, they also have another 45,000. They count their numbers differently. There's another 45,000 or so, my understanding is, and I haven't even finished reading the whole document that Mary Ellen Turpel-Lafond has released, our co-partner in B.C., on the kin-

children in the place of a kin home, was just released just recently. And so I haven't finished reading it. But I do know that they don't count their children the same way. Every child in this province is counted but B.C. doesn't count it quite the same way. They have made arrangements for their children in the home of a relative to have sort of a different legal status. So they don't have the same legal status. So, actually, if you put the nine and the 45,000 together, I think you'd get a bit more of a picture of what the numbers really mean. So like I say, I haven't finished reading the whole report. I just heard that there was about 45,000 of them that are in the care of a kin home.

**Mr. Gerrard:** I mean, whether one looks at B.C. or other provinces, we have the highest per capita, right? I mean, it's just very clear.

And I think that one of the comments that I would make in terms of children—and you said, I mean, we should have a system which says you shall provide the preventive services instead of working after the fact and trying to play catch-up.

You know, one of the things or one of the reasons that you may have more children in care is that we may be keeping children in care longer because we have delays. You've already talked about the problems with getting treatment for addictions. You know, from what I'm hearing and seeing from people working in different agencies is that they're having to put—to wait, when a parent has an addiction, for 300 days. I mean, that's most of a year before they can even start getting addictions. And so all of a sudden, just to start with, you're not able to get a child back very quickly because you've got a delay. It sets up a situation where you've got a foster parent developing a long-term attachment and a situation where, you know, instead of being able to support and help the family get back together, you've got a long-term disruption.

So how many or what proportion of the calls that you're getting deal with this delays in the system, and how much is that contributing to the number of children in care?

**Ms. Kocsis:** I don't know that I can speak to how much that speaks to the delays. Like, we only get the callers that call us. It is a common complaint that, you know what, I'm not able to get the service for this child or I'm not able to get a service for this child or this child, you know, my foster child needs this, this or this.

Ironically, I would have to agree with you, that the longer a child stays in care without a permanency plan—and again, permanency plans are suppose to start the day they come in—but the longer a child stays in care creates a whole different set of issues, both for the foster family, for the child, for the biological family.

It is difficult to get services in place. Just basic parenting programs—a lot of basic parenting programs—and part of it is poverty driven. For example, trying to get to a parenting program when you don't have bus fare, you know, or when you don't have just the basic infrastructure in place to be able to do that.

How do you have your child return home to you if you don't have housing? Manitoba has got a really critical shortage of housing, and especially housing that's affordable at the rates that these families want. It's not uncommon, even as a front-line worker, I often would hear of families that couldn't have their children—I couldn't return their children home because they did not have the appropriate housing. They didn't have the furnishings in place. They just couldn't care for the children yet, and I think that any time that happens that is a shame because kids want to be home, if it's safe for them to be home, and there's no reason any longer to keep them in care. Then, wherever possible, that should be improved upon.

But, like you say, each piece of the system has to sort of work together, and kind of like a well-oiled machine, in order to get the treatments, get the parenting or whatever it is—or supports that that family member's going to need, maintain those visits, maintain that connection, that attachment and continue to work on it, address the issues for the child and pull all of that together in a comprehensive way.

I know that the family preservation programs and family reunification programs back in the '90s were doing just that and they were working in conjunction with child protection services. I know that a community-based team that I worked with, we offered a special substance misuse program, and it was directed specifically at child welfare—or people that were in the child welfare system, and it was geared to those parents so that they didn't have to wait, and it was designed to streamline them through a process where people were very well aware what the issues were going to be for safety for children. So the protection issues were addressed, but so was the

needs of the family, and also to maintain that connection, if that's what the plan was, to return those children home. And so it meant, like, we had to work together as teams and there would be three or four teams working together.

So I absolutely understand how—how are you going to address these large numbers. Again, I think it goes back to when you're looking at it, this is Treaty 1 area. The colonization process started here first. The treaties were here first. There's a lot of history here that's going to have to be addressed. A lot of communities were resource drained. They continue to be funded very differently, inequitably, to say.

So I don't think it's a discussion you can have just outside of just in the child welfare realm. I think you have to look at the whole picture. And I think that's why I was really pleased to be able to come here today is because my understanding is, this is the beginning of a dialogue that's going to be ongoing, and so that the people around the table that need to be at this dialogue can be here and everybody can bring their piece, their expertise and inform that picture. And any time that happens for kids and it moves child welfare forward, I'm a big fan of it.

**Mr. Chairperson:** Mr. Gerrard, before I move to your question, will you please pull your microphone in and tilt it so we can pick up your comments, and, also, if you'd direct your comments through the Chair, I'd appreciate it.

**Mr. Gerrard:** Okay. Yup. Thank you, Mr. Chair.

And thank you.

Yeah, the frustrating thing for me, quite frankly, is that when I entered provincial politics in '99, it was very apparent that we needed to change the system and I've been pushing for this, and here we are 11 years later and we're only just starting to move to a model which is much more supportive and, you know, comment after comment that you make deals with the fact that the supports are not there, right? In one way or another.

In one community that I was in, you know, your comment is right on. One-third of the kids in care, I was told, were due because of the housing problems you've got. We talked about delays in kids getting treatment of one sort or another or supports in one form or another—help to get programs.

Let me ask you about two other areas. I've had families who've been very frustrated by delays in the

courts and circumstances where parents–foster parents would like to adopt or other family members would like to adopt and the adoption process has been frustrating and long and filled with a lot of delays. Maybe you could comment on that.

**Ms. Kocsis:** It's a very difficult area to comment on because the justice system is outside our jurisdiction. We don't get involved with any of the court processes. The adoption process seems, is and of itself, its own process in Manitoba. And, is there enough time for it? I don't think so. I think that it should be moving on a lot quicker than what it is. I know that children are waiting for permanent homes, like, forever homes and, wherever possible, we would support that moving on, but the powers that be—and they're certainly not in our purview because we have no jurisdiction over any of the justice areas or education or health.

\*(14:30)

We only—you know, our area is, specifically, child welfare. So should kids be waiting for forever homes? No, they shouldn't be. But, in the same token, I've also seen cases where guardianship orders, for example, have been rushed through without a proper assessment done on the home, and that would really concern me as well, because if you don't do a proper assessment, how do you make sure that where that child's going is going to be a better place, is going to be an ideal optimum place for a child to be growing up in? And so, you know, I'm always caught with that catch-22 is, you know, keep the process slow enough to make sure that everything—the t's are crossed and the i's are dotted and make sure that that child is safe before we rush through that.

So, surprisingly, we don't have a lot of calls on adoptions. We—I know we've been fielding more intercountry adoptions lately but we don't get a lot of calls for in-city adoptions or in-province adoptions.

**Mr. Gerrard:** Now, the—I want to move on to another area which is to talk about the number of deaths and the investigation of deaths but I'll just, before I do that, make one comment. I mean, you had mentioned that you hear primarily from people who don't feel that they're being well served, right, and I think that—I mean, you mentioned, I think, that back in 2005, 30 calls—callbacks waiting would be a large number, and now we're up to 170 and 180.

I mean, it really speaks to me of the increase in number of people who don't feel they're being well served, whether that's because of—you talked about confusion, or for other reasons. But the—I want to move on to table—one of the tables in your presentation and this was the table which deals with the—on table 10—on page 10 where we're dealing with the outstanding investigations of children who died in care.

And what I'm seeing in the comment—or in the column on the left is that there are 35 completed and 153 outstanding. In the middle column, you've got backlog reports that there are 80 outstanding and 26 which are completed, and the new death reports assigned on which there are 75 outstanding. Now, just for—first of all, for clarification, does one add these numbers, 153 and 87 and 75—or 80 and 75—to get a total of 303 to get the number for the outstanding reports for children who've died? How do those—just so I can get an understanding of how the columns work.

**Ms. Kocsis:** The backlog reports under that column for a total outstanding of 80 plus the 75 should give you your 153. We're missing two in there, and I think from that 188, so, yeah.

**Mr. Gerrard:** Okay, so we've got—it's 80 plus 75 which is 155 outstanding reports. You're getting about 50 to 60 new child [*inaudible*] cases a year, you say in the first part of that paragraph. And so the question would be: Has that number been stable? It looks like you're about three years behind.

Clearly, when one of the most important things that we should have is prompt review of children who died so that if there's problems then you—we know how to, you know—that they're being—what recommendations are being made and that those issues are being addressed. So can you—

**Ms. Kocsis:** Actually—and thank you for that comment, because you're absolutely right. One of our big concerns when you first look at it—now, the numbers that first year in September 15th of '08, for that first approximately six months, first of all, we had to find a home to house these new staff that were going to be working on the backlog and on the go-forward team when we took over the mandate. So the first six months were (a) finding a new place to actually be, a new office. We did get the office and then we still had to train and develop the policies and procedures.

So that first six months—I would say first eight months almost to a year—was a very slow process because this is a very detailed type of work. Now, I would like to note, however, that, on the upside, Manitoba—from what we understand across the country, Manitoba is the only province that's made a commitment to review every single child that dies that's had contact with an agency within a year of their death. We're the only ones doing it. And I think that's a huge commitment compared to other provinces. They're quite shocked because, for example, I forget which province it was that—like, British Columbia, reporting in June 1st of '07 to 2010, identified 100 deaths for review. They completed two aggregate reviews on 35 deaths for 2010, and they identified only four that was going to be completed.

So I would say that we're stacking up pretty good compared to what other provinces are doing. In Saskatchewan, between 2007 and '09, they had 31 notifications and they closed 22 without even an investigation and completed four with their team. So I think that we're holding our own pretty well with that, the difference being is that other provinces are already looking to us because ours are also much more comprehensive. There was a commitment made by Manitoba to ensure that every child's story was told that had a story to tell and had contact with an agency within an year of their death.

We're going to—we're doing that and we're continuing to do that. We—it's been pretty stable, even from the time of—when they were over at the office of the Chief Medical Examiner, he was seeing about 50 a year as well. I think one year we had 177, somewhere around there, in deaths or even more than that, for total deaths in the province. We actually have a very high number of child deaths in this province, like everyone else, but people don't hear those numbers regularly, so they're quite shocked by them. I know I certainly was the first time. I couldn't believe that, but when you add in all the premature babies, our medically complex babies, children that have illnesses—so, for example, 176 deaths in 2009-10. Out of that, we have to perform 51 special investigations. Out of that total, only 14 were children in care, and out of that 14, out of those 14, I do believe that the largest majority were injury, medical, natural deaths.

So when you take the numbers apart and you look at them, it's a very different picture. It sounds really horrendous. Are—do we wish we had more resources for that? Absolutely. We're halfway

through that backlog. The backlog—it has been provided by the Province, to deal with that backlog. So we're half through the backlog. Every child in care that died while they're in care goes to the top of our list. And that's on—what your concern was. How timely are these stories being done and how timely are they?

We've changed our processes, and as we go along, we're tweaking them out and we're refining them and making them better, we think, and we've 'prioritized' all those children in care. They go to the top of the list. They're assigned immediately and the work begins. What many people don't realize is that the way they're done, they're done so comprehensively. It involves community visits, visits with family members, visits with siblings, visits with therapists, health organizations. Anyone that had contact with that child, we will be talking to. And so a report can be written over a period of a year to two years.

It's a very, very long, complex system. Sometimes you're looking through boxes. Literally boxes of files will be delivered to our office. Added to that is the rural component and, you know, the remote component. We're often in the communities. We've been to many of the remote communities to meet with the people there. We've met with chief and councils in some of the communities who had a lot of contact with their children and knew their children, and they usually do in those communities. And so we talk to the community members as well because we want a full, complete picture of what it is that we can recommend, because that's going to have an impact on the next child.

**Mr. Gerrard:** One more comment and then I'll pass it on to—just going back to the situation in British Columbia, one of the things that they recognized is the fundamental difference between where you've got a family member, extended family member looking after a child, and somebody who's not related. And my guess would be that the large majority here have, at least historically, been not family related, although we're starting to see more and more family related care, probably in the last year or so.

