



**Third Session - Thirty-Sixth Legislature**  
**of the**  
**Legislative Assembly of Manitoba**  
**Subcommittee of the Standing Committee**  
**on**  
**Privileges and Elections**

*Chairperson*  
*Mr. Peter Dyck*  
*Constituency of Pembina*



**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Sixth Legislature**

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
ASHTON, Steve	Thompson	N.D.P.
BARRETT, Becky	Wellington	N.D.P.
CERILLI, Marianne	Radisson	N.D.P.
CHOMIAK, Dave	Kildonan	N.D.P.
CUMMINGS, Glen, Hon.	Ste. Rose	P.C.
DACQUAY, Louise, Hon.	Seine River	P.C.
DERKACH, Leonard, Hon.	Roblin-Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary	Concordia	N.D.P.
DOWNEY, James, Hon.	Arthur-Virden	P.C.
DRIEDGER, Albert	Steinbach	P.C.
DYCK, Peter	Pembina	P.C.
ENNS, Harry, Hon.	Lakeside	P.C.
ERNST, Jim	Charleswood	P.C.
EVANS, Clif	Interlake	N.D.P.
EVANS, Leonard S.	Brandon East	N.D.P.
FILMON, Gary, Hon.	Tuxedo	P.C.
FINDLAY, Glen, Hon.	Springfield	P.C.
FRIESEN, Jean	Wolseley	N.D.P.
GAUDRY, Neil	St. Boniface	Lib.
GILLESHAMMER, Harold, Hon.	Minnedosa	P.C.
HELWER, Edward	Gimli	P.C.
HICKES, George	Point Douglas	N.D.P.
JENNISSEN, Gerard	Flin Flon	N.D.P.
KOWALSKI, Gary	The Maples	Lib.
LAMOUREUX, Kevin	Inkster	Lib.
LATHLIN, Oscar	The Pas	N.D.P.
LAURENDEAU, Marcel	St. Norbert	P.C.
MACKINTOSH, Gord	St. Johns	N.D.P.
MALOWAY, Jim	Elmwood	N.D.P.
MARTINDALE, Doug	Burrows	N.D.P.
McALPINE, Gerry	Sturgeon Creek	P.C.
McCRAE, James, Hon.	Brandon West	P.C.
McGIFFORD, Diane	Osborne	N.D.P.
McINTOSH, Linda, Hon.	Assiniboia	P.C.
MIHYCHUK, MaryAnn	St. James	N.D.P.
MITCHELSON, Bonnie, Hon.	River East	P.C.
NEWMAN, David, Hon.	Riel	P.C.
PENNER, Jack	Emerson	P.C.
PITURA, Frank, Hon.	Morris	P.C.
PRAZNIK, Darren, Hon.	Lac du Bonnet	P.C.
RADCLIFFE, Mike, Hon.	River Heights	P.C.
REID, Daryl	Transcona	N.D.P.
REIMER, Jack, Hon.	Niakwa	P.C.
RENDER, Shirley	St. Vital	P.C.
ROBINSON, Eric	Rupertsland	N.D.P.
ROCAN, Denis	Gladstone	P.C.
SALE, Tim	Crescentwood	N.D.P.
SANTOS, Conrad	Broadway	N.D.P.
STEFANSON, Eric, Hon.	Kirkfield Park	P.C.
STRUTHERS, Stan	Dauphin	N.D.P.
SVEINSON, Ben	La Verendrye	P.C.
TOEWS, Vic, Hon.	Rossmere	P.C.
TWEED, Mervin	Turtle Mountain	P.C.
VODREY, Rosemary, Hon.	Fort Garry	P.C.
WOWCHUK, Rosann	Swan River	N.D.P.
Vacant	Portage la Prairie	

**LEGISLATIVE ASSEMBLY OF MANITOBA**

**THE SUBCOMMITTEE OF THE STANDING COMMITTEE ON PRIVILEGES AND ELECTIONS**

**Tuesday, May 13, 1997**

**TIME – 12:30 p.m.**

**LOCATION – Winnipeg, Manitoba**

**CHAIRPERSON – Mr. Peter Dyck (Pembina)**

**ATTENDANCE - 4**

*Members of the Committee present:*

Messrs. Dyck, Helwer, Martindale, Tweed

**WITNESSES: (By Teleconference from Dauphin, Manitoba)**

Ms. Irene Garneau, Taras Vision Incorporated  
Ms. Ellen Wood, Parkland Crisis Centre

**MATTERS UNDER DISCUSSION:**

The Review of the sections of The Child and Family Services Act pertaining to the Office of the Children's Advocate.

