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Standing Committee on Social Policy

Supporting Children's
Futures Act, 2024

1st Session
43rd Parliament
Monday 13 May 2024

Comité permanent de la politique sociale

Loi de 2024 visant à soutenir
l'avenir des enfants

1^{re} session
43^e législature
Lundi 13 mai 2024

Chair: Steve Clark
Clerk: Lesley Flores

Président : Steve Clark
Greffière : Lesley Flores

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
SOCIAL POLICY**

**COMITÉ PERMANENT DE
LA POLITIQUE SOCIALE**

Monday 13 May 2024

Lundi 13 mai 2024

The committee met at 0901 in committee room 2.

**SUPPORTING CHILDREN'S
FUTURES ACT, 2024
LOI DE 2024 VISANT À SOUTENIR
L'AVENIR DES ENFANTS**

Consideration of the following bill:

Bill 188, An Act to amend the Child, Youth and Family Services Act, 2017 and various other Acts / Projet de loi 188, Loi modifiant la Loi de 2017 sur les services à l'enfance, à la jeunesse et à la famille et diverses autres lois.

The Chair (Mr. Steve Clark): Good morning, everyone. I'll call the meeting of the Standing Committee on Social Policy to order. We're meeting to resume public hearings on Bill 188, An Act to amend the Child, Youth and Family Services Act, 2017 and various other Acts.

To ensure that everyone who speaks is heard and understood, it's very, very important that participants speak both slowly and clearly. Please wait until you're recognized by the Chair. As always, comments will be directed through the Chair.

As a reminder, each presenter is going to have seven minutes for their presentation. I'm going to give you a prompt at one minute remaining in your seven minutes. After we've heard from all of our presenters, the remaining 39 minutes of the time slot will be for questions from committee members. The time for questions will be divided into two rounds of seven and half minutes for the government members, two rounds of seven and a half minutes for the official opposition, and two rounds of four and a half minutes for the independent member.

MS. NICOLE BONNIE

MS. INGRID PALMER

MS. KEMESHA ALLI

The Chair (Mr. Steve Clark): On the agenda—Kemesha Alli isn't here yet. With the committee's indulgence, I'll move to Nicole Bonnie, the second presenter, followed by Ingrid Palmer.

Nicole, your seven minutes starts now, so please introduce yourself for the purposes of Hansard. Your presentation can begin.

Ms. Nicole Bonnie: Sure. Good morning, everyone. It's a pleasure to be here today. My name is Nicole Bonnie and again, it's a pleasure to be here this morning.

I come to you today as someone who has worked in the child welfare field for, I would say, certainly over the last 15 years. I've been in the field of social work over 20 years. And so, this bill, in terms of some of the legislative changes that are being proposed, I'm here to speak in relationship to that.

Currently, I am doing a doctorate at Western University that really focuses on looking at disparities in outcomes in the public sector. I also work as a consultant. Just a few months ago, I was in the position, for the last five years, as the CEO for the Ontario Association of Children's Aid Societies. So, that's kind of what has been keeping me busy.

Now that I've situated myself in terms of context, again, I just wanted to take the opportunity to speak to some of the proposed amendments that are coming to this committee.

One of the things that I wanted to establish, because my work looks primarily at how marginalization is experienced by not just children and youth but communities who intersect with the public sector, when we talk about children and youth who are in care, who are experiencing the child welfare system, at baseline, there is marginalization of all children and youth both in the child welfare system and who have been in care. There are aspects of vulnerability, aspects of marginality, and so I just wanted to establish the fact that when we're looking at aspects of this—and certainly, when I'm looking at aspects of this bill, I'm looking at it from that perspective.

So, for me, just even starting off with the area around privacy that's proposed within this bill: Privacy breaches, in particular—because when you have multiple systems and areas of a system looking at and examining the lives of not just children and youth when they are in the system but also when they are adults and when they have aged out—again, there are high levels of vulnerabilities in terms of eyes on and monitoring and surveilling lives who have been a part of the child welfare system, even when they don't propose a risk to themselves or to others.

But by strengthening the privacy aspects in terms of some of the rights and protections, we're not only respecting the individuals in terms of their autonomy but also self-determination, and we're mitigating further harm that happens when you have your life that's open to hundreds of people who are able to go into your file—really reinforcing to adults, young adults as well as children and youth the importance of their life and the trust that when their lives are in state care, there's an aspect of trust that they can have in terms of their lives being unrecorded in systems.

Additionally, there's also the aspect within the bill in terms of my support of increasing the frequency of visits for children and youth who are in care of child welfare. Again, because we know that there are often many barriers that are faced, many gaps within services systems, increasing the frequency to which children and youth are being supported, to which eyes are being seen on them in terms of by workers and prioritizing regular check-ins, this is also a way to ensure that, for the risks that are—not just the risks, but just for the well-being and the support that children and youth need, that there is proper engagement of children and youth to ensure that they are, in fact, safe and there's well-being wrapped around them.