But do you think it would be smart to distinguish these categories here in Manitoba?

\* (14:40)

**Ms. Kocsis:** I'm—like to have a kinship category in Manitoba. My understanding is there is a kinship

program that was running, and if I'm not mistaken, it was running out of Awasis Agency, and I think a number of other agencies had a similar kinship program. I think what's moved away from it during devolution and why I'm not hearing that same word is that that was a predevolution word. Post-devolution, it seems to be that family—and it is enshrined in the act and in the principles as well, that all children, even in the UN principles on the Convention of the Rights of a Child, to have the right to have their own family and culture. It's also enshrined in the legislation that children—you have to look at family first. If there's a appropriate, safe family member that can take that child, that child would be steered there.

So I don't know that they're using the term kinship anymore; I think that they've just gone into following the legislation more, if you will, because it was always in the legislation, but rather than designate it as a kin home—and for a while there, there was actually a big challenge predevolution, because kinship homes were not be given the same rates. It was like—I think there was a—you know, half of what the basic rate was for a child in care, and now that's changed where it doesn't matter if you're a family member or not, you will get the same rate, you know, for caring for that child.

And so I think that there's a real move towards that, and that would be in keeping with the philosophy of the devolution process and of giving people the right to choose where their children are going to grow up, like in their family, in their community, in their own language. I think that that would be in keeping with it. And given Manitoba's really high rate of immigration, I think we're going to see more of that as well. And I think that that's where you're really going to start to see some of that come into play, you know, where immigrant families are going to want to—they're going to want their own language, they're going to want to keep their children within their own cultural group as well, because, you know, a lot of them are coming with a lot of history.

So I think that we're—I see Manitoba moving away from the word kinship because they're going to be focussing on family first anyway and, you know, wherever it's safe to do so and wherever it's possible to do so and to shore that up. I think, at the same time, though, you can't have that discussion without building capacity in those communities, and again, it comes back to housing and infrastructure. How can families care for their own even in remote areas if they have such a—there—such a weakness for

infrastructure? They don't have housing; they don't have enough housing; the water is still an issue. You can't provide for a child without that.

And they're very aware of it. All of the families that we talked to and that we see in the communities, they're very clear. They love their kids, they want to keep their kids, and they would love to keep their kids in their community, but they're struggling the same as everyone else. So I think that's a real national discussion.

**Mrs. Bonnie Mitchelson (River East):** Thanks very much for your comments, and I certainly will take the time to read back what you've put on the record because I think many of the comments that you've made are really appropriate to some of the things that are going on today in the system. And I think you've identified some problems, but you also have indicated that there are things that can and possibly should be done that could improve the system. So I—I'm really looking forward to taking very seriously the feedback that you've given us today, and I want to thank you for that.

There are a few things that I'd just like to ask you about and seek some clarification around because I'm not—in the first page of the report that you presented to LAMC, not only are we talking about the increased number of calls that have come in, but also you indicate in here that some of these calls can be very urgent and children are at risk, and it says in 2009-10—and, I guess, is that a full year?—that your office sent out 38 high-risk notifications to various agencies and authorities notifying them of an imminent risk of harm to a child.

I guess I'd just like to understand what the process would be in your office to come to the conclusion that there needs to be a notification sent out and then how that whole process works, and then, secondly, whether there's any follow-up from your office or is there any monitoring of what might be done.

**Ms. Kocsis:** Well—and that's an excellent question because under duty to report, which is 18(1) in The Child and Family Services Act, everyone has a duty to report when a child is at risk of harm or may be. We are not a child protection agency so we do not assess the risk; however, one of the things that we did in conjunction—and actually, this was at the request of the standing committee with all four authorities who had asked that they be notified as well, in a formal way, of when we would see a child at risk. So while we would call some of those calls in

and if the child had a—if we could look on CFSIS and find out a child had a worker, we would direct it directly to the worker first.

However, what was happening is we wanted to make sure that no child slipped through the cracks because that is—that's when you get into some grey areas, especially when you have designated intake agencies and maybe two agencies or three agencies sharing space and, you know, it can be a bit of a nightmare to make sure that things are following up. So what we did is we started with the letters. We sent out the risk notifications to the agencies, and we also cc'd the branch and the authority. We ask that they respond back to us within five days, right, which is the—sorry—the longest time for a risk. They will go out.

Now, one of the things that we found is that we don't always know if an agency is open to a family. For all we know, and sometimes—and this has occurred—we'll follow up and we'll find out that an agency not only is open, they were aware of the problem and they'd already been out to deal with it. However, because of the Child and Family Services legislation and the privacy, you cannot share that information with a source or referral. So when that source or referral, for example, would call an agency and say, well, what are you doing, they can't say, well, you know what, we went out to that family and talked to them. All they can say is, we are following up.

And so—occasionally, we will get people who will then call us and say, well, they're not following up; I reported it and they didn't follow up. And then we find out—after the fact—that, in fact, they had followed up but, because of legislation, cannot share that information. That's very frustrating for families. They're thinking: Okay, well—but nothing's changed; nothing's changed. And we say: Well, you know what, let us follow up and we'll see what we can do with this. And we do follow up. Most of the time, those are closed off. They are followed up. We're not having any issues with those, but we still send them out because we have a duty to report, under the legislation, like everyone else.

Now, what was—what did happen is when we did go to a standing committee, that's when they had asked, the authorities themselves asked that they be notified because they wanted to make sure that that process was working at their designated intake level. And so that's one of the times that we did work together to get those letters out and we are, actually,

are changing and we're just in the process of starting to change them, too, because we've had them noted as high risk and, in discussion, it is—it's very clear. It's not—we're not the ones to assess the risk. We always put high risk because we always go to the top level because, for us, it's about a kid. We're biased. We know that.

But it is true, like, legislatively, the risk assessment belongs with the agencies, and so that we will still send out our risk notification, but they are the ones that are going to decide the risk level, according to the standards: Is it a 24-hour response or is it a 48-hour response? You know, it's a little bit different when you have a 16-year-old, you know, walking around or couch surfing at his friend's, the risk level to that 16-year-old might be a little bit different than a two-year-old wandering, and yet, they're both wandering.

So, for example, though, I can give you some examples of some of the risks—risk letters we have sent out, where children have said, you know what, this stepparent is sexually abusing me, or this child showed up with bruises. Things like that. Those do get dealt with immediately. They have to be dealt with immediately under the act, and we have a duty to report. The minute we know about something, we have to report it. So that's what those were.

**Mrs. Mitchelson:** Thanks for that explanation. That really helps.

I guess my question would be, then, you would presumably open a file, or do you open a file on those cases then, and at what point in time would those files be closed? Are they kept open until you get, you know, sort of a satisfactory resolution to the issue, or once you've reported it, does that file get closed? Is there—can you try to explain to me what happens with that file once it's opened and once you've reported it?

**Ms. Kocsis:** Yes, actually, we do. We will keep a file open. If we're not satisfied, like, for example, we have had cases where nobody did get back to us, and we will not close that file until we're sure that that child has been seen—according to the legislation—not only seen, but followed up by someone and reported back to us. In some cases, if we're still very—in some cases, if we're having difficulty with information flow going back and forth, there have been times where we've actually showed up at an office and asked to meet with someone and talked it over.

\* (14:50)

Most of the time, I have to say, we have been fortunate, most of the time so far, that, overall, they are following up. They will get back to us and let us know that they're following up. We have had occasions where a worker has actually faxed us over a copy of the case plan for that family and, at that point, when we're satisfied that there's a good plan in place for that child, we'll close it. As long as we don't think—if we don't feel safe or secure about a child being safe, we're not closing anything.

So—and it may actually go on for further investigation and it'll be transferred then from the intake level over to the advocacy level.

**Mrs. Mitchelson:** Thanks for that answer.

There's another line in the—I guess in the first paragraph of the report that you did for LAMC that says, you know, that there are several reviews that have been done or are under way in certain stages, but you indicate here that these are not the only agencies struggling to fulfil their mandates. I'm just wondering if you could elaborate a little bit on that. What does, you know, struggling to fulfil their mandates mean and is there any indication of what agencies those might be?

**Ms. Kocsis:** In my submission, what I was talking about agencies struggling to fulfil their mandates, there's different mandates for each agency. Each agency has its own mission statement and its own mandate. And the ones since devolution, I find a lot of them have a very—and for lack of a better word—a very comprehensive philosophy around—or I should say—an expanded philosophy around how to provide comprehensive services to their families. They very much see that prevention is the key to reducing the numbers of kids in care. That's very clear from just reading their statements, their mission statements and their mandates. When they're having trouble fulfilling their mandate, when it says in their mandate we will provide this, this, this, we will provide, you know, cultural camps for our kids or we will provide supportive services to ensure that risk to our children is reduced and that we will be able to maintain them in our culture, in our language, in our communities—agencies are struggling to fulfil their mandates with that because dollars always go to protection.

You know, dollars are flowing to protection because that's the first thing, that's the one that everybody, sort of, the buzzword is on. You know, it's very rare that you see on the front page of any

paper, you know, new agency is opening up a support program for parents, but what you will see on the front page of a paper is that a child was harmed in a home. And so it's that whole skewed view that we have, I think, just socially, as a society, on what's important.

And so, unfortunately, that pressure is on agencies to fulfil the protection, protection, protection, so that while they're doing the protection—and they agree with it, they don't want children hurt either—but that means that there's other things that they cannot fulfil. It means that they are unable to fulfil what they truly believe philosophically in, and so that's the challenge. And that's the challenge, actually, for most agencies, is where is the money going to come from once protection is taken up, because protection takes a huge amount of money. What's left? Where's the prevention dollars? Where's the parenting? Where's the support? Where's the family camp, for example, which is a really good attachment camp. I got to see one up north, you know, at a fly-in community, and it was amazing and they were doing amazing work because the whole family was healing together, and it was great.

**Mrs. Mitchelson:** Thanks for that answer.

Are you seeing—with the increase in the number of calls that's coming into your office, are you seeing the increase mainly from city of Winnipeg calls or are there more calls from outside of the city of Winnipeg? And I don't know whether you monitor that. Just sort of wondering, you know, whether there's any pressure from, you know, from the city or whether there's increase pressure from rural and northern Manitoba.

**Ms. Kocsis:** Thank you for that question. It's a very good question. I don't know that we—we don't track specifically rural and northern, south, north. I can tell you it seems to fluctuate. There are days where we seem to have a lot of calls from the north and then there are days where we're going to get a lot of calls from the south and—Eastman or—you know, it just really depends on what's going on in that community. And it also seems to depend on where we've been recently, where we've done presentations, where we've gone out to visit kids and do presentations on people's rights and children's rights and—where we've taken part in a foster parent, you know, a foster parent presentation. That always changes the flavour of the calls that we get.

The children that we see, we see predominantly, are Winnipeg children. There's a lot of kids that are



placed from other communities that walk into our office, you know, they're placed in Winnipeg or they're placed in the surrounding area. Those are the youth that walk in. We get a lot of those, and they're not usually just from Winnipeg, they're from all over. We see an awful lot of kids, for example, from the mental health services. We get a lot of calls from the Manitoba Youth Centre. We go see all of those kids, and so we see them.

We also see kids up north in any of the facilities. We go to the facilities. We go to the treatment facilities, you know. We don't get to Churchill as much as we'd like to, but my understanding is we went through about an eight-month period there where there's no kids in care, in Churchill, so—very tiny community—but we have gone there.

I think that there's only really two communities in all of Manitoba that we have not been able to make it to, and the joke in my office is that before I am finished working, in my lifetime, what I would like to do is make it out there. And even the RCMP haven't got there so we're trying to divert—figure out a plan how to get to Granville. So—because that's where we want to go. We want to get to Granville Lake. And Tadoule is the only other community we haven't made it to yet.

**Mrs. Mitchelson:** And thanks again. You talked in your answer a bit about doing—visiting communities, doing workshops, and that's really a great part of helping the community understand and know what you do, and what resource you're there to provide.

How many and which staff—what would the job descriptions of the staff be that go out to community? Who does that work? Who travels and how much time would be spent? Like maybe you could just sort of give me a bit of an inventory of communities that you've had an opportunity to visit and what kinds of training and advocacy initiatives have been undertaken.

