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Society's Children

An investigation into province-wide gaps in child and family supports in Ontario's struggling child protection system, which cares for 23,000 kids.

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News / Canada

How an alternative approach can keep families together in children's aid cases

Patrina Lemorsley lost custody of her children while in the throes of drug addiction. After her recovery, a novel approach helped reunite her family.



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Patrina Lemorsley, 41, with her teenage daughters, who now live with her again after her recovery from drug addiction. "There is no greater pleasure than seeing your kids reunited," she says.

By: Sandro Contenta News, **Laurie Monsebraaten** Social justice reporter, **Jim Rankin** Feature reporter, Published on Fri Apr 24 2015

Crack cocaine brought Patrina Lemorsley to her knees with merciless speed.

In desperation, the mother of four called Toronto [children's aid](#) for help.

"Every addict reaches the point when they realize they have absolutely no control over what they're doing," she says of the raging addiction she shared with her husband, who became abusive towards her when he was high.

"You go out with the intention of going to buy food and you get downstairs and the dealers are all lined up ... I realized I wasn't using the money the way I was supposed to."

Lemorsley's children ranged in age from 3 to 10 when she made that call nine years ago. Within four years, her violent marriage had blown up, her children were Crown wards

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and she was homeless.

“Once you hear the words ‘Crown ward,’ that’s it,” says Lemorsley, 41, slicing the air as she recounts the story at the dining room table of her tidy Scarborough apartment. “You think you are never going to get them back.”

But she did.

Last month, after a remarkable recovery that began in January 2011, Lemorsley was awarded full custody of her two youngest children, now teenagers. The Toronto Children’s Aid Society closed her file.

Her older children aged out of foster care while Lemorsley was putting her life back together. But they, too, are now reconnected.

“There is no greater pleasure than seeing your kids reunited ... I feel extremely blessed and lucky to be in this position,” she says as her daughters, now 16 and 13, nod in agreement.

Lemorsley credits her CAS worker and a relatively new approach to child welfare in Ontario known as family group conferencing. The provincially mandated program introduced in 2006, encourages extended family and community members to participate in decision-making for children.

International research shows the approach, along with child protection mediation, helps to reduce court time and keep families together. But a Star investigation of financial reports to the Ministry of Children and Youth Services from Ontario’s 46 children’s aid societies shows that these so-called “alternative dispute resolution” methods are rarely, if ever, used. Thunder Bay used them the most over five years ending in 2012-13, the data shows. Yet in that final year, that northern Ontario society used them in just 8 per cent of ongoing child protection cases.

“There is very little accountability,” says Nyron Sookraj, co-ordinator of family group conferencing at the George Hull Centre, which serves children’s aid societies in Toronto. “The ministry is not putting pressure on (the societies) and saying, ‘Show me that you are actually doing this stuff. Show me your outcomes. Show me there is less court.’”

By March 2013 — two years after Lemorsley’s recovery began — the CAS had contacted Sookraj, who began calling the people the girls and their mother said they wanted to attend the family meeting, including aunts, uncles, grandmothers and cousins.

Thirteen family members attended the conference, including the girls’ father, who participated through an online link from Jamaica, where he has been living since being deported six years ago. It was the first time Lemorsley’s extended family had been in a room together in about a decade. The girls’ foster parents, their CAS worker and his supervisor were also at the conference run by Sookraj at the children’s aid society’s Scarborough office.

During the three-hour Saturday afternoon meeting, which included a catered lunch, Lemorsley’s CAS worker summarized the case. She talked about her journey, and family members expressed their hopes. Then the family was given time in private to hammer out a plan to support the girls should Lemorsley relapse into addiction. If that happened, several relatives committed to stay in Lemorsley’s apartment so that the girls would not have to move or change schools. The family presented their written plan to the CAS, which approved it without amendment.

The meeting went so well that the girls went home with their mother that day. They have been living with her ever since.

What is alternative dispute resolution?

Under provincial legislation introduced in 2006, “if a child is or may be in need of protection ... a (children’s aid) society shall consider whether a prescribed method of alternative dispute resolution could assist in resolving any issue related to the child or a plan for the child’s care.”

Family group conferencing and child protection mediation are the two methods of

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alternative dispute resolution (ADR) prescribed in law that children's aid workers must consider in all child protection cases. These impartial, third-party services are intended to reduce court time and build on families' strengths through collaborative approaches to resolving child protection disputes.

Family group conferencing encourages extended family and community members to participate in decision-making for children. Child protection mediation uses a professional mediator to help resolve conflict between children's aid societies and families as well as others involved in a child protection case.

But a Star investigation of children's aid society spending over five years ending in 2012-13 shows ADR is seldom used. Mary Ballantyne, executive director of the Ontario Association of Children's Aid Societies, the sector lobby group, says ADR has produced "good long-term results." But it is labour-intensive and needs more financial support and training, she says.

Changing legislation to remove the word "consider" so that children's aid societies are compelled to offer family group conferencing or child protection mediation in all cases would shift the power dynamic in child welfare and lead to more family-focused care, advocates say.

After working informally with families for 33 years, Jim Noble's first family group conference was Lemorsley's case. The Toronto caseworker says it was an eye-opener. "The family does the work. That's what's really neat," Noble says. "If they didn't think it was worthwhile, they wouldn't be in the room."

This month, the Ministry of Children and Youth Services announced an ADR action plan to strengthen the service across Ontario. It includes an updated policy directive and establishes a new advisory committee to support staff training and boost ADR use. The ministry will also review children's aid society reporting requirements and definitions.

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