\*\*\*

**Mr. Chairperson:** Good afternoon. Will the Subcommittee of the Standing Committee on Privileges and Elections please come to order. This afternoon, the subcommittee will be considering a review of the sections of The Child and Family Services Act pertaining to the Office of the Children's Advocate.

We had a number of persons registered to speak, and I will now read those names aloud. Irene Garneau, and I think you are the one who is going to be giving a presentation, and Ellen Wood. I should indicate to the public that it has already been agreed by the subcommittee that no additional registrations will be accepted. Presenters were requested to fax their briefs ahead of time so that the briefs could be copied and distributed to the subcommittee members for this

meeting. I am advised that no briefs were received ahead of time.

For the benefit of the members I should point out that the subcommittee has established a time limit on presentations and questions. The time limit per presentation is 20 minutes with a maximum of 10 minutes per question.

We should now proceed with the presentations, and I would ask you to start, please. Ms. Garneau, is that correct?

**Ms. Irene Garneau (Taras Vision Incorporated):** Yes.

**Mr. Chairperson:** Please proceed. Okay, go ahead.

**Ms. Garneau:** Well, to begin my time today I would like to inform you about what Taras Vision is and why we are interested in making this presentation.

Taras Vision is a nonprofit organization providing education and counselling for adults in the Parkland area who have suffered a childhood trauma. We see prevention as a large part of our treatment process. We are here to pose the question: How do children magically turn into adults just because they are 18 years of age?

Oh, join with me on a real life journey of an 18-year-old that I know.

Hi. Happy birthday. I turned 18 today. Guess what I got to do. Go to a bar? No. I could go to vote. No. Did I graduate? No. Got a car? No. I got to go to the town municipal office and apply for my very own welfare voucher.

What brought me to this point? I was still in Grade 11. My mom was still a single parent on welfare. I still have a sister, aged 16 years, who quit school last year and spends most of her time out partying, and a five-year-old brother who needs me to take care of him sometimes. Why, do you ask, do I need to care for my brother? Well, my mom has a bit of a problem. She

gets depressed sometimes and sometimes she drinks too much and lately has been spending lots of time and money gambling.

Do not get me wrong, I love my mom. She is not a bad person. She just gets down sometimes and she is really upset now because she is pregnant again. This all adds to my worry. How can I change any of this? See a counsellor? Right. She kicked me out of school last week for skipping classes.

I am not physically handicapped or mentally challenged. Hey, I am average. I tried. I got a job after school and on weekends. It was great. I had money for buying some new clothes and money for coffee and drinks and stuff like that. I was just like all my friends. But when I turned 18, my mom's welfare was reduced. I am expected to pay rent. It is either pay or get out. I cannot get any more hours at work because, if I do, I will miss class. I cannot get homework done, for I am just too tired. They tell me an education is important, but how am I supposed to do it all? How am I supposed to have friends? Hey, how am I supposed to have a life now that I am 18? One day a child, the next day an adult. Can you help me with these questions, to answer these questions?

I will give you the background information on this family. These kids have never been in care. There is no abuse or neglect. Mom was raised in a low Anglo-Saxon family in rural Manitoba. It is not native, this is not Metis, but I am a native. This mom left school at age 16. She was pregnant and she was kicked out of the home. This is the second generation of welfare. This is not a case we want you to fix. This is a real-life scenario that we want you to consider.

How do rules in our system impact for real people? Should this new adult be punished for choices parents have made? This is my presentation on behalf of Taras Vision.

**Mr. Chairperson:** I want to thank you, Ms. Garneau, for your presentation and for opening up your concerns to us. We will be following this now with some questions. I am going to ask Mr. Martindale to ask you a question, and then you may respond to him.

**Ms. Garneau:** Okay.

**Mr. Doug Martindale (Burrows):** I would like to introduce myself to Ms. Garneau. I am the official opposition Family Services critic and the MLA for Burrows. I would also like to congratulate you for your presentation because, as far as I know, this is the first time that any committee of the Manitoba Legislature has used video conferencing. So you are the first person to ever present a brief to a legislative committee via video conferencing.