**Ms. Kocsis:** Thank you. One of the questions—I'll have to give you those towns off my head, like, on the communities that we visit—and now, first of all, we've always had presentations through Winnipeg, through the communities wherever possible.

How often do we travel? We travel quite a bit. We actually have pretty high travel expenses, actually, because we are travelling quite a bit. We—for example, this week, we've got people out of town, again, usually in the north, Thompson. We get up to Pukatawagan. We get up to Shamattawa. We

get up to Pauingassi. We get up to, you know, like I said, Churchill. We've been to Churchill a number of times. A lot of little towns in between because there's foster parents there. They may have little ones in their home and it's hard for them to bring their little ones in and we want to go see the little ones.

We go to schools. We go to foster parent organizations wherever possible, usually MFFN. Manitoba Foster Family Network will contact us if they're doing a workshop for foster parents and we'll get in there as well.

The people that go out are social workers. Everybody in our office is a social worker, is generally trained as a social worker except for the special investigations review team. There's some very specialized workers in that team that, for example, you know, ex-police officers that had experience for many, many years in child abuse units, for example. We've got—you know, we've got masters of behavioural science working down there.

So we've got, you know, our old program manager, who's now the acting deputy, is a researcher, as well, in children with special needs and disabilities, and is well known for that. And so we've got quite a range, but by and large the advocacy team is all social workers. That's what we hire is primarily social workers and you have to have had—in order to work in the office you have to have a minimum of three years experience to work in an intake level, and you need five years to work as an advocacy officer because what we're trying to do is—and we need a certain level of skill at being able to look at these cases. They're very extensive cases. You're looking at very complex issues. You're looking at jurisdictional issues. Sometimes you're looking at financial issues.

You have to be able to read it through and you can't do that at a beginning level. You have to have some experience in the field. So, actually, the joke around our office is about our collective age. Most of us have, sort of, one foot on either side of that line. So, you know—but we're really working hard on our retention strategy, as well, to make sure we keep our young ones, as well, because they're the ones that are going to be the advocates going on. So that's who does the presentations. There's different presentations for different areas.

We do presentations that are focussed mostly on, for example, youth and rights, the justice, youth rights with education. We do a full presentation on

what we do as an advocacy office, overall, with both programs. Sometimes they just want to hear about the advocacy services piece. We're just in the process this year—and this is going to take—this is really going to be challenging—really developing a very robust youth-engagement strategy.

\* (15:00)

We're seeing more and more youth coming in and we're going to bump that even higher because, as I said, we're biased. We're there for kids and youth. That's what we do. That's what we're going to keep doing and we're developing different strategies for that

So just recently, staff went and travelled to Saskatchewan to talk with their offices there to see how they're engaging with youth, especially disenfranchised youth and vulnerable youth. How do we connect with them because a kid that's living in Flin Flon might not have the same access to services and that, perhaps, as a kid that's living in Winnipeg. And so how do we help them find out about their rights and how to access that.

We get a lot of calls and presentations for other service organizations. I just finished one myself at Marymount for their treatment foster home. They wanted somebody to come in and talk about advocacy and how they could advocate better for their children. We get those all the time. We go to any service organization that wants to hear about rights for kids—we'll show up.

**Mrs. Mitchelson:** Good, thanks for that.

I just want to go back to the discussion that we had around permanency plans for children and how you felt it was so important and so crucial to have a permanency plan start right from the day a child is taken into care.

And I do get some phone calls, from time to time, from, you know, foster parents that, you know, haven't seen a permanency plan for a child that they may have had in their care for several years. And there's a significant concern when, all of a sudden, there's going to be a change in placement without any notification to foster families.

And I was just wondering whether you might comment. Do you get those kinds of calls into your office and how are they dealt with when you get them?

**Ms. Kocsis:** Excellent question, thank you, because that's one of the bees in our bonnet, is permanency

planning for children that needs to start the day the child is removed from their home.

You need to develop a matrix. There is a matrix out there that you can develop that says if the child—if the plan is to go home, because for that first two years, you're working with the family, solidly, I would hope, to get that child home in as safe a manner as possible, right? Because everybody deserves that chance to be able to, you know, pull themselves together, address the issues in their home. And lots of times we find that families just need supports, you know, to be able to get on track. We've seen some very good success stories with that.

But if you know early on, right—if you're into year two already, and you're going, okay, what's happening with this child and why is this child—this child just can't go home yet, or the parent has such significant issues that it's very unlikely that child is going to go home, then you should be, for sure, talking about a permanency plan.

But always, when you're talking with your foster parents, that discussion needs to happen right up front. You have to talk about what the plan is. You have to keep them in the loop. And whenever you go and see your child, which is a minimum of once a month if it's low risk, a lot more often if it's higher risk. But while you're visiting your child, every couple of weeks, hopefully, you're going to go and see your child in their foster placement, you're going to see the foster parent at the same time, hopefully, and be able to develop and keep that discussion going. If you can engage with your foster family, you're going to reduce their anxiety. You're going to have that dialogue back and forth.

That, I think, is a concern that we see all the time. We hear calls. We are fielding calls today, yet, about foster kids being moved without any sort of warning, any kind of plan for the family. Generally what happens in cases like that, and the ones that really, really—and that's why I said this is a real bee in our bonnet, is we're getting the ones who are youth are ageing out of care, and they're going to be out of care in a week or two weeks, when the plan should have started three years before. If it's a permanent ward, where was the extension of care plan for this child? Where was the ageing-out plan for this child? You know, it's very hard to find housing in Manitoba. Do you think you're going to find something in five days? This child's going to be homeless.

And I don't know about anybody here, but I have four children and I can tell you that, you know, until they were about 30, I was kind of questioning whether or not they should even be left alone with the dog. So, you know, you really have to think about that, you know. I shouldn't say that because I have a 29-year-old with a beautiful grandson, but there we go. But he's going to come back at me for that one.

But it's true, that all of those permanency plans should have been started. And some agencies are doing much better, like—and I can tell you and I will tell you, one of the agencies that we've been to has a program, an ageing-out program for their youth. They have a celebration for them twice a year. It's one of the programs we actually fight to be invited to because it is such a celebration and it's so significant. That youth is not leaving care without somebody there that publicly claims them and says, I'm going to be with you through this whole journey, I'm not going to leave you alone. And I have to say, they do an excellent program. We're very, very pleased with it.

However, we're still getting calls, even this week, about kids being moved suddenly or the decision has been made to move a child suddenly without any kind of a plan. We disagree with that. All children deserve to be—if you follow the act and children's rights, all children deserve to be part of the plan. They deserve to be asked if they agree with the plan and how they feel about it.

And that transition piece, children do want to go home. Overall, we've seen time and time again children invariably want to go home. They just want the crazy stuff to stop, so that they can go home. But how do you get them there and how do you do that transitioning plan properly? I think that there's huge challenges, though, because how do you do a transition plan if the family is up in a remote community, and the cost to fly in and have those regular visits, that is a huge challenge for agencies. There's no budget for that. So how do you do that? Like, how do you hold them to that kind of a standard if the standards are not equitable?

In Winnipeg, you can just ask for a driver to come and pick up the child, and you can keep those visits going, and you can manage that. Even family visits are a challenge. As soon as distance comes into it, that's a huge issue, and there's inequity in the funding around that piece, I think.

So, the permanency plan, I think that they should follow the one that's actually laid out in the standards, which is an excellent permanency plan. It's detailed; it's thorough; it's in writing; people can follow it easily. But that's a whole different challenge. This is a resource—a manual, a program manual, a standards manual in writing. The binders, how does everybody get one? They're on-line right now, too, but how do you ensure that every small community office gets one, and every worker should have one. Every worker should have one, and every worker should have a senior supervisor that can walk them through that permanency planning process and say, okay, you're bringing this child into care. In 30 days, we're going to do this. By then our assessment is finished—what's the plan? What's the plan? Where are we going? How are we changing it?

And then I think you would see a whole lot less challenges to your office, to our office, you know, about that, if people felt that they were part of the process. That's all people want. They want to be part of the process.

**Mrs. Mitchelson:** Thanks for that answer, but in the answer, you raised an issue that I've had some concerns about, too, and that is the whole issue of the information system in our child and family services system.

And when you say that these standards are on-line, does every remote community have on-line services so that the workers in those communities can access the standards on-line? And if they're not able to access them on-line, how are the workers in those communities able to input the information around the children that they're supporting as caseworkers in those communities?

And that is an issue, and I guess I would ask, you know, when you're reviewing files—and I'm sure that you do ask for files from time to time from agencies when there's a conflict or a controversy or you're trying to advocate and find the best solution possible—are you finding today that most of the files are on CFSIS, and is that tool being used in the cases that you're seeing come through your office?

**Ms. Kocsis:** I would say that in our opinion, in—for example, with the special investigations, some areas have really, really been challenged with trying to get CFSIS up and running, and we're very aware of that. The remote areas are challenged with it. It's not so much that you're not going to have your connectivity.

You're going to have your connectivities. You need the training and support.

Unless somebody's ever used CFSIS—and I have to tell you that when I first started out in this business, using CFSIS, that was a whole course on its own, and I think we should all have a degree in it because you know what?—if you survived it, you should get a degree. That's why I tapped the book, because you know what?—I carry the book. The rest is on-line, but it's very—but the links are all embedded and so, of course, you have to know how to navigate really well, too, and not everybody—well, you know, at least some people like myself are not as savvy with computers as others.

\* (15:10)

I really like the book because it gives me all of the documents, and I'm one of those people that I can read it much easier if it's in the book form. But I find that a lot of offices don't have the book form any more. You know, people have gotten away with that and put it on-line.

Now, as for the CFSIS use, a lot of the offices that we've dealt with in the more remote areas, or at least a good portion of them, were telling us that they didn't have anyone that could hook up to CFSIS and they didn't have anyone that knew how to use it and how to navigate it, and so they couldn't get the files in, and so, even to our understanding, we've been told recently that everybody—every child in the province is now on CFSIS. However, we are still having difficulty matching that up because in the special investigations, when we're doing a child death review, we have to confirm that a child was in receipt of this service and in order to do that, of course, we use CFSIS. We can't always do that. We can't always prove that, according to CFSIS. We have to go looking in boxes and paper, and every file that's in a box is not always on CFSIS and vice versa, and so you might find that there's bits of information missing.

It came out in a report in 2006—if I'm not mistaken, it came out in Carol's report—that there's a lot of information and how people were using it. CFSIS is an unwieldy system to use, and so, in order to move from window to window, you actually have to make things up and tuck those in otherwise you can't close that—sorry—that window to move to the next one, for example. So that was one of the challenges then. I haven't heard that that's changed significantly. There are more people using CFSIS

now. We're able to find more on it, but we're still not getting the kind of information that we feel should be on it and should be in every child's file on it.

**Mr. Chairperson:** Mrs. Mitchelson, any further questions?

**Mrs. Mitchelson:** Pardon?

**Mr. Chairperson:** Further questions?

**Mrs. Mitchelson:** Yes, thanks very much and I appreciate that answer and it is an ongoing issue, and I know government has talked about looking at a new system. I guess we just need to make sure that whatever we're using in the system should be used consistently because, otherwise, I think we're going to, you know, see kids fall through the cracks and that's—is what happens when we lose them somehow in a system where they're not being monitored.

You have a comment in one of your answers to a question. It talked about when you were working, sort of, on the front lines and you have had a lot of experience in the child welfare system and, certainly, a great understanding, and I can tell by your answers that you do understand the issues, and they are very complicated; no easy answers in the child and family services system. But you did mention that when you were working on the front lines that there were, very often, three or four teams that were working together to try to find a consistent way of providing services or dealing with the needs surrounding an individual family or child that needed support and services. Could you elaborate a little bit on that for me?