But my caution around this is that, oftentimes, sometimes even with the frequency of supporting youth, that there could be eyes on youth but there really isn't a deepening of engagement in terms of understanding the young person, understanding what it is what they need in terms of meaningful engagement of them. So, it's not just so much of the frequency; it's the quality of support and the quality of care that the children and youth need with the increase of these check-ins, so that it goes beyond just the superficial and it actually meets their needs.

The other piece is around strengthening the foster care system as well as group homes, and strengthening the licensing and the reinforcement of licensing, that this is, in fact, needed. I think that for many years there's been huge advocacy around the fact that there needs to be strengthening, but strengthening in the right way. So really looking at where the vulnerabilities and weaknesses are as it pertains to children that are in the foster care system as well as in group care settings, and really looking at the fact that for many racialized and Indigenous children there is already an over-representation that happens in these spaces.

The fact that these areas need to be looked at in terms of the supports provided, not just through bureaucratic layering of rules—

The Chair (Mr. Steve Clark): You've got one minute remaining.

Ms. Nicole Bonnie: Sure—but what are some of the ways that we're going to really look to deepen some of these changes so that there can be better outcomes?

Of course I support the fact that siblings are encouraged. There is an encouragement of bringing siblings together and familial connection, especially where there is extreme isolation for children in care.

A couple of cautions: As we're looking at some of the great changes that are being proposed, also looking at the fact of where there is increased administrative burden for children's aid societies and workers within the system, that we're not just adding layers that would increase that administrative burden. What are some of the aspects that can be removed and lessened as we are increasing some of the good changes that happen? Because when there is an extreme workload, even the best of suggestions become lost in the everyday work that happens.

The Chair (Mr. Steve Clark): Thank you for your presentation.

Ms. Nicole Bonnie: That's my conclusion, so thank you.

The Chair (Mr. Steve Clark): Thank you so much.

Our next presenter is Ingrid Palmer. Ingrid, I will prompt you when there is a minute left in your presentation. Your seven minutes begins now. Just introduce yourself for the purposes of Hansard and you can continue.

Ms. Ingrid Palmer: Good morning, and thank you. My name is Ingrid Palmer. I am the board chair of the Child Welfare Political Action Committee. I'm also the vice-chair of the Council of Canadians with Disabilities and, most importantly, I am a former crown ward of the Ontario government.

I'm really glad to be here and thankful to be here with you today to speak to you on Bill 188. Stats would not have me actually be here today speaking to you in this capacity. I really want to speak on a personal nature today, because indeed for much of my life, it did follow that pattern of limited expectation and outcomes for a Black girl in the child welfare system.

Personally, I was not apprehended by the children's aid society; I chose to leave my family home. I chose to do this in a very desperate attempt to escape the unbearable conditions of my life during that period. When I did become a crown ward, I lost a lot. There was much that I gave up: ties to my community, to my family and to everything that I had known. But I hoped that in becoming a crown ward that there was also going to be much to gain from doing that.

For myself and for many other youth in care, one of the greatest disappointments of the experience of being in care was to have things persist that you had thought you were going to escape: to have insecurities persist, to have fear persist, to have various forms of neglect or abuse or other forms of trauma that you had experienced continue—in different settings with different people, but finding the same things that you had thought you were going to escape you were still challenged with fighting.

For myself, the first few years of being in care were very insecure. Like many youth, I experienced multiple placements in different foster homes and group homes, and some of those placements were abusive. My voice was not heard, my claims were not believed, and the investigations were lacklustre at best.

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I also experienced not having adequate support. I received a diagnosis of a rare degenerative eye disorder at the age of 14 at SickKids hospital by myself because both my social worker and my foster parent refused to attend with me.

I also experienced meagre mental health resourcing and supports. Decades later, in my work with the PAC, we're still finding that youth from care are having similar experiences, that their needs are not being met, that they're experiencing stigmatization, racism and that they are internalizing a lack of self-esteem and lack of belief in being able to reach their greatest potentials. Much of what youth in care yearned for seemed to be fleeting and just out of reach and just out of grasp.

One of the differences that I'd like to highlight and that I feel really grateful for in terms of the journey to Bill 188 and the Ready, Set, Go program is that it has deviated from the norm in that it has reached out to and been co-created with first voices, with lived experience, with former crown wards, foster kids and advocates. It's always very difficult for those most impacted to navigate systems that continue to be designed and programmed without their input. Collectively, it is all of our responsibility to create pathways and, in fact, to be avenues of greater growth, potential and possibility for our most vulnerable citizens from care.

In terms of the privacy that the bill proposes, I am very excited to have that, because in my experience in care, I know that for myself and for many other youth, our personal histories were used against us, even in care, as a means to get us to comply with the wishes of the adults who were in charge of us. In my work, I've also heard from many former foster kids of how their records have been accessed and used in discriminatory ways, to prevent them from adopting children, from assuming positions of being elevated in other terms of employment.