I am interested in the content of your brief because social assistance is part of my critic area, and I also represent a lot of very poor people in the north end of Winnipeg. However, this committee is rather limited in what we can do. Basically our mandate is to make recommendations to the government on any changes that we think need to be made to the Children's Advocate section of The Child and Family Services Act.

Now, last night we had a presenter who talked a lot about poverty. She suggested that the Children's Advocate's mandate be broadened to include children's concerns in all areas of government. Now, one way to address the concerns that you brought up today would be to do that. I am wondering if you think that the Children's Advocate's mandate should be expanded from just investigating and making recommendations about problems that children were having in the Child and Family Services system, to include, for example, education, health, justice, and social assistance? What do you think of that idea?

**Mr. Chairperson:** Ms. Garneau, could you respond to that please? Go ahead.

\* (1240)

**Ms. Garneau:** Yes, I think it is very important that the Child Advocate still be involved in these type of situations. When children are in care with the Child and Family Services organizations, workers can apply for an extension past 18 or even up older than that because of other circumstances, but when children like this are not in care, they are kind of left on their own. These are the kind of kids that fall into the cracks.

Like for this instance, this child here, I am afraid he will fall into the cracks because there is nothing there

for him. I think the system needs to do more. I think the Child Advocate needs to do more for these types of children before they go on the wrong side of the tracks, so to speak. That is my response.

**Mr. Martindale:** I hear you making two suggestions. One would be to expand the role of the advocate so that he or she could investigate complaints of children who are perhaps in the care of an agency but beyond age 18 and, also, give the power to the Children's Advocate to investigate children who are not in care but who may have legitimate problems or concerns such as being on social assistance or their family being on social assistance. I guess we do have a problem if they turn 18 or they are no longer children. I mean, legally if the age of majority is 18 and the Children's Advocate can only investigate children, then that would be a restriction.

Do you think that the Children's Advocate should be able to make recommendations on things such as the social allowance rate, just to give an example?

**Ms. Garneau:** Yes, I think so, because a lot of 18-year-olds are not mature enough. They do not have that life experience. I think they still need that support from government.

**Mr. Martindale:** Do you think that the Children's Advocate should be able to investigate complaints of children who are involved in the justice system and in health and in education?

**Ms. Garneau:** Yes, I think so, because a lot of times these children are by-passed or because they are sort of doing good, you know, but in reality a lot of these kids come from single-parent families and, like I said before, they do need a lot of support.

**Mr. Martindale:** Last night when this committee sat at the Legislature we heard concerns that the power of the Children's Advocate is quite limited. For example, under the existing legislation the Children's Advocate can only investigate and make recommendations. There have been suggestions that the recommendations of the Children's Advocate be made binding. Would you be in favour of giving the Children's Advocate more power so that when the advocate makes

recommendations that he has some ability to enforce them or to see that they are acted upon?

**Ms. Garneau:** Absolutely, because I know for a fact where the Child Advocate had made recommendations and they were not followed through. Previously I worked for a native organization, and I know these recommendations were not followed through. In this case his hands are tied, and the children are sort of left there hanging with no proper help.

**Mr. Martindale:** Could you give the committee examples of recommendations that you believe the Children's Advocate has made that were not followed up on?

**Ms. Garneau:** Like in certain cases where the environment in the home was not very good and children are really acting out, and Child and Family Services and the native agencies on reserve could not do very much because of political interference.

**Mr. Chairperson:** Mr. Helwer would like to ask a question of you. Please, Mr. Helwer.

**Mr. Edward Helwer (Gimli):** Thank you, Ms. Garneau, for your presentation. I think it is a real-life story, and it is certainly interesting. You talked about prevention and you talked about the family as to what the circumstances are. Where does Taras Vision come into this, and what is your role in this?

**Ms. Garneau:** Taras Vision, like I said, deals with childhood trauma, where our adults did not have a place to go, they did not have money to pay for counselling, and it was affecting their life and in a very negative way, such as physical abuse, emotional abuse, sexual abuse, parental addictions, extreme neglect, witnessing interpersonal violence, intergenerational violence, parental or sibling loss. So this is where Taras Vision originated. It was a group of people in the Parklands area that started this. It is a nonprofit organization, and I am involved in it because I have volunteered. I live in the Parklands area myself.

**Mr. Helwer:** So in the case of this case that you described as an example where you say the Child Advocate's recommendations were not being followed or not being followed through or there was not anybody

there to see that these children were being looked after in some way or another, would that be a role of Taras Vision? Would you be able to, or is that what you have been doing?