**Ms. Kocsis:** I would love to because that's my baby. I believe that—and that is my absolute belief—my philosophy is, child welfare doesn't belong to one person or one organization, even. Child welfare is everybody's business, and if it isn't everybody's business, we're going to keep seeing issues unless we 'priorize' it and make it everybody's issue. And so, you know, whether or not a child in Shamattawa is going hungry or cold or whatever, that is my business. I may live in south Winnipeg, but that's my business, because, you know what? I'm still responsible because we are our brother's keepers, as they say, and I really think that the children of Manitoba have not been served well. We have not had the fights around housing, you know, decent housing, a decent income, a decent way to live and food to put on the table. So when a family is having difficulty, it takes more than one person—I think it's foolish of us to lay everything at the doorstep of one,

either child protection worker or child abuse worker; it takes everybody.

So I was fortunate enough to be part of what's called the community development program as well, where we built capacity, where we went into Lord Selkirk, we went into Gilbert Park, we worked with other programs. There would be child caring programs in there. There was going to be Child and Family Service programs and we were all working together. We had mental health in Lord Selkirk along with child protection and a community development resource centre. People were working together to reduce kids having to come into care, and I really believe that that's a model. It's a community model, and that's what I believe needs to happen is a community model, because we all do have a hand in this, you know, and we're going to have to do something. It's like, you know, and I don't mean just at an organizational level, I'm going to say at a municipal and all the way up because, you know what? The municipalities are also responsible for providing infrastructure like activities for kids, you know, so the kids in the city of Winnipeg, they should all be able to have access to safe places to play, you know.

So it's not just one thing or the other. It's housing, it's—all the social infrastructure needs to be looked at. And I really appreciated Irene's report, especially around EI and—because it talks a lot about that inequity, like how hard it is for some of those families. Like, you know, I can't imagine trying to raise a child on three or four dollars a day, trying to feed and clothe a child on three or four or five dollars a day. Like, to me, that's just ludicrous, so.

**Mrs. Mitchelson:** And are those community development programs still working today?

**Ms. Kocsis:** I understand that they are working today, but in a different form. I think it's called Family Enhancement now. I don't know if that's still the same kind of model of what we worked under. I know that, in '99, they changed the model; when I was working the front lines they changed the model. When things changed, of course, in '99, and started getting rid of the child development—or the community development models. So from '99 to 2005 was probably the last that you would see, although I do know that there is still some resource centres out there, although they've been modified, and now they've been sort of integrated with a child protection piece of work as well.

And the interesting part for me with that is that, you know what? Families will approach an organization, like a family resource centre, for help when they don't feel that they're sort of being looked down upon or that it's, you know, that they're going to be seen as less than or that they're going to get into trouble with a child protection worker. So it's a very interesting piece and a dynamic, like, you know, do you want a community—like a community early prevention program? Where does child protection fit with that? I always felt that you could actually do both, but it's how you engage with your community and it's how you do that work.

You know, I can remember having to do apprehensions with families under that community program, but—and having them go fairly well, because we already had a relationship, and we were able to sit down and very clearly talk about this is what needs to happen for now; this is what the plan is; this is when you can expect to have this child home once we've been able to do this, this and this.

So it was a comprehensive type of program. I think there needs to be more of it, and my understanding is—and it's interesting because when I was in one of the communities when I was—actually it was up in Pukatawagan, and that's something that they were starting to look at more and more, and they were saying, no, you know, we shouldn't have to bring a kid into care if there's a community member there and somebody can help this mom and teach this young mom what she needs to know, which is a very community based model, so.

**Mrs. Mitchelson:** No more questions at this point, but just a comment. I just want to thank you for being as open and as forthright as you have been with your answers—challenges out there, and, you know, again, I think my leader said that, you know, lots of things can be looked at that happened in the past, and, you know, certainly, I know that no child welfare system is perfect, and I had some responsibility for that in the '90s, and it wasn't a perfect system, and it's not perfect today, and there have been significant changes.

I do know that there isn't any minister of Family Services—and it went back before my time, or our time in government—that doesn't go to bed at night and carry a pretty significant issue home with them around a family or a situation or circumstance that has been very hard to deal with. And so I know that's not different today than it was back then, but there is a difference in policy and direction and

implementation of policy between parties, and those would be things that we would tend to disagree on, but I don't think that there are any of us here that don't want to see the child and family services system improve, and I think you've given us some suggestions to maybe look at some of the things that might be working today, some of the things that need significant improvement and maybe going back to some of the things that worked a little better before some of the changes were made, and, you know, we can always—we can learn, and I think if we do put our heads together and look to the future rather than looking at the past, we can make a difference.

\* (15:20)

I want to thank you for your candidness and your openness in your comments today and, hopefully, we can work towards stabilizing the system a little bit better in the future. And we'll continue to sort of hold the government's feet to the fire on things that we don't believe are going in the right direction. And I think that that's constructive criticism only with the outlook of making things better. So thanks.

**Mr. Chairperson:** Ms. Kocsis, did you wish to comment or we'll move on to the next question?

**Ms. Kocsis:** I would like to respond to that, if I could.

Thank you very much for saying that, because through this whole process with this submission and what's been done with it and what's been meant with it, I really appreciated having an opportunity to say this is what we're talking about, this is what we mean, because devolution—I was here before devolution. I was part of the '60s scoop, as a child in care. I was here long before the devolution process started. I was working in the field before devolution started.

Devolution, in my mind, is not the big evil on the table. The concept and the philosophy of devolution absolutely has to happen, and I don't think anybody would ever argue that. Everybody's looking to Manitoba because of that. So it's not the devolution. It's the fact that, you know what, we had a broken system before, and we did. There's a lot of issues with that system. There are issues with this system too. But, you know, I really appreciate the fact that, you know what, we're moving forward. It's got to move forward, but are there things to be fixed? Absolutely. And am I going to ask for absolutely everything I can to get it done for those kids?

Absolutely, because I'm biased, and I'm going to stay being biased.

So I really appreciate that, thank you.

**Hon. Jennifer Howard (Minister of Labour and Immigration):** I want to thank all three of you for being here today on an increasingly warm afternoon in the Legislature.

I just want to say that all of us, I think, on this committee take this issue very seriously. I think every society has, as one of its primary duties, to care for its children and to protect children and to protect those children who are most vulnerable. And it's not an easy thing to work with families who are having problems caring for their children and to put the protection of children first. But I want to thank all of those people who are here in the gallery today who are working to do that.

I'm going to turn to some questions for the Auditor General and the Ombudsman. I know that they're—both of you have been very involved in reports on the child welfare system. I know the office of the Auditor General, I think, some three or four reports; I know the Ombudsman has done a few reports and has a responsibility for annual report on the recommendations and how those are being implemented. So I'm going to ask each of you to offer us your reflections.

I know the Auditor General had said that there is a follow-up report that's due, but I also know that there's ongoing discussion with the system and with the department. So I'm going to ask for your reflections on how has that process been in terms of implementation of those recommendations. What have been—what has been your experience working with people on implementation and what has been your experience with taking those recommendations seriously and implementing them to make the system better?

**Ms. Bellringer:** The—we really haven't done the in-depth review yet that needs to be done to give you a comprehensive answer.

The challenges we saw when we did the report in 2006 were significant, and they really, I mean, they're everything that you've just spoken about. We didn't look at the final outcome around the quality of care for children. We didn't go there; we weren't looking at root causes. But we were looking at some of the systemic issues around funding and around the information system. The information system's been mentioned. A solution to an information system

overhaul is expensive, and it's a time-consuming process. And I know the department is working on it, but I don't expect to see, when we look at the follow-up report, an implemented new, fine, finely tuned new system.

But is progress being made? Yes. There were a number of overlapping issues with the old reports that we were following up, and now, though, and some of the recommendations that we'll be following up in the '06 report. And for those older reports, we did see significant progress around looking at the—just the accountability framework, if you will, around—and how well the department was monitoring the way funds were being distributed and then spent.

So, you know, we did see a lot of new resources being put into the grant accountability unit and, as a result of that, there was closer watch on where things were going. And all of this, I mean, you know, I always feel like I'm a bit of the—you know, I'm the crass money person because, you know, it's as though—it's not as though we don't care about what the outcome of the program is, but, at the end of the day, there still is a great deal of resource being put into this, and somebody has to watch it and make sure we know where the money is going.

So, because there are so many independent offices involved, and because there are so many other mechanisms in place, we want to make sure we're not stepping on each other's toes. I do, in this case, want to stay pretty focussed on just the information system area and the funding part, to see—so that the information is out there, just to make sure it's going where it should.

So I did see improvements in the way the grant accountability unit was operating, but because there are now more layers in the system, I think the challenges are greater. And making sure you're getting the right information from the end user, if you will—and I call that the agency level—is just more complicated now because there's just more of a distance between the funder and then that user, so that's why we're going to look at those agency reviews.

I don't think we'll see—this isn't going to be a: we wrote a report; we made some recommendations; they got fixed, and then we walk away. This is an ongoing thing. We've got to see where we can make the greatest contribution in our—from our office. I wouldn't mind some feedback from members, later when we're speaking, about what areas would be most—where that information is most useful. But it's

not a simple fix and it's not easy to get a handle on exactly where things are at because of the complexities in the system as it relates to all of the other interrelated systems, because of the poverty issues and the housing issues and all the various other social issues that contribute to it.

So we've been looking at whether or not, you know, how many kids are in care and why they're in care, and whether the money—the funding model is very complicated because you get into not only the provincial contribution but the federal one, as the minister mentioned, and how much do you provide. There were some inconsistencies in the way the models were set out in the past and some of those inconsistencies have been addressed, but not entirely and, even there, we don't want to be prescriptive around whether it should be broken down by every single activity that should be funded, and then is it being used for that. It's—again, the department is doing more of a global funding, than a specific line-by-line funding and, yet, you have to use some of that line-by-line information to measure the appropriateness of your global funding levels.

So, all of that—again, we're seeing a lot of analysis going into those things. It's concrete and positive information being pulled together, but there are funding constraints and so then that takes it over that line of improved administration does not necessarily mean a change in policy. That's where it gets into the political discussion on whether or not it's achieving those goals.

So, a very mixed answer to your question. I'm sorry, but that's the nature of the situation.

**Ms. Hamilton:** What I'd like to do perhaps is start by talking about one of the significant changes that has been made and, in my view, is a very positive change. Certainly, Ms. Kocsis referred to this in her remarks, and that is the responsibility for the reviews of deaths of children in care.

We made a recommendation that that responsibility be transferred from the Chief Medical Examiner's office, who is not independent of government—he is part of the Department of Justice—to an independent officer and the Children's Advocate with, certainly, the office named. That occurred.

The other thing that's occurred in relation to those amendments is that there's a responsibility now for the Ombudsman to also receive a copy of the

reports related to the deaths of children in care. I think that that's a critical change because, previously, those reports were not—did not receive any independent evaluation or oversight, and there was no public accountability with regard to recommendations that were made in those reports. There now is. That's been established, and I think that's a really critical change.

\* (15:30)

What will happen in relation to the recommendations made and the responsibilities in my office that have now been given to me, pursuant to that legislative amendment is we will be reviewing all of the reports that we receive. We will then be going back to the child welfare system, and I'm going to refer to the system as a whole because it involves the agencies, the authorities, the branch, and the division in Child and Family Services—or in Family Services and Consumer Affairs, rather.

We're going to look at those recommendations and find out what the response has been—whether they've been implemented; if they haven't been implemented, why not—and ultimately provide an analysis and reporting with regard to what we see as the changes in the system that have been made in response to those. And we'll be publicly reporting—obviously not on names or identifying families or agencies, but talking about the system and improvements, or not, as the case may be, in relation to our review of those reports. So it's a positive change and just to provide that further information to you with regard to how we're going to continue to monitor the system on a more systemic basis.

The other change that was made that I view as very positive, it's not quite the recommendation that we made. We had recommended that a child welfare secretariat be established. We certainly support the devolution process and the responsibility that's been given to the Aboriginal community for child welfare of children in Aboriginal communities. The creation of the authority model achieved that, but what we saw was that there was a gap and there needed to be a method of ensuring communication across authorities, ensuring that there were foundational standards that were in place and applied across authorities, a mechanism for having discussions about what those standards would be, about ensuring that foundational standards were written, and then the authorities would have the ability to add culturally appropriate standards, as they saw fit, based on their particular communities.

