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Abstract (Summary)

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System was misguided, officials admit Thousands of children needlessly uprooted

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YVES LAVIGNE

By YVES LAVIGNE *The Globe and Mail* Thousands of Ontario children have been needlessly taken out of their homes during the past 20 years by a child welfare system that provincial officials now say was seriously misguided.

The experience, along with the stigma of having been wards of Children's Aid Societies, has shattered some of these children's lives. Many now are strangers in their families, are shunned by employers and are regarded as misfits by former friends and neighbors.

An unknown number, say professionals who deal with these children, have rebelled against their unwarranted plight by turning to crime. Others suffered deep emotional wounds that some experts fear could lead them into crime or other anti-social behavior later.

Both the Ontario Government and Children's Aid Societies say they must share the blame for what has happened to these children.

Societies say that a financing scheme imposed by the Government - and changed this year - encouraged them to take children from families and put them in group homes and other institutions.

Provincial officials say they didn't know their policies were harming children, and add that the financing system was drafted under pressure from societies that wanted money to break up families instead of helping them stay together.

Clive Chamberlain, a psychiatrist who in the past two decades has seen the child-care system from the different perspectives of an institution and court worker, Government policy adviser and institution administrator, says no one can be blamed for past mistakes. "The pursuit of a scapegoat or a responsible somebody is futile," he said. "It's all of us - the way we think about problems, or the way we don't think about them." While children and their families are the most obvious victims of Ontario's errant child welfare system, taxpayers have also paid a heavy price.

During the two decades in which the so-called interventionist approach predominated - intervention being the jargon for taking children out of their families - spending by Children's Aid Societies multiplied 34 times while Ontario's population grew by less than one-half.

In the same period there was a tripling in the number of group homes, the privately run but Government-financed institutions into which most CAS wards are put.

All told, more than \$1-billion was spent to create a child welfare system for which a recent internal Government document has little praise.

The document is an assessment of Ontario's child welfare system based on a Government review in 1979 and 1980 of 32 of the province's 51 Children's Aid Societies, which are financed by the province and have the prime responsibility for administering child welfare laws.

The Government assessment says that the societies generally have been inept at helping children. Another document, based on the same information, says that many children should have been treated with "less destructive alternatives" to being taken from their homes.

Societies processed children instead of caring for them, says the internal document, and dumped them in group homes where CAS workers lost all contact with them, even though the societies had assumed the legal responsibility of the parents.

The same document notes that while social workers put children in group homes as a matter of course "societies are unable to explain whether or not these agencies work or in what ways they are effective." Finding out why the system went wrong took months of reviewing public and unreleased documents, and scores of interviews with social workers, CAS officials, psychiatrists, psychologists, Government officials and officials of other child welfare agencies.

One major reason that emerged from the investigation is that child welfare was run during the past 20 years by people who believed in the misguided notion that social workers know better than parents how to help children, and that institutions, not the home, are the best place to do this.

Not all child-care professionals thought this way, and many children were justly taken out of their homes for their own good. But because the trend and financial incentives to needlessly take children into care were so strong, most workers had little choice.

T. W. A. van Overdijk of the Brantford Children's Aid Society says his agency's view "has always been that it's no good for a kid to be in the care of the society. But it's been difficult to translate that into reality." Prompted by its findings that the child welfare system was needlessly taking children into care and costing too much, the Government implemented last January a new financing scheme aimed at tackling both problems.

The scheme seems to have curbed the practice of taking children from their homes, but officials concede that it may take 20 years to root the interventionist habit from the system.

And there is still no guarantee that children will no longer be hurt by the system that is supposed to help them. Officials warn that removing the kinks from one part of the system may foul things up elsewhere.

But while provincial officials measure the system's costs in terms of money and shattered lives, another sort of price has been paid: immeasurable damage to the family courts, where child-care professionals say they have been drawn into deceit and distortion to get a judge's approval for custody of a child.

Dr. Chamberlain, who admits to having been "one of the people out there breaking all the rules," says that when the facts didn't justify taking a child out of his or her home, child-care professionals would paint a picture for the judge that would force him to grant custody. "You had to label the kid to get the money to flow," Dr. Chamberlain said. "The label was useless, but you used it. You distort everything. You abuse the courts, the system, the family. Of course, this had repercussions on the family. Making a child a ward carries the stigma that the parents aren't doing their job well." Government officials and documents say that the needless removal of children from their homes, the major problem with child welfare during the past 20 years, was compounded by a lack of clear direction from the Ministry of Community and Social Services, which finances and supervises the societies.

The ministry admits in documents that its Child Welfare Act is too vague and open-ended to be effective, and that the main tool for implementing policy has been financing schemes that encouraged the abuse of money and power by societies.

Child welfare has been a haphazard service over which neither the Government nor societies had control, the documents say. The Government acknowledges it smothered societies with red tape and frustrated, through its financing schemes, attempts by some societies to break out of the traditional role of taking children into care.

These Government restrictions bolstered the interventionist attitude among child-care professionals and encouraged the abuse of the courts, said Dr. Chamberlain, now director of the province's Thistletown Regional Centre for Children and Adolescents.