**Ms. Garneau:** Taras Vision does counselling. It is not through the government or anywhere. It is just a group of people that were interested, that are following up on some of these cases.

**Mr. Helwer:** Just one further thing, do you have any recommendations then as to how we can see that the recommendations of the Child Advocate are followed through?

**Ms. Garneau:** Yes, I think maybe it should go to legislation to make him more effective in his job as a Child Advocate. Rather than just reporting to the minister, I think it should go to the Legislature too, report to the Legislature.

**Mr. Chairperson:** Are there any further questions?

**Mr. Martindale:** Last night one of the presenters recommended that the Children's Advocate be given the ability to recommend mediation or conciliation or even arbitration. What do you think about that suggestion?

**Ms. Garneau:** I think it would work if you were to do that. I would support that.

**Mr. Martindale:** We also had recommended to us that the Children's Advocate hire aboriginal staff and especially staff who spoke an aboriginal language, and it was even recommended that the Deputy Advocate be designated as an aboriginal person. Do you think that would be a good idea?

**Ms. Garneau:** I think so. I think it would enhance the relationships of our people and your people to work together and bring about changes. I believe that is a very good idea or very good suggestion.

\* (1250)

**Mr. Martindale:** It was also recommended that the Advocate have a greater presence in northern Manitoba. Do you think that the Advocate needs to be more visible in the Parklands, since that is the area that you

are familiar with? This would probably mean hiring more staff or having suboffices, but do you think that the services of the Advocate are needed in your area and, therefore, would you be in favour of expanding the Office of the Children's Advocate to provide that service?

**Ms. Garneau:** Yes, I think so. I think that is a good idea, for more native people to be with the Child Advocate, because it seems a lot of the native agencies are being called or are referred to the Child Advocate. I think it should be expanded too more to the northern regions and also Parklands area. I really believe so.

**Mr. Chairperson:** Okay, if there are no further questions, I want to thank you for sharing your story with us. On behalf of the committee here, I want to thank you for taking the time out and coming to give your presentation. Thank you very much.

I would then next like to call on Ellen Wood, please.

**Floor comment:** She is supposed to be here at one.

**Mr. Chairperson:** Okay, we will wait, no problem.

**Floor comment:** As soon as she comes, I will escort her in.

**Mr. Chairperson:** Very good. Thank you.

*The committee recessed at 12:52 p.m.*

---

#### After Recess

*The committee resumed at 1:02 p.m.*

**Mr. Chairperson:** Hi, okay, you are Ellen Wood?

**Ms. Ellen Wood (Parkland Crisis Centre):** I am, yes.

**Mr. Chairperson:** Okay, I am going to introduce you to our committee members here and give you an opportunity to catch your breath. Then I will just make a few comments, and then I will ask you to give your presentation. My name is Peter George Dyck. I am the MLA for Pembina. To my left here is Mr. Helwer, and

he is the MLA for Gimli; Mr. Martindale, the MLA for Burrows; Mr. Tweed, the MLA for Turtle Mountain; and Mr. Gaudry, the MLA for St. Boniface. Beside me, here is Patricia Chaychuk, and she is the Clerk Assistant and doing all the work for us here to get this set up.

So certainly I want to thank you for coming out and for preparing your presentation for us. As I said to our previous presenter, this is sort of new to us, so I just want you to feel at ease and free and, again, I want to thank you for taking the time to share your thoughts with us.

With that, again, I will just recap. We are trying to limit our presentations to 20 minutes, and then the time that is allotted for questions is about 10 minutes. So, with that, welcome, and please proceed.

**Ms. Wood:** Well, I want to thank you for this opportunity to speak with you this afternoon. I want to assure you that the comments are my own and they do not reflect the position of the Parkland Crisis Centre. Just given the timing of the hearings, I did not have time to present this to the board of directors, so they are aware that I am talking with you, but my comments are my own, and please take them as such.

It is challenging to comment on the section of the Children's Advocate part of the act without some questions being directed to the larger Child and Family Services Act. Both, of course, are so interrelated that it seems unbelievable to me that one could examine only one part of it, but let me begin. It is interesting to note that in rural Manitoba we do not know how many children's advocates are available to the community. Is there, for example, a child advocate assigned to every Child and Family agency within our province? Of course, I know the answer before I ask it.