The system responded by creating an office of standing committee. In our view, that has accomplished that purpose because it does provide an ability to have discussions in the system as a whole and not have decisions being made by authorities without other authorities having input or involvement or understanding what's going on.

The office of the standing committee has been staffed, as we had recommended, with policy analysts from each authority so that they would bring their authority's perspective, but that they would work as a group in order to provide the work across the system and in the provincial child welfare system that was necessary. So that's definitely a positive step.

One of the concerns that we've expressed in relation to the office of standing committee is that there's been a significant amount of turnover. There've been turnover in the analyst positions and we have certainly expressed our concern that stability in the system is critical. The turnover, we're not—we didn't comment and I can't comment on whether that relates to people leaving the system. We didn't do that review but people were moving in the system, and, as I say, the stability in the system is really quite important. So we've stressed that in each of the reports that we've done in relation to this.

Another recommendation that was made in 2006 was that the child welfare system look at differential response in order to provide support to families and children before apprehension became the response that was the only response available. Differential response is in the process of being developed, which is a positive. I hope to see that it's implemented very soon because I think that that is a significant answer to many of the concerns that have been expressed today about the number of children in care, about the kinds of services that children and families need in order to ensure that they can parent effectively, can parent properly, and families can be maintained as a unit to the extent possible so that people, parents have the opportunity to parent their children in a healthy and appropriate environment.

So we're certainly looking forward to seeing differential response, and included with differential response, a risk assessment model. That's something that we thought needed to be developed, not just a safety assessment, so the individual incident was assessed in terms of the required response for that child, but a more longitudinal approach to determine whether there were continuing risks that needed to be



addressed. My understanding is that that's also going to be included in the differential response process that will probably look different in each authority, but, nonetheless is an opportunity to provide support services at a stage of low risk rather than apprehension at a high-risk level.

We commented extensively in 2006 with regard to provincial standards. We were concerned that they were—they needed to be updated. They needed to have the input of people at the field level about what the standards should be and how they should be implemented; that they needed to be disseminated, as Ms. Kocsis said, to all of the agencies and all of the agency suboffices so that every worker knew what the standards were; they had a manual to refer to or they had an on-line version to refer to. Those standards are being rewritten. A significant number of them have been rewritten and, certainly, our understanding is that there is now much better information available about the standards to the workers in the field.

In the course of the updated reviews, we focussed on some key areas rather than looking at every recommendation that we had made in 2006, because, quite frankly, it would have been a huge undertaking to deal with each of those recommendations and determine a response. I can say that, generally, we had hoped the progress would be made more quickly, but, having said that, things are progressing, so that's positive.

We've talked about a number of other issues that are of concern. There are some ongoing reviews related to that. For example, the All Nations Coordinated Response Network, that is the intake unit in Winnipeg so critically important to the system. It deals with a significant number of agencies in the system. But, as a result of some concerns, certainly, the southern authority and the Child Protection branch have taken action to deal with issues that were identified there and are dealing with those issues and working, not only with the southern authority, which has the responsibility for that agency, but also working in the agency with the people who work there. So that's a positive change.

Workload relief was one of the first issues that we raised because we heard from the field that workers were stressed in terms of the workload that they had. They were concerned that they weren't able to do family enhancement work and that they were often dealing strictly with child protection. One of the responses was to provide a significant amount of

money for workload relief and hire people on the front lines. So that was a positive response to that recommendation.

I think that, as Ms. Bellringer has pointed out, CFSIS continues to be an issue. It's a complicated system and it's certainly something that we think needs to have further work. She's indicated that that's an area that she'll continue to review, so I'll certainly be referring to and talking to her with regard to her review of that particular process.

One other thing that we did that was—that came out of the child welfare reviews, and I would just like to refer you to it because it's sort of a different kind of view of reporting, I guess, on the system. Last year, we conducted something called an appreciative inquiry model. We wanted to hear from children in care. We heard from them in the 2006 review. We continue to talk to children. Most—the greatest contact that my office has with children is those who are incarcerated in the Manitoba Youth Centre or the Agassiz Youth Centre. But we wanted to hear what they had to say about foster care and what they thought were the positive experiences that they had had in foster care, with the hope that if we heard positive things from children about what was being done right, then that would be information that would be useful for the system as a whole and, hopefully, capable of replication in other circumstances.

So I won't go through it in any detail, but what I'd like to do is just refer your attention to it. It's called, *In Their Own Words: An Appreciative Inquiry into the Experiences of Youth in Foster Care*. It was issued in April 2009. It's on our Web site. I believe that it was released on the CD of the annual report that we released just a month or so ago.

So those are some of the major areas that I'd like to comment on. As I say, I think that strides have been made. The child welfare system, certainly, there are lots of other improvements that can be made and it's encouraging that we're having this opportunity to discuss those today.

\* (15:40)

**Ms. Howard:** I want to thank you especially for your use of appreciative inquiry. I've been involved in some processes where that is used and it does certainly shift the conversation from a conversation that is always focussed on what is going wrong, to a conversation about what's working and how can we replicate what's working, and it is an important part

of the discussion. And it's a very important part of the discussion, I think, that you talk directly to children who are in care. So I want to thank you for that work.

To the Children's Advocate, I'm just trying to understand the discussion we had a little earlier about the numbers of children in care in B.C. and I just want to make sure I understood what you said correctly. There are 45,000 children in B.C. in care, in kinship care, and, in addition to that, there's about 9,000 children in care in families or where people who are taking care of them are not related to them. Is that the accurate breakdown?

**Ms. Kocsis:** As I said, I'm not quite finished reading in that, but my understanding is—and I don't understand their model, actually. We're leaving Sunday to go and talk to them about their model and also the model that they're using to do aggregate reviews of child deaths. But—so I hope to get more information as well from there.

But my understanding is that there's 9,000 children under a legal status in the province, but another 45,000 that are in kinship placements, which would be family placements. These are children that would typically have been in a child welfare placement, if family or other avenues wouldn't be available to them.

And so, there's been quite a review. And I know it's just been released and I'm pretty sure it's on-line under their child and youth representative, on her website, for anybody that wants to take a look at it. Because they count the numbers differently and they do things a little bit differently, so it's quite interesting.

**Ms. Howard:** Thank you for that, and I think you've pointed to a good caution for all of us when we're comparing numbers. And I know the Auditor General often cautions us on this front, that we have to really know what kind of systems we're comparing because otherwise we can get into some discussion that's not really representative of the factual nature of the system. So I want to thank you for clearing that up.

When you talk—there was a great deal of discussion about the number of calls that your office gets and how they're handled. And I know you had talked about some of the work that your office has done on outreach and publicizing the nature of the office. And I think that was also one of the

recommendations of one of the many reports on how to improve the child welfare system, that if people don't know that they have an office to go to, that there's a Children's Advocate, and especially if kids don't know what their rights are, it's hard for them to exercise those rights. So I think that work that you're doing in terms of outreach is tremendous and to be appreciated.

When you look at the calls that are coming into your office—I know you have some power to break them down—that volume of calls, you said 170 in a day, those are all calls that come into your office. Those would be calls that come into your office from schools that are looking for an educational program, calls from people who are inquiring about your services, calls that may be as a result of media articles and calls from kids who are really in need of protection, have a complaint.

I'm just wondering if that's accurate, that that's all the calls that come into your office—about everything?

**Ms. Kocsis:** Yes, actually we have three levels in our office. The first level is what we call general information calls and those are logged separately and they are actually reported on separately in our annual report. And we have—we probably receive—between 30 and 35 percent of our calls are general information, where people are actually looking for where do I go to get help. Like, you're the Children's Advocate, well, I've got a niece that I'm worried about, or something like that. So even though it might be child-protection related, they're still calling us because they don't know where else to call, and so we will refer them on to an agency. And oftentimes we follow up to make sure that, you know, that call did go through if it's a child that's at risk. So that's one section of the calls.

We also get calls, a lot of calls from youth. You know, their placement's broken down or they disagree with the program or they don't like what's happening for them, they don't like the plan. Calls from youth who are saying, you know, I've been sitting in here for two months and my worker still hasn't come to see me and I can't go out unless my worker signs for me.

A child with mental health issues is sitting in a, you know, the PY1, saying, you know, I'd really like to go out for an hour this weekend but unless the support worker can come and take me, I can't leave this building ever. And, you know, calls like that.

We've had calls from very-letters and calls from young children, where teachers have helped them write the letter and said, you do have the right, and, if you're scared or you're worried. And especially in small communities where everybody knows each other, sometimes it's safer to field it through that way. And we can get in there and deal with those calls.

We also get calls from agencies. We get calls from agency staff asking us, you know, can we talk to you about a plan we're planning for a child, just to make sure it's a good plan. Even though they know that we don't have the jurisdiction to make them do anything like that, they still like the input. You know, we get an awful lot of calls from foster parents who are worried about the plan for the child. Is it a safe plan? Is it going to be okay? And we get calls from children themselves who say, you know, I'm being moved again and I don't want to be moved, or a lot of calls from youth that tell us, you know what, my worker's not returning my calls.

Lack of response is probably our biggest issue across the board, and I would say lack of response at every single level: lack of response to the child; lack of response to the foster parent; lack of response to a parent; lack of information to any of those groups, and they get very anxious. They get very angry, and they start calling everybody then, and that's what they do, is because they're so frustrated. Their level of frustration is so high; like, how many times do I have to call and get rerouted?

I understand their frustration. I know that in one organization I called, I got rerouted four times, and I was calling from the advocate's office. So, you know, I can't imagine the level of frustration that parents and families and kids must feel trying to get through, you know, to a worker, to a front-line supervisor. When we say, you know, follow the process—we encourage people to follow a mediation process. We say, you know what? Call the supervisor if you don't like that, you know, that plan and that, for your child. They'll go and they'll call, and they'll come back and they'll say, they said they can't help me. We've had kids that we've sent down to an intake agency because they were homeless—and we said, you know, that's a child protection issue—who were told, no, we can't help you. So we've—they've come back and we've gone back with them, and they did get a placement for that night and a plan started.

It's an inconsistency, so that's very concerning. And Shelagh has just asked me to remind you that

it's not 173 calls in one single day. That's how many are sitting on our system at any given time, so after that first-level calls—those general calls are dealt with and they're closed off—whatever is left is on the second level or the brief-service level, and that's where you might have 173 or 186 or in some cases 110, which is a good day, now, in our books. We haven't seen that number for quite some time now. Those are calls that are either in the process of getting information on or in the process of contacting back and forth. You know, sometimes you play phone tag with people. Calls generally pick up in June from educators who are really worried about a kid over the summer, and so they're calling us, and we're saying, well, you should be calling the agency, and they're saying, well, you know what? It's hard to get a response.

And, again, it comes back to that communication, a response so that people know who to call and when to call, would be very helpful for most folks, too, you know, just having somebody to be able to callback. I don't know, when you've got, you know, 35 cases and you're juggling, how many calls can a worker really return in one day? I know the challenge of that because I've done that job. It's very difficult, and especially when you've got very urgent business to take care of with a child that needs protection immediately. That is very difficult to do then.

**Ms. Howard:** Well, I just want to thank you again for your appearance today and for the work that you're doing, that all three of you are doing to help us improve the child welfare system and wish you well in that ongoing work.

**Mrs. Myrna Driedger (Charleswood):** Just to go back to what the Children's Advocate was saying about the confusion about accessing the system and the frustration a lot of people feel, what needs to be done to fix that?

**Ms. Kocsis:** Thank you for that question because that's my big recommendation, if I could put that out there. We need a really comprehensive communication information strategy. There was one that was done at the rollout of the AJI-CWI process. When the child welfare initiative was moving out, there was a really good strategy in place. Stakeholders were called into it. Education professionals were called into it, mental health professionals. Everybody was sort of educated on what it was going to look like, and there was little

booklets that even went out, and I can remember families holding on to their booklets. The only organization right now, to my mind, that actually still puts out a how to navigate the child welfare system booklet is Mother of Red Nations, and I know because we're using it—we're referring other people to it because it's a basic booklet that just tells you these are your rights as far as child welfare goes.