Government documents and officials say that boards of education across the province have been using the courts to rid themselves of children with behavioral and learning problems. These children, most of whom had committed offences no more serious than skipping classes, were made wards of Children's Aid Societies and put in group homes. Last year, school boards referred 500 children into CAS care.

Dr. Chamberlain said case workers sometimes have had children charged with criminal offences to get them out of their homes and into training schools, from which they could be transferred to residential care institutions such as group homes.

More commonly, the professionals would tell a judge that the child lived in a "pretty destructive" home where he was

endangered, Dr. Chamberlain said. They added, conveniently, that a Children's Aid Society was willing to take the child into care. "You'd end up getting the judge to agree that (making the child a ward) was a reasonable thing to do How does he know? He's got a social worker and a psychiatrist swearing on a Bible that the kid needs (a group home) He's got 15 or 20 more that day. He doesn't even have the time to ask all the questions." Grant Lowery, executive director of Central Toronto Youth Services and an outspoken opponent of past financing schemes, said that the paternalistic attitude in family courts has allowed child-care workers the leeway to interpret the Child Welfare Act as they saw fit.

Mr. Lowery, who has worked with adolescents for nearly two decades, said the practice of taking children into care even when they didn't belong there "was fairly prevalent." "You wouldn't have to say anybody was lying. The legal and service system let it happen. We've collectively allowed that to happen." The judge was told that the parents couldn't get the kid to behave or attend school," he said. "That's where the poor took a hell of a beating in the earlier interpretations of the Child Welfare Act. If the kid was skipping classes, and there was no one at home because it was a single-parent family and the mother was working, or if both parents were working, the court was told that the parents couldn't control the kid." Dr. Chamberlain, who ran the in-patient program at the Hincks Treatment Centre in Toronto from 1966 to 1971 and the Metro Family Court Clinic from 1971 to 1977, said that all laws concerning children were abused in one way or another to facilitate taking children into care. "I remember recommending that a child go to training school just so he could get treatment in a group home. I wouldn't have recommended to the judge that that happen unless I knew a group home was ready to take him. I arranged it in advance. It was an abuse of the rules to help the kid. "All of these agencies got used to doing business that way," said Dr. Chamberlain, who from 1977 to 1980 became a senior Government adviser as executive co-ordinator for program policy in the children's services division of the Ministry of Community and Social Services. "Sure the judges knew. Everybody played the game. They had to. They had to bend the rules to help the kid The game bothered all of us But you've got that kid and he can't wait for the world to change." Michael Ozerkevich, who until recently was executive director of management information evaluation for the Social Services Ministry, said his 1978 study of child welfare financing first alerted Government officials that the schemes were fuelling the distortion of children's services.

Mr. Ozerkevich, who joined the ministry in 1977 as an expert on financing, drafted the new scheme introduced this year. He said that his predecessors were too overworked to be aware of the problems he discovered.

Evidence of the unwarranted removal of children from their homes has existed since at least 1960.

A report prepared by the Child Welfare League of America in 1960 for the Social Planning Council of Metro Toronto criticized the practice by social workers of taking children out of their homes instead of working with families to keep them together.

A study of 14 institutions in Metro Toronto revealed that "for every two children who were placed in a group setting because of their needs, three were placed because of needs unrelated to them," the 1960 report said.

Government officials and child care professionals said in interviews that ministry officials responsible for financing and supervising Children's Aid Societies ignored the evidence of dozens of similar studies in the wake of contradictory statements from societies that were battling each other for more money.

A handful of Government child welfare officials were swamped by society lobbyists, some of whom decried the financing schemes as encouraging abuses while others praised the financing approach but attributed abuses to lack of money.

The legacy of the system's 20-year blunder, critics say, are the emotional wounds left on thousands of children who should have remained at home but didn't.

Stephen Menzies, a Toronto child welfare lawyer, says he has seen children acquire criminal records as a result of unnecessarily being made wards and put in group homes. "My experience has shown that kids may be put in a group home for ridiculous reasons such as skipping classes," Mr. Menzies said. "That's the only offence these kids have committed. Subsequent charges laid against them arise because of their rebellion at the place they've been put in - their attempts to free themselves from the system. Those charges would never arise if the kids hadn't been put in the group home in the first place." Mr. Menzies cited cases where children went into group homes without records and within months had been charged with breaking and entering, theft, and other offences committed while running away from the home.

Because of the common perception that Children's Aid Societies deal mainly with tough, problem children, children who are unnecessarily made wards become vulnerable targets. "Removing the child from the family creates new dangers," said Peter Jaffe, a psychologist who is director of the Family Court Clinic in London, Ont. "The child will be labelled a problem child. This could lead to poor self-esteem because the child will blame himself for causing problems in the home since he's the one who was taken away. There may also be problems reintegrating the child into the family and re-establishing relationships with siblings and parents." Mr. van Overdijk is more blunt: "As soon as you take a child into care, you have helped to establish the destruction of the family as a unit."

Indexing (document details)

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