The point that I want to make is that there is a real need for parents with children to receive adequate and accurate information about how The Child and Family Services Act works. How the system works is very important for the people in the community. Part of the information sharing would include the mandate of the Children's Advocate. At the moment the Children's Advocate is reacting to situations that arise within the act. There is no attempt to have the Children's

Advocate be proactive, that is, to address the issues of child welfare before they become dangerous to the child or to the family. The same, of course, could be said for The Child and Family Services Act.

The Children's Advocate has the authority to investigate, to make an annual report as well as written reports to the minister and to appropriate agencies. The Children's Advocate can also report back to age-appropriate children and, of course, to parents.

Difficulties for the Children's Advocate, which I am sure some or all of them there are familiar with, include these observations on my part. Is The Child and Family Services Act based on one of mutual respect with all the players? I think this is a really important question. In our experience working with women and children, the thing that really comes through is, the mom and the child do not have a sense of mutual respect between the agency and themselves. That is because everybody is in a crisis and crisis needs to be dealt with. Even after the crisis is dealt with, there is still a question in my mind: Are we on a plain and even playing field? That is what I mean by mutual respect. My observation is that it is not there.

How does Child and Family exercise its power and control methods as it approaches families, and where are the checks and balances in this? How does the Children's Advocate address Child and Family Services Act in its understanding of inequality, submission, violence, and even the objectification of women? How does the Children's Advocate assist Child and Family agencies in examining the origins of wife abuse, which we now, of course, call partner abuse, from a personal, institutional, or cultural perspective? Further, how does the Children's Advocate assist Child and Family agencies in understanding the socialization of men and women and its relevance to children, especially in the care of Child and Family or even at home?

\* (1310)

It has been challenging for me to observe over the years how government agencies such as Child and Family judge the choices made by women. One is never sure again, because of the power and control exercise, whether women are believed in the sharing of their experience. What I have observed is that women

are blamed, often held responsible for everything, including their partner's behaviour, the child's abuse, for staying in the relationship, for leaving the relationship and for returning to the relationship. Somehow the bias is that we think she can stop the abuse. We wonder why she did not leave earlier? We judge her values about marriage and about the family. Ultimately, what I have observed in Child and Family agencies, as well as other agencies, is the simple ignoring of women's unequal status which for the Child's Advocate amounts to dealing with bias in favour of men.

I think the Child's Advocate needs a broader mandate that includes influencing the laws, the politics and the practices based on the reality of women's and children's lives, and on respect for the diversity of culture and values. The Child's Advocate may be the only one who can bring about influence and change where abuse is taken seriously in the family justice system. At the moment, the justice system often sees abuse as a woman's ploy to gain the advantage.

The family justice system operates from the perspective that the father has rights. It does not understand the impact of partner assault and child abuse as being central to the definition of the children's best interests. It has become very clear to me over the years that children do not benefit from being required to spend time with fathers whose abusive behaviour constitutes true abandonment of parental responsibility.

The challenge for the Children's Advocate is to work towards honouring children's rights to freedom from abuse, not fathers' rights. The Child's Advocate needs to work towards lessening judges' discomfort about making decisions about what is best for the children. My observation is that judges need extensive training and education on the effect of abuse and violence on children so that they do not turn to mediators or investigators when they are required to make decisions in the courts. At the moment, there is no way for the Minister of Family Services or the different Child and Family agencies, or the Children's Advocates to be accountable. Of course, I know there is accountability for each player within the act.

My question simply is this, frankly that accountability is not enough. We receive a glimpse of accountability

whenever a child dies. We need a much better system of accountability within our province. What we are truly missing is community-based review panels in which Child and Family agencies, Child Advocates are accountable for investigations, recommendations, and even for follow-through for changed approaches when we are dealing with children who are at risk.

Communities are ultimately responsible for children, and we need to return to that sense of responsibility as well as give the care back to the community with appropriate support from Child and Family agencies, from Children's Advocates and even from the Minister of Family Services.

These are just a few of my observations, and I appreciate the fact that I am talking about a much larger picture, i.e., The Child and Family Services Act, but I do think it is interrelated and I make them with much seriousness on my part. If you have some questions, feel free to ask.

**Mr. Chairperson:** Certainly, and I, too, want to thank you for sharing with us as a committee concerns that you have and some of the insights that you have gained. We do have some questions. I am going to start off with Mr. Martindale here who is going to ask you the first question.

**Mr. Martindale:** Thank you, Ellen, for your presentation. You have helped to make history today because this is the first time that the public have been invited to present briefs using video conferencing. You are the first executive director of a women's shelter to make a brief this way, and also the first person also wearing the hat of a United Church minister to make a brief this way.