\* (15:50)

We need a much more comprehensive information strategy, but, by and large, what needs to happen, in our opinion, people at the front door—and we always take them for granted and those are our receptionists—and the people at the front door, I really would love to see every agency have positions where they have community resource listings right at the front door where they can divert families to. If that's not where you go to if you want a parenting class, why do you need child welfare? You can go to this one here, where they can divert families to. But also answer questions for them. And that's the confusing part for a lot of families, is they'll call an agency, but unless they can talk to a worker specifically—and that's very difficult to do because the workers are running all over—there's no—none of that front-level infrastructure in place to be able to answer questions.

Just—I keep saying we need a 311 for child welfare, except I'd really like one that works really, really well if I could, you know, because you don't want to wait 40 minutes. You don't want to wait 20 minutes, and I—because I always question how many calls does All Nations Coordinated Response get that really could've maybe been dealt with in a very different way or in a different manner, you know, and then that would have cleared it up for the child protection concerns, you know, or concerns around children.

But everything gets lumped into the, sort of, the same pot, and so we're fielding calls all the time. So it hits our system and boosts our numbers and has—pulls our people off, but the same for other systems. So I think a really comprehensive—and it needs to be in writing. It needs to be on air in some of the communities, the little radio stations. Like, it needs to be an ongoing process of always having that dialogue helping foster parents understand how to navigate the system, helping parents understand what their rights in navigations are, making sure youth and kids know about it.

Now, in the standards, there's actually a caveat that says that all parents—and I'm just going to take a quick peak here just to make sure—but—that all of them are required, like when a child comes into care, you're actually required to give it to them in writing what the process is and what the internal dispute resolution process is. Our parents aren't telling us that they're getting that and so they're looking for answers elsewhere because they don't want to sometimes ask the system because they're still scared of the system. Their kids are in that system.

So, you know, there needs to be an adherence to what's out there, that's what's been legislated to be done, what's in the standards to be done. But there also needs to be just a general information strategy, and one of the things I really think needs to happen is we need to educate the public on what child welfare is. I think this is an excellent start. This is an open forum. This is an excellent way for anybody that wants to know about child welfare or how child welfare is doing, and when you can pull all of the people in the room to have that discussion, because everybody's got a different piece of the pie, I think that's an excellent start because that opens it up. Not everybody's going to read my annual report or anybody else's annual report, you know, but maybe they'll come down and want to listen about it if they hear that child welfare—there's something going on with child welfare, and if you can have public forums to just talk about what's happening in our community with our kids and just have that general dialogue, I think that's an excellent way to do it.

**Mrs. Driedger:** I know we've only got a few minutes left, so I'm just going to go right to one of the questions that—and probably skip my other ones—but we know that kids are falling through the cracks. We know there's gaps in the system. I think you've identified, right now, one of the big opportunities to fix things would be improving the communications system within all of this. Is there anything else like a high-level type of opportunity or a few that you could recommend right now to tackle some of these challenges?

**Ms. Kocsis:** What I would recommend to tackle some of these challenges, we do have some different things. We have some themes that we've pulled together that—some trends and things that we've been looking at: provincial standards we need to get better at; case management continues to come up on our radar screen time and time again; adherence to case-management standards. Now, having said that, being able to adhere to a case-management standard

implies that the resources are in place to be able to do that, that you're not travelling 400 miles to do that, and that there's all these other caveats. Those case-management standards have to be realistic and they have to be reviewed on a regular basis to see doesn't make sense.

So the case-management standards are the standards. That's what's in place right now, and if we follow those standards, it includes intake and assessment. It includes permanency planning for children. It tells you what you need to do for foster care. It's actually the guidelines for all of it. So, in adherence to that, and now when we go back to the communications strategy, everybody being on CFSIS, having a central foster parent registry so that foster parents—if a foster parent is not doing that well with a certain kind of kid in another home or maybe even have abused that child, why should they be allowed to hop, skip and jump over to another agency only to pop up somewhere else and foster again? And that happens all the time because there's no mechanism to share information on foster parents. And if they haven't been formally charged and are not on the Child Abuse Registry, you're not going to know about those concerns. And they can do that, and we've seen that happen. And we've seen that happen more than once. So that's an issue.

**Mrs. Driedger:** I'm just wondering, what's your take on why the standards aren't being met nowadays?

**Ms. Kocsis:** I think that that's a really, really complex answer. I think that there's a lot of—and I think all three of us here at that table probably own different pieces of that answer. Like I say, I'm coming at it just specifically from the children and the youth that we hear and the people that we hear anecdotally and that come into our office. They also lay the bones to it as well. But quite honestly, as I think that when you're asking people, even with reduced caseloads, we are still not at the caseload size of best practice.

The best practice caseloads sizes are there for a reason. There's—it's been well documented that if you want to do good prevention work and try to carry a caseload at the same time, you have to give people time to do it. I think that also there has to be some flexibility around the standards, especially for areas where, if you are having to fly to get into an area to see a child and then fly out, that's one child and one day. And if you have even a minimum of 20 kids on your caseload, you've used up your whole month and

you still haven't done all your paperwork which takes you, literally, 50 percent of your time.

**Mrs. Driedger:** The issue of, you know, kids in need of care and kids in need of protection is just such an emotional and difficult one. It's just so hard to imagine some of these kids going through what they're going through. And it's, you know, very distressing. It kind of rips your heart apart, and it's something I know that I could never do. I did not do well in pediatrics either, because when I was a student nurse there, I couldn't handle seeing little kids in pain or crying or missing their parents or whatever.

So, you know, to everybody on the front lines, I really commend you for this type of work. I could not do it. I cannot imagine people doing it on a day-in-and-day-out basis. And, you know, to everybody that's on the front lines working so hard to try to make the system better and to try to take good care of our kids, I just want to say, you know, thank you for everything that you're doing. It's a tough job, and sometimes the system isn't always there to make the job better—that sometimes the system that we have makes it worse. But to all of you on the front lines, you know, just, you're doing the best you can and most of the time, it's probably a great job that is getting done.

You know, as my colleague had indicated earlier, too, that sometimes the systems are so complicated, it's not always easy to be perfect. But I think everybody's trying to do their best and just—I just want to acknowledge all of that.

**Mr. Chairperson:** Before we move on to the next question, since we're approaching the four o'clock hour, the Chair would like to ask the committee: Since we said we would review the sitting time at 4 p.m. and we're almost there, what's the will of the committee with respect to the hour?

**Mr. Martindale:** Mr. Chairperson, I brought my supper to work. So I recommend we sit until all the committee members have had a chance to ask all their questions.

**Mr. McFadyen:** Mr. Chairperson, I don't know if the member for Burrows brought enough to share with the rest of us or not, but regardless of whether he—*[interjection]* Right. Sorry, fish and chips, is that what I heard? Oh, I see, okay, right. So but whether he did or not, I know I have one or two more questions. The member for River Heights (Mr. Gerrard) has indicated an interest in asking a couple

more questions. I suspect we're within 15 minutes to half an hour of being wrapped up.

So if it's the will of the committee, maybe we can agree that we sit until 4:30 or until the questions are wrapped up.

**Mr. Chairperson:** Is it the will of the committee to sit until 4:30 p.m.? *[Agreed]*

Then we'll proceed with the questions. Thank you to the members of the committee. Mr. McFadyen—Mr. Gerrard, do you have a point?

\* (16:00)

**Mr. Gerrard:** I think the comment was until the questions are finished. So I think it'll be close to 4:30, but maybe we could just review it briefly at 4:30.

**Mr. Chairperson:** Okay then, I'll rephrase it then. We'll proceed until all of the questions have been addressed and then, at that time, whether it be 4:30, before or after, until all the questions have been completed and the answers. Okay?

We'll proceed with the next question.

**Mr. McFadyen:** Thank you, Mr. Chairperson, and Ms. Kocsis again.

I just want to come back to comments you were making earlier about permanency plans, as well as the issue of the challenges in the relationship between foster families and the agencies which we see coming up, and all of us, as MLAs, have had individual cases present themselves to us.

I know you've had many cases present themselves to your office. Maybe some of the same cases have come to both yours and ours, and I wonder if you can offer any recommendations as to how that issue of that stress between the foster families and the agencies can be better managed and resolved going forward.

**Ms. Kocsis:** I really believe, and, again, I go back to the standards. It's written very clearly in the standards what needs to be done and it's a matter—in my opinion, it's a matter of supporting your staff and helping them develop those skills. I really believe that I see a difference in flavour when I interact with workers at hand, for example, who work in foster care, they have a very different way—style of working than, let's say, front-line protection workers, and I know that there's this real generic sort of way of working with families.

But there are guidelines out there: How to do it, how to develop a permanency plan, how do we interact with the foster families. It needs ongoing training for the foster families even if it's done as a group. Agencies can get very creative how they do that, but if you can adhere to the standards and follow the standards, that would really, really help those children. If you had to sign off, or a supervisor had to sign off on a standard that says, you know what, we have discussed this permanency plan with the foster family when we placed the child. That's right up there with did we discuss the medical history of that child? Did we give them whatever information we have on that child so that they're not going in blind and finding out in the middle of the night that the child's asthmatic. You know, who is the child's doctor? How do you get them to the hospital?

Like, anything that can help shore up and support foster parents to do the job they want to do well is going to be a benefit. The guidelines are there. It's a matter of finding the time and making sure that people are trained in it and making sure that people—that there is support for doing it. You know, that you have the time to do that and—because it takes time. It takes time to develop those relationships and to make sure that workers are seeing their foster families on a regular basis, because if you have that ongoing dialogue, it's much, much harder to have those, you know, those disagreements. You can still have them, but they're not going to get probably as out of hand as they would otherwise.

**Mr. McFadyen:** Just as a general comment, you've painted a picture in your report and your comments of—the word that you used was "chaos" and you've described—you've gone on to define that in a way that I think helps us to have a better understanding of what that word means in this context, and there are a lot of things to be concerned and worried about when we see some of these issues arising and some of the trends that you're referring to.

If you had the ability to make one or two changes immediately to move a step closer to stability and away from chaos from a government and an agency and an authority perspective, what would those immediate steps be?

**Ms. Kocsis:** The very first step, I believe, needs to be a very comprehensive information communication sharing. A great deal of the chaotic, frustrating, anxiety-producing trauma for families, for kids, for everyone that's in the system and everyone that's

outside of the system even, people need to know where they can get information. That's first and foremost.

When you give people information, it reduces their anxiety, and maybe they can't change the outcome, but at least they know what their rights are and then know how that can play out. There needs to be some sort of system, some sort of general information system, where people can phone and say, you know what? I need help. And not feel bad about asking for help.

So, hopefully, the Family Enhancement Model, the DR model, will work, that would be great, but the communication strategy really needs to be—it needs to be comprehensive; it needs to be robust; and it can't be done in just one format. It needs to be done in posters; it needs to be done in leaflets; it needs to be something a parent can hold in their hand. And it all needs to be written in a way that makes sense for the family, and it should always lay out: this is what the dispute mechanism isn't. Because then I think that you're going to see—like the other piece to that is that agencies and authorities themselves also have to ensure that everybody in their agency and in their authority knows what the lines are and knows what the answers are because we get a lot of calls from families who say the agency told us to call you. And so we'll call the agency. We'll ask for questions. We'll get bounced through three different—three or four people. We're professionals. If we're getting frustrated trying to get an answer on a child, I can't imagine what their families feel like, like it must be so frustrating for them. So we have to make sure that everyone is communicating.

When families are receiving service from an agency in the north and they come down to Winnipeg, and the agency in the south and the agency in the north are having a dispute or a difference and it's the same agency, how do the families feel? Where are the kids being served? You know, we're spending so much energy and our time trying to just get information for everybody that, you know what, the kids just aren't being served, and that's what really needs to happen. And so I really think that people really need to look, and I think it's something that everybody can do for themselves in their own agency, their own organization immediately. Check and see how easy is it to navigate your system. What are your clients telling you? You know, ask the kids. Somebody should ask the kids what they think.