It's really important that the ways in which we feel forced or have to survive our trauma, the ways in which our behaviour through our trauma can be self-sabotaging are not things that should be following us when we are emancipated from care. We don't want to have the threat of things that are in our record—

The Chair (Mr. Steve Clark): There is one minute remaining.

Ms. Ingrid Palmer: Thank you very much—potentially following us into our lives and continuing to have a negative effect on us.

I am really excited about the proposed changes that there are to Bill 188 in terms of strengthened oversight by the ministry and strengthened means of accountability for those who are in charge of our most vulnerable youth and also for the changes to the privacy act, which will have an incredible and positive impact on youth in care.

Thank you very much.

The Chair (Mr. Steve Clark): Thank you both for your presentations.

I will now move to the round of questioning. We're going to start with the government's first round of seven and a half minutes. MPP Smith.

Ms. Laura Smith: Through you, Chair: First, I want to congratulate and wholeheartedly appreciate the position that both of you are in today, particularly Ingrid—if I can call you Ingrid, if that's appropriate. You have a lived experience as a former crown ward, and you talked about a number of the modifications. I used to work under the children's protection act, and I know how important the Ready, Set, Go program can be in having a program that's designed by people who have worked in the system and have a lived experience.

But what I wanted to ask you was the privacy issue, because this was key for what you described. You talked about personal histories being used that should not follow you. I wondered if you could talk about how these changes

aim to protect the privacy of children such as yourself who were previously in the system and how—I think you referred to it as emancipation—you're able to freely discuss this now, or not, unless this legislation is passed. I wonder if you could talk about that a bit.

Ms. Ingrid Palmer: Remember that we're talking about young people who haven't developed yet but have been through very adult situations and having to deal with that, and the ways in which, when you have internalized a devaluation of your self-worth—and the ways that that can manifest in self-sabotaging behaviours. To have some, perhaps, negative or detrimental choices that you made as a child potentially come to light, as an adult, can be very detrimental to you in very many ways—

Ms. Laura Smith: Because that record follows you.

Ms. Ingrid Palmer: Because that record follows you, and because that record is not sealed—and why should it not be? We know that even with our young offenders, their files are automatically sealed at age 18 to protect to them and to not have that track record follow them, knowing that decisions that you made during your youth and at a young age when you're vulnerable should not continue to impact your life when you're an adult. That is a detrimental occurrence, and that is an unfair and inequitable occurrence to have. Youth from care, who are incredibly vulnerable, who have been through incredible and very adult situations, need to have that same protection. Things that have happened to them, things that they may have done or things that have been reported and written about them that may not be accurate, stigmatizing, and that could have a real negative effect on their adult life, should not be available for anyone's inspection.

Ms. Laura Smith: Thank you. Obviously, you're in favour of restricting access by others into child welfare records.

Ms. Bonnie, I saw you nodding your head as we were talking about this. You discussed a number of issues about the rights and protections, and also self-determination, which is important when somebody is out of care or they've graduated out of care and they want to talk about their experience. I'm wondering if you could expand on that and how that experience will help the child or the youth in care.

Ms. Nicole Bonnie: When I talk about the right to self-determination in terms of how they use their voice and their information, and seeing inspiring adults like Ingrid who are choosing to use their story to be empowered as opposed to having others using and weaponizing history and their stories in terms of creating barriers, is really what I'm speaking of in terms of—it's up to that young adult's or that youth's discretion as to how they want to use their information, as opposed to having it used in ways that they have not given consent or permission to.

It is quite striking when I hear the examples of the comparison to the criminal justice system and that there would be more rights around privacy through the angle of criminal justice versus child welfare, because there aren't those protections around it that would support that level of self-determination for young people and young adults.

Ms. Laura Smith: Thank you.

The time?

The Chair (Mr. Steve Clark): Two minutes, 20 seconds.

Ms. Laura Smith: I'm going to pass my time over to MPP Kusendova-Bashta.

The Chair (Mr. Steve Clark): MPP Kusendova-Bashta.

Ms. Natalia Kusendova-Bashta: Thank you to both of our presenters for being here today.

I want to start by asking Ingrid a question.

Thank you for sharing your deeply personal story. We need to hear the voices of people with lived experience in order to make these very important changes.

I want to ask you about the Office of the Ombudsman. In your experience when you were in the system, did you know as a youth in the system that something like the Office of the Ombudsman exists and it is available to you?
0920

Ms. Ingrid Palmer: I had no idea that the Ombudsman's office existed or was available to me. I had no idea about any way or any system to reach out to in terms of having any type of trouble or problem. The only persons that I could reach out to were my social workers, and they were often difficult to get a hold of. When I lived in my final placement, which was a long-term girls' group home in Parkdale, I saw my social worker once a year for like an hour.

The Chair (Mr. Steve Clark): One minute remaining.

Ms. Ingrid Palmer: Having avenues to reach out to outside of the location where I was wasn't something that I knew about at all. That information was not available.

Ms. Natalia Kusendova-