You commented about information and how there is a need for more information about how the Child and Family Service system works and their mandate. I am wondering if you think that it is more appropriate for the Children's Advocate to do that than for Child and Family Services agencies to do that.

**Ms. Wood:** I think there is a real opportunity for the Children's Advocate to be in kind of that proactive perspective. I will just compare it to the service that we provide. We are a nongovernment agency. We receive



government funding, but we are a charitable group. We are a community-based group, and one of the things that we have discovered along the way, and we have been at this for well over 30 years now, is that we need to do public education with the community about the effect of abuse and violence in the family. We also have to explain to the community how to access services within the community, and presently that is not occurring with The Child and Family Services Act, and so in my mind, Doug, it does not much matter whether it is the Child Advocate who does it or somebody else who does it. The point is, somebody needs to be doing it.

I do not think that we can rely on nongovernment agencies to be telling people, you know, if you are having problems with Child and Family, this is the person you call or whatever. People need to be given that information up front well before the difficulties arise so that they can start to make really informed decisions and also have a sense of working together with the agency. At the moment it is a very conflictual kind of relationship, and who suffers in the end is really the child. There has just got to be a better way of doing that.

So I think public education around the mandate, why we have that agency there, what their mandate is, and how they are going to do it is really important for the community to understand. It would allow the community to take some responsibility for the care of those children, not only to identify which children are at risk but also ultimately for the whole community to take responsibility in the care of those children. Right now that is not occurring. Only Child and Family has taken responsibility, and that is very inappropriate. It is just not appropriate at all. So I do not know if I have answered your question.

**Mr. Martindale:** Well, I have more questions. Your agency is funded from the Family Dispute section of the Department of Family Services, is that right?

**Ms. Wood:** That is right.

**Mr. Martindale:** Would it make more sense for Family Dispute to do education around abuse issues than for the Children's Advocate?

**Ms. Wood:** In our mandate from Family Dispute we are responsible for doing public education around abuse issues. So we try to do that as much as possible. The difficulty is that we do not talk about the mandates of any other agencies other than to say, if there are difficulties, this is what the referral will be or this is how the referral will be made. I think there needs to be just a good review of how violence and abuse in the family is really affecting the communities at large, but in particular how it is affecting agencies such as Child and Family, such as our agency, all the agencies, mental health, hospitals, right across the board. I do not think we have taken time in the last 10 years, probably, to make those kinds of analyses, to say, well, are we making a dent in it at all or are we just reacting? My observation is, we are just reacting, trying to keep kids safe, but we are not doing any proactive or preventative kinds of things, and that is kind of what I mean by the public education. It is a little bit more than just mandate, you know, what the mandate of the agency is. It is also, this is what a healthy family is really about, and these are the services that are available to you to help you along the way. You do not have to do this all by yourself.

\* (1320)

**Mr. Helwer:** Thank you, Ms. Wood. You talked about prevention, and also the lady before you talked about prevention. In what way can—I guess, public education is one thing you talked about that. In what other ways do you think the Children's Advocate can, or Family Services—how can they prevent some of the abuse? When you talk about prevention, what other methods can be used to?

**Ms. Wood:** It is a good question. The whole community has to take responsibility for abuse and violence within the community, and we have started to do that recently through the Justice department of the government with the mandatory charging. We have made a significant change there. What we need to do is keep making that significant change, and so we need to keep talking about it within the community at all levels and at all age groups, because there is still, in my observation, a lot of misunderstanding, a lot of misinformation about what abuse and violence is in the family and the effect that it has on the family.

We minimize it. We try to blame certain factors or certain groups for that abuse and violence. I think we are kind of at a point in history where we need to be much more proactive, and that is, we need to say the same thing that mandatory charging says, that abuse and violence in the home is no longer acceptable. You will be charged. You will go and sit in front of a judge, and you will be talked to. You will have to be accountable for your behaviour.

I think we need to push that whole concept much broader and talk at every level in the community about why that is not acceptable, because it is still occurring at so many different levels, particularly with children and teenagers. My observation is that, again, nobody is talking to them. We are getting a little bit in the public school system, but nothing compared to what those kids are really putting up with in the family.