You know, I was really happy to hear and to see Irene's appreciative inquiry, because it is an appreciative inquiry. However, on the balance, we're getting the other kids that are coming to us saying, you know what, I have to leave my foster home in five days and the worker still hasn't even come and met with them to tell them where they're going to go, where they're going to live, and we're talking five days, and we're talking about a special needs youth.

So, you know what, it's communication, and it's at such a complex level and so many layers, you know. So while Irene is out there gaining some of the positive kudos, I think we could have a really balanced picture between the two of us because we're getting all the kids in the nightmares where we're scrambling and we've got workers scrambling, running out the door at the end of the day saying, where are we going to take this kid to? You know, where is kid going to go?

So it really—the communication really, really needs to start happening because, you know, you can't just assume that people know about a child welfare system. You have to take the time to sit and talk with the families, whether it's a foster family, a biological family, a grandmother. It doesn't matter who it is. It could be, you know, your kokum. Sit down and talk to them, and talk to the kids at the same time because, you know what, if you really want to know what's happening in child welfare in this province, I mean, the kids will tell you.

**Mr. McFadyen:** And just a final combination of comment and question. But, firstly, by way of comment, I want to thank you for the level of candour that you've displayed in committee today and in your report, and in all of the questions that you've been asked. I think you've, as well as the other independent officers, looking at this from their own perspectives and within their mandates, the candid comments that have been made, which I think help a great deal in moving us toward a better understanding of what's happening and how to move forward.

As we look at next steps following today's committee meeting, one of the things that we're very strongly in favour of and happy to see will be the annual meetings between a legislative committee and your office. And I want to ask you whether the annual reports, which are pending, are going to lay out in some detail some of the issues that have been covered today, as well as some of the recommendations that you would be making for

improvements to the system on a go-forward basis? I think it would be a very helpful basis for further and future discussion at committee to have a lot of this laid out more comprehensively in those annual reports for discussion at committee as we go forward.

**Mr. Chairperson:** Ms. Kocsis, did you wish to comment?

**Ms. Kocsis:** Yes, absolutely, and we will be commenting on the themes, because we actually track our concerns in themes whenever a file closes. We note all the issues that were noted at the time that file came in to us and how it was resolved. So, you know, we do track themes and they are reported on in the annual report. You're actually going to get two reports, back-to-back, this year, as soon as I start writing the second one. The first one's already pretty much done. So we hope to have it—by the fall, people should have those annual reports.

\*(16:10)

**Mr. Gerrard:** First of all, a big thank you to all three of you for being here, for being patient and for your contributions not only here today, but all year and all the time on behalf of kids.

I've got some questions for each of you to follow up.

One of the big issues is staffing levels, I mean, it's in your report. You've mentioned it today that the staffing levels are well below what our best practice is. As I would see it, I mean, from where we started with the current government in '99, we had 5,000 and about 300 kids in care. We now have 8,600 children in care, which is a 60 percent increase, and I think that—I'm told, I don't know if this is accurate, that there's been something like a 60 percent increase in staffing levels. But if you've got a 60 percent increase in care and you've got a 60 percent increase in staffing levels, you're really just treading water. You're not getting ahead in terms of providing or getting any closer to best practices. I wonder whether you'd comment.

**Ms. Kocsis:** Well, I think one of the things that maybe didn't get quite as much play as what it should have is you can have equal staffing numbers—best practice—and the—we're still not currently at best practice because it's somewhere around 20 for an average caseload. So—and it's a combination of different types of cases. But there's also—there's new authorities, there's new infrastructure out there and those are going to take people too. You know, you

need people for your IT. You need people for this, you need people for that. Like, for basic front-line work, one of the things that's become clear to me, especially in the last five years, is the level of time, the amount of time, actually, that's spent just doing—trying to do the paperwork, you know.

We keep thinking that technology's made it easier; it's made it hugely harder, because now, not only that is there's standards in place that say you need a paper for this, this, this, this and this, and the way the CFSIS system is set up, you have to be able to get—click through all these windows, get all the information in. While you're doing that, you're not seeing your kids and you're not seeing your families. So, I know that, traditionally, there used to be things like case aides and different models of social work levels. Like, a beginning social worker, a case aide or somebody that wants to be a social worker might be working part time through the summers, for example, as a case aide helping out with case work and that. So, you know, I don't know what the easy answer is for that. At some point we're going to have to make a decision on—as a system, how that's going to work out and how that's going to play out. But I do know that the best practices are out there. The models are out there. They've been out there for quite a while now, but I don't know of any agency that's actually able to just work according to best practice.

**Mr. Gerrard:** I mean, basically, what I think you're saying is that even with a 60 percent increase, we're not really keeping up because, in fact, you've got more agencies, you've got a more cumbersome system in terms of what has to be filled out in terms of paperwork and so on. So, you know, thank you.

Now, I'd like to ask a question to Irene Hamilton, all right, because, I mean, one of the threads which has been pretty strong running through a lot of the conversation in terms of why children are in care are the problems with poverty, housing, mental health issues, people aren't getting the support and so on, and you've done a pretty thorough report recently at the bequest of the Social Planning Council, the Canadian Mental Health Association and a variety of other organizations. My question would be for you: We've got almost 9,000 children in care, you know, if those supports were really there and in an effective way, you know, what sort of a reduction would we see in terms of the number of kids in care would be your guess?

**Ms. Hamilton:** I think it's difficult to speculate on what the reduction might be, but my view—and it was



expressed in the 2006 report—is that there needs to be comprehensive service delivery. So, instead of individual programs providing what they provide in accordance with their own mandate, it should be a child-centred service delivery model that looks at all of the requirements of that particular child or that particular child and family in terms of what their needs are, both in terms of financial support, housing support, mental health services, interaction with the justice system if that's a possibility or if that's a problem at the moment for that child as well. And if the child becomes the focus, and then the systems speak to one another in order to ensure that the resources that are going into dealing with that particular child's problems or that family's problems, they would be maximized, I believe, by having a child-centred focus.

Child welfare alone is not the answer. It can't be. There have to be a whole variety of other collateral services that go into ensuring that problems that are emerging are dealt with early on so that they don't become bigger issues, either in the child welfare system as a protection issue or in the justice system, where there is potentially offending behaviour happening.

In my view, if that were able to happen, it would be very much like a differential response model, where there is early intervention, comprehensive intervention, and I can't imagine it would do anything other than reduce the number of children in care.

**Mr. Gerrard:** I talked to a number of people on this issue in different places within the system and had different people from very different perspectives tell me that you'd probably reduce it by about 30 percent. I mean, I think one can only guess at this, but I think it would be substantial if we really were to put that in place effectively.

To Carol Bellringer: I think you mentioned earlier on, you had the report in 2004 which, at this point, about half the recommendations have been implemented. I think that's what you said earlier on. I just wanted to give you an opportunity to kind of expand a little bit on that.

**Ms. Bellringer:** That one, they weren't broad recommendations in that report. It was a report that dealt with the child-care treatment centres. And the recommendations that had not been implemented, they were in progress, so the department was working on them. And where some of that was coming from was delays in meeting reporting

requirements. So when an agency doesn't meet its reporting requirements, we were looking for the department to put some kind of an action plan in place to respond to that and to get those gaps filled. That was the first recommendation. Again, where other information was not being provided by the CCTCs to the department, a process around that, and quality assurance reviews.

What we see as an issue in the department—we've had several conversations over the years with specific reports and now more in general terms. When the department receives information and they're analyzing it, I would say it's at an adequate level. If the information is coming in, they will coach agencies to provide it. But every now and again, you're going to get a problem area where it's very difficult to figure out how to motivate that agency to meet the requirements. And you know, that is where the real challenge is for the department. And really there are very—I mean, to take a dramatic step of saying, well, we're going to stop funding an agency because they're not sending in their financial statements is a bit dramatic and unnecessary. So you do run into the problem of it is difficult to figure out what those other remedies are in the event that they don't meet those requirements. So that's where that difficulty is lying, in those—the agencies that aren't complying, how do you get them to do so without taking dramatic measures? And they're working on it.

**Mr. Gerrard:** You know, I'd like to follow up because one of the things that I think is tremendously important is to make sure we've got a focus on what are the outcomes. And you know, talking with a variety of people, looking at within the system and from various perspectives, that there's a need to do a much better job of looking at outcomes, of measuring outcomes and of focussing on outcomes.

\* (16:20)

You know, all the processes in the world, you know, we can use but we—you know, the bottom line is what are the outcomes for kids, right? And I know some people are, in fact, trying to focus on this but being frustrated sometimes by the system that we've got—that it's not working as effectively as it should in terms of allowing people to better focus on outcomes, to measure outcomes, to be able to know what's happening.

You know, we've got, as an example, I mean, we know that a significant proportion, I think I remember a figure of about 37 percent of kids in

care, were identified in the sample as having FASD. Now, that work was not done in a way that would give you as much confidence as you would like in that number. And so, I mean, if we don't have the base line information sort of going in, then it makes it a lot tougher in terms of dealing with these kids and in terms of looking at, you know, how they do compared with other kids, for example.

I would look at—we know that children in care have more—have a fairly high level, depending on how you look at, and which group of kids you look at, of problems like juvenile delinquency, getting in trouble with the law, and so on. I'm not sure that we actually accurately know what that proportion is, or whether we're tracking it, whether we're looking at what we're doing is actually improving it, how these children are doing as adults in terms of employment, in terms of how these kids are doing in terms of raising families.

You know, I think that there is a, you know, desperate need, really, to be measuring outcomes and looking at how we're doing and what the impact of what we're doing has on the outcomes. And, you know, maybe you could comment on that, because I think that's sort of part of your job.

**Ms. Bellringer:** As you know, we're always wanting to see better outcome measurement right across government and through individual departments. I'd actually link that one to the information technology point, because the issue of CFSIS, I don't think, is just a modification of an existing system to make it—and even educating people on the existing system, I don't think, is a real solution to the problem.

I know the department is looking at alternative systems, and that's a bit of, maybe it's a longer term solution. But there is a lot of technology today that's significantly different from what was put in place when CFSIS was originally designed. And, you know, I see the solution to that as being a paperless, burdenless, not adding to people's time, but rather giving them the tools they need to really do their job better, not see it as something that, oh my goodness, it's the end of the day. Now I've got the nuisance of putting all these into, onto paper and into a computer, and I don't have access, and those complications.

But where I bring into the outcome measurement, if you do bring a new system into place, the first step you're going to have to go through is a complete needs assessment. And one of the needs is figuring out what you want to measure and what information do you need to put in the

system and so on. It's, as I say, some—doing something like that is an expensive solution.

I'm definitely walking over the line in talking to you about a policy, or at least, you know, something that would be a resource user, that's it's not usually my job to go there. But at the same time just understanding all of those pieces and seeing where it fits into the information technology area, is to say you look at what it is you're trying to—you need the information about, and then the actual roll-out of a new system is going to give you a lot of opportunity to do a lot of other things, more than just having a better computer and having it, you know, run quickly or something like that. It's a far bigger process than that.

So that, to me, would be one of the ways to get at figuring out what those outcomes are. And we don't make comment on what the outcomes should be, but we do promote your figuring out what they are and being very explicit about what they are and then building them into the individual components of the system.

**Mr. Gerrard:** Yes, one of the shocking experiences that I had recently dealt with a family who had a teenage daughter who had been doing very well, and then got into some problems with drugs and gang. And the family in this, the parents in this instance, went all over the place trying to find help, at one point, went to a Child and Family Services worker and was told, bluntly, by the Child and Family Services system worker that the last thing you want is for your child to be taken into care, because the likelihood that she will end up worse, rather than better, is high. Now that was a pretty shocking, jaw-dropping, you know, moment when you hear that, right? And from somebody communicating within the system.

And, I mean, I think that there are some kids who are—we are not doing as well as we need to be doing and that—as we've already been talking about—in terms of tracking outcomes of these kids so that we know that we're actually achieving better results. Now, I mean, you—I leave it open to anybody to comment if you like. It's a pretty sad statement, and it may apply to a very particular circumstance, because I think a lot of the time we are, you know, helping these kids. We like to believe that we're helping these kids. But there is a caution sometimes that, you know, Laura Eggertson said in the *Canadian Medical Association Journal* that, you know, any time that you've got kids whose parents

are the government, that there are risks and that there are dangers of harm as well as benefit, and that we need to be aware of that, and we need to make sure that kids coming into care are going to end up with better outcomes and not worse.

**Mr. Chairperson:** Anyone want—wish to comment? No, seeing no—any further questions?

**Mr. Gerrard:** No, my questions are completed. Thank you.

**Mr. Mackintosh:** Well, thank you very much, to the independent officers. It's a long afternoon for you, I'm sure, and you're wondering—I had a question early on: Why today? July 1st was booked. Which is—but thank you very much for participating in the way you have and for your insights into the challenges and, indeed, the progress being made. I just wanted to respond because I wasn't able to do it in my introductory remarks, but—information we had relayed to the Children's Advocate—but we are launching, and we'll be working with the authorities' navigational tools to better equip the stakeholders. We'll be starting that, though, with information for the foster parents, recognizing that there are others that need navigational tools as well.

But we think it's very important that we do a better job of explaining what devolution is, for example. I think there are some misconceptions about that, I think, as well, the structure of child welfare in Manitoba today and, as well, where to go when you have questions and complaints. So we'll be working with our partners to develop that and also with the Manitoba Foster Family Network. In fact, we've asked them for a list of top 10 improvements that could be made to ensure that we better support foster parents, and it'll be part of a broader approach. But just to let you know that we'll be coming back with that, and we'll also ask for the input of the independent officers before those are published. So thank you very much for your afternoon.

**Mr. Chairperson:** Any further questions or comments? Seeing none, thank you, Ms. Hamilton, Ms. Bellringer and Ms. Kocsis, for your participation this afternoon.

And the hour being 4:30 p.m., what's the will of committee?

**Some Honourable Members:** Committee rise.

**Mr. Chairperson:** Committee rise. Thank you.

**COMMITTEE ROSE AT: 4:30 p.m.**

## WRITTEN SUBMISSIONS PRESENTED BUT NOT READ

Tuesday, June-22-10

### Regarding Uniformly Fatally Ill Fragile Child(ren) Victimized by Animikki Ozoson Child & Family Services, Winnipeg Manitoba

To Whom It May Concern:

On October 6<sup>th</sup>, 2009, two Foster Children were removed from my care by Animikki Ozoson Child & Family Services. Animikki was supposed to be the Children's Supervising Agency while we were in Manitoba, as we are from Kenora Ontario. Due to acute Medical and disability needs, we were seeking better resources, support and assistance. For an entire year we were completely forsaken, every need of the children denied, every right of the children denied, it is all documented. Over twelve years ago when I first started fostering, the Children had Lawyers, the Caregivers had Lawyers, every one was protected from wrong doing. Finally I asked for a Lawyer to get the Children's Basic Rights and needs met. At this time, the Children were removed, a "worker" said see you when you get your lawyer and removed the children. This was absolutely life threatening risk for one child, stress has a huge bearing on her well being. I went to the Children's Advocate the next week when they would not return the children and have been trying to get someone to help us ever since. We had been a Family for 9 years. Total strangers who completely failed these children, now just continue to hold us hostage. Again today I tried to contact Southern First Nations Complaints Division, again total silence. I have been left no other resolution but to require Federal assistance. For your information my Maternal ancestry is Native, (Aboriginal), my Paternal ancestry is Swedish, so I have absolutely no biases whatsoever. Children are of no colour, they are Human beings that are in need of love and protection. I have never come across anything like this is my 42yrs.

I have been told "I can't promise anything" when I requested being heard on June 25<sup>th</sup>, 2010. I am hereby requesting the Right to freedom of speech. Should some bureaucrat wish to keep our situation secret by stating I cannot be heard because it doesn't follow bureaucratic policy, that it's just not done this way, this will not be a good enough answer and I will have to access an alternative avenue. If the

suffering, pain, delay and disruption of the weak and vulnerable is beneath this panel to address, it just clearly shows why CFS Manitoba is in such chaos and crisis. Keeping everything secret keeps everything sick. I have been notified by Gord Mackintosh's office that a Specialist is going to be appointed to help us. I seriously hope this is true. It is difficult to believe after all the children have been put through, but trust and resolution has to start somewhere. I can state as God's honest truth that I treated these children with love respect and integrity every single day. In no way did we ever deserve for any of this to happen.

In no way am I trying to sound arrogant or obnoxious with any of my statements. I am being deadly serious. I have been fighting life and death issues for years. Fighting for the best possible care, happiness and hope for these vulnerable children. Every Professional Medical Resource that has assisted these children knows exactly how well these children have been cared for. Life expectancy for one child was 2 yrs, she is now 8 yrs of age. She thrived and was such a happy little survivor. Now I have heard she's been at Hospital, extremely ill. Every acute episode is degenerative. She could literally become completely non-functional due to neurological damage. CFS does not care, they just continue as they started, ignorant, arrogant and dangerous.

**Jordan's Principle** states Government will take action to ensure not one more child will die in Hospital without Family, Government will ensure Children's lives are not disrupted or delayed because some Agency does not want to incur the Medical cost of such an acute illness. Animikii could care less about the Happiness and well being of the child, it is all about the almighty dollar. I had a worker state just put her into hospital, when I requested Nursing Respite. \$5000.00 per day at Hospital is much cheaper for the Agency. The risk at Hospital is extremely high for this child. Her immune system is severely compromised, hospitals make lots of errors, and pain and suffering is incurred due to relentless blood work. Hospital is always a nightmare, it is always possible the child will fail. I provided the best possible care to ensure she only went to Hospital in Acute situations. I have heard from Family she has been in Hospital and very sick, since being removed from my care. This child's life is at risk everyday. It literally makes my stomach hurt that I cannot be there for her. For her entire life, less 5 months I took

care of her, consoled her, prayed for her, comforted her.

For anyone with any sense of decency, humanity, wisdom, you would never think that what happened to Jordan is possible. Jordan again is being completely disregarded, dishonoured. Is Jordan's Principle all one big lie also. Was Jordan's Principle just made up to cover up exactly what happened to Jordan, to get bureaucrats out of hot water. If it is, there is nothing more sickening than that. Those in power trying to have the same outcome for this child that Jordan had is blatantly sickening and heartbreaking.

I am here today, so we can be heard. Not one of these individuals will ever be accountable and responsible so someone else has to step in to resolve this wrong that has been done. The revolving door of unqualified, uneducated, unethical "child care workers" has to stop. When you are dealing with children, family and community the Standards have to be extremely high. Every Agency has to be regulated and monitored by Children's Advocates-not by those who are acting with depraved indifference, dishonesty and arrogance. Protocols need to be set and adhered to. Resources are in place for the Children, not for leeches to collect a salary. At least 10 Individuals within the Child care Community completely neglected every need of these children at approximately \$1,000,000.00 in Salary per Annum. Get rid of these individuals and there will be enough resources to provide Handi-cap Access, Quality of life for the children, Dental care, optical care and adequate Medical care. No more of the weak and vulnerable begging for someone to even acknowledge them and provide the basic services the Agencies are to Provide. They are in place to provide services, resources, safety and security for the Children-not to fail them completely. It is completely insane how long this has been allowed to continue. It is completely unacceptable. Prisoners in jails have more Human Rights than children. They are appointed a Lawyer immediately after they have been arrested for even the most violent crimes. These children are completely innocent and vulnerable but the Government does not want to sue itself so Legal Aid completely shuts them out.

Treating children like Human beings is not rocket science. In a few months President Obama has passed a Universal Health Care Bill, has assisted the weak and vulnerable in numerous ways during

economic hardship, managed a war and has dealt with a multitude of various issues. Canada cannot even look after it's children. Completely unacceptable. It may be ignorance, no one is educated enough to care for the Children, it may be Arrogance—I am in power, how dare you question it, Discrimination—native children do not deserve adequate medical resources, quality of life, It may be oppression, keep them so miserable, so broken, they can never fight the abuse, It may be suppression—completely allow the children no voice, it could even be dangerous chauvinists who have absolutely no value for women or children—this is rampant in the community already with so many women murdered and missing, the death toll for infants double the National Average. Whatever it is, it is totally dehumanizing, totally sad. It is not an excuse to be too dumb, have absolutely no clue. It needs to end. Ridiculous, negligent excuses cannot be running CFS Manitoba. In no way does it have to be like this. Children are full of life, joy, happiness, hope, faith. Those who are allowed into their Community to care for them must be the same. Winnipeg erecting a \$200,000,000.00 Human Rights museum is completely unacceptable. Multiple million dollar contracts for the rich, while Child and Family Services is completely failing is unacceptable. It is a slap in the face for the weak and the Vulnerable. Not one individual who has fought for HUMAN RIGHTS throughout history would support such a waste of funding. I will feel sick to my stomach when I read about the Queen visiting the museum, everyone patting themselves on the back, the rich getting richer, while another child goes hungry, another child suffers, another child dies. What is Human about this. This how Canada looks after it's community, children and family.

The only way to make this even remotely respectable is to utilize the Museum as an Opportunity to showcase and document a major turn in History for Human Rights. Make sure Canadians are Educated on exactly what has been going on, be accountable, be responsible, like the Residential School issue and then set a new Agenda of Holistic Health and well being for all of Canada's Children and Citizens.

Every single individual attending this Child Welfare meeting knows exactly what goes on. Every single Canadian Citizen is responsible for letting this continue.

Again, it does not have to be like this at all, it is like this because it is allowed to be like this.

It can be clearly regulated day to day. Workers jobs will now be to ensure every need, every right be met. Workers will be held responsible and accountable, they will work for the Children only, nothing else. Highly Qualified Individuals have to manage serious, dangerous, acute conditions and situations. Highly Qualified Business Specialist have to manage finances, take the greed out of the equation and set a Protocol of Service that is budgeted for—provide Service to the children, provide daily accessibility—no more complete denial of service-workers hiding out, on vacation, in training, playing phone tag, on retreat, off sick, absolutely never available, never leaving another resource for the children to utilize. Guarantee that needs will be met within a 2 day period. Highly Organized Individuals need to Organize everything, so everything runs efficiently and effectively. McDonalds serves millions with respect and a smile Canada serves Children with Chaos and Crisis—extremely damaging, dangerous and disgusting.

I am here because I want immediate resolution of our situation. I am here to have my opinions heard, I am here because all of this is just so fundamentally wrong to me, I have to have it addressed. My heart is broken, I miss the Children so much, I cannot believe this has been done to them, to us.

The Current Agenda is so insulting, so pathetic, so shameful, a complete embarrassment to humanity, community. It is so sick it needs to be made healthy immediately. Perhaps the neglect, depraved indifference, abuse, has to be brought to Criminal Charges to remove certain individuals from the Child Care Community. If this is what it comes down to, so be it. Where else in the world can you get away with treating children like this, except within Child and Family Services. NO WHERE.

Our Foster Family has been completely victimized by all of this, just like so many others. It is going to take a lot of guts and integrity to fix everything. It is time to get busy and make the necessary changes to ensure Canada does not serve it's children Chaos and Crisis. Children want to play, to laugh, to love, to be part of a community, to be safe and secure. In no way do they deserve what is happening to them at the hands of Unqualified, Arrogant, Ignorant Child & Family Services Representatives. I will close for now. Actions speak much louder than words. The actions that all Parties involved take now regarding our situation, our feelings, our entire lives, will speak as loudly as they ever have. I will be in attendance

for the meeting June 25<sup>th</sup> at 1:00pm, at the Manitoba Legislature. God willing, I will be allowed to be heard. I am also forwarding research regarding Policies of Government (please includes with this letter) that are in place due to an innocent, medically fragile child, who had suffered so much already dying alone in an Institution, due to such a sick set of circumstances orchestrated by Child & Family Services. A firm network of bureaucracy hurts,

harms, delays–denies service to the children. Bureaucracy is absolutely no excuse either.

Thank you. Lynne

c.c. Claudia Ash-Ponce Child Protection Branch

c.c. Gord Mackintosh Minister of Child and Family

c.c. Chuck Strahl Minister of Indian and Northern Affairs Canada

c.c. Leona Aglukkaq Minister of Health Canada

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