So, yes, I think in some ways the Child Advocate could be that liaison person; they need a way to get into children's lives, and some of the easiest way of doing that is to share mandate, to share public education, to talk about what is healthy and what is acceptable. People just do not have a benchmark anymore, and it is actually quite frightening to see that in the community. People do not know what that benchmark is in terms of a healthy family unit. They also do not know what their responsibility is as a neighbour or a family member or a clergy or a doctor or whoever is in the helping professions.

So I think we are right: we could be expanding the services quite a bit and be making quite an impression and dent in this whole problem, and I think it would change the face of the Child and Family work quite a bit. I am quite surprised that government has not moved in this direction, to be quite honest with you. They have taken great leaps around the mandatory charging, and I would just expect them to keep taking those leaps, to just keep saying, this is not acceptable behaviour in the family, and we are going to be proactive about it rather than reactive.

Right now we have got an agency around Child and Family that is reacting to things; it is not proactive. It is not trying to do any preventative work. Its resources are quite limited. For example, we provide parenting support groups in our services, and technically we are

to provide those just to our clients. It is interesting. We just started this about two years ago, and it is interesting for me to observe that, yes, half of our clients are in these parent support groups, but guess where the other half come from? They come from the Child and Family agencies, and that tells me that Child and Family agencies do not have those resources or do not have money to put towards those types of resources, so they are using the existing resources in the community. That works fine as long as somebody else in the community is doing that, but that is not true in every community. So, again, the resources just really need to be evaluated. How are we spending those dollars for resources, and what kind of impact are we trying to make with that? So are we just keeping up with the system, or are we actually trying to make this a safe place for children? It is a good question.

**Mr. Helwer:** I have to agree with you in a lot of cases. I was just wondering, is there much co-operation between, say, the teachers in the school, the counsellors, the caseworkers? Do they work together now in some of these cases?

**Ms. Wood:** I think they do. I see a real need for much more open case consultation. We are still battling that problem of secrecy and that somehow the larger community is not responsible for it. We get caught because we are dealing with children and teenagers, so we want to keep some privacy around their identity and the nature of the abuse, the risk factors that might be involved in their lives. At the same time, if you cannot ever name it, it is really difficult to address it.

So I think what is happening is each little unit is working on it, but together they do not work as a whole, if you know what I mean. It could be so much richer. It could be so much more effective if those players were working together. It happens occasionally, but in my observation, again, it only happens when things get really, really critical. We need to do that kind of consultation much earlier and not when it is so critical.

**Mr. Martindale:** Ellen, you correctly pointed out that the mandate currently of the Children's Advocate is to investigate, make recommendations and produce an annual report. Our job is to look at ways that we might amend the act, at least this section of the act regarding the Children's Advocate.

Do you have any recommendations about expanding the role, or the mandate, of the Children's Advocate? For example, you have talked about accountability. Do you have any recommendations for us about either increasing the powers or anything regarding changing the function of the Children's Advocate?

**Ms. Wood:** I would really like to see the Children's Advocate, particularly in the rural area, come out into the community and do some public presentations about their mandate. I would like to see them talking with children and with teenagers. Again, that could be simply just around the mandate. I would also like to see them liaising with not only Child and Family Agencies but other nongovernment agencies within the community.

As for the influence and the powers of that Children's Advocate, I do not have a lot of experience around it; but, when I reviewed the section in the act on it and just thought about it, it strikes me that the Children's Advocate is sort of operating with one hand tied behind their back. In the sense, again, it is around that accountability and the privacy issues, the confidentiality issues. One cannot see where the recommendations have led to, so there is no sense from the community that—for example, if I am following through with a client that has accessed the Children's Advocate, I, at some point, cannot glean any more information as to what has changed in the system because of that action.

\* (1330)

My sense is that nothing has changed. Now, sometimes I get that back from the parent. She will share with me what the Children's Advocate was able to do for her or not do for her, but the community at large gets no sense of accountability. The same could be said though of The Child and Family Services Act. We do not have a sense of accountability in the community, so what happens is it lets—for example, a child is taken out of a family and issues are identified, there is a plan that is approached, everybody starts to work on it, and then maybe that child is returned or maybe that child is not returned. There is no sense of accountability from the agency to the community on why those decisions were made, what impacted on them and why they went in the direction they went.

Again, you know, it is a very tough situation because of the privacy and confidentiality stuff and that is why I was just alluding to kind of a community-based review panel. For example, our board of directors does not deal with clients directly, but when we have situations that need to be taken to the board of director's attention that pertain to client activity, if there is a conflict of interest, that board member will remove herself or himself from the board. At the same time, they are there for accountability to the community. So if something is happening with one of our clients and the board needs to be made aware of that, they have some sense of accountability to community as to why the crisis centre took that position or why it went that way, whatever their recommendation was.

It is hard for me to explain but I just think the Child Advocate needs to be much more visible, much more in the rural area, and, of course, I am going to speak from the rural perspective, and needs to have some clout, needs to be able to say to the community at large, these are some of the changes that were brought about because of this section of the act. Right now we have no idea what the impact of the Child Advocate is. It does not appear like he or she has any impact at all, just from my perspective.

**Mr. Chairperson:** Okay. One last question, Mr. Martindale.

**Mr. Martindale:** One of the issues that presenters have talked about is expanding the role of the Advocate so that he or she would be able to enforce their recommendations, which I guess you could argue would increase the accountability which you have talked about.

Do you think that the Advocate should be given some authority to enforce their recommendations and if so, how?

**Ms. Wood:** There has to be a way to work with the minister on this one. I think the hope in the act right now is that the minister will enforce the recommendations of the Child Advocate and maybe that is occurring. Again, the difficulty is in the community. We have no idea if that is occurring or not because there is no, again, accountability back to the community.

I would like to see a much stronger linkage there between the minister and the Child Advocate if that is the avenue you want to take and call it as you will. Perhaps the Child Advocate keeps the minister honest and makes sure that the minister does follow through.

Are you going?

**Mr. Chairperson:** We are going to do one more question.

**Ms. Wood:** Okay. I just noticed you were looking at your watch and I am thinking maybe time is up or something.

**Mr. Chairperson:** Well, in a way it is, but we—

**Ms. Wood:** I do not know if I answered Doug's question very much.

**Mr. Martindale:** Yes, thank you. I would like to thank the Chairperson for allowing me one more question and you one more answer.

A number of people have suggested that what the Children's Advocate needs is more independence. One way to do that is to have the Advocate report to the Legislative Assembly rather than to the minister, and in fact I have introduced a private member's bill to this effect. You know, we think that part of the problem now is that it is really up to the minister whether those recommendations are implemented or not, and the Advocate has observed and we have observed that he has made many recommendations in his annual report that we believe have not been followed up. So do you believe that one way to have more accountability and to make the Advocate more independent would be to report to the Legislative Assembly, which is what the Ombudsman does, for example?

**Ms. Wood:** Well, I suppose I would much rather see the accountability to the community at large. I am seeing it more in regions—of course I am not concerned about money when I say this, okay, and all of that. But I am concerned about the welfare of children, and so I think we need to rethink about where that accountability has to be placed.

To me, there were questions around the Legislative Assembly: Can it force any more than the minister can

force to happen? It is a good question; I think we need to ask that. Again, the responsibility lies with the community, not with the minister and not with the Legislative Assembly. I think we need to turn it upside down and bring it back home, if you will excuse the imagery here. I think that Child Advocate needs to be much more accountable at the community levels rather than at the upper echelon levels. I do not think that system is working, and the reason it is not working is because people like me and other people in the community cannot see the accountability. We do not know how it is impacting on the system, and we need to know that. We need to know that our Child and Family Services is the best one in Canada. We do not have that sense. We get from national TV or national reports that our children are suffering. You know, we have problems with our children, so let us rethink the whole approach here, and let us bring it back home. Let that accountability be exactly where it ought to be and that is in the communities. Let us turn everybody around in that accountability, so that the minister, yes, is accountable to the Legislative Assembly, but she is also responsible and accountable to the communities, as is the Children's Advocate. We just do not have any way of getting at that right now.

To me it is a really simple solution, and, yes, it is going to cost some money, but it is worth it I think in the long run. It is a good investment is what I am trying to say here. So I am not really agreeing, Doug, with your idea. I am saying turn it around and bring it back home. I think you will get much better accountability around it and probably a lot more influence on change.

**Mr. Chairperson:** Okay, thank you very much for opening up your thoughts and sharing them with us and also to our committee members here. We have been a part of history in making. It has been a good process. So I want to thank you, and I do not know if Ms. Garneau is still out there, but I want to thank her as well. So I wish you a good day, and thank you again.

**Ms. Wood:** Yes, same to you. Thank you.

**Mr. Chairperson:** There are formalities here which we need to do. So, good afternoon.

**COMMITTEE ROSE AT:** 1:40 p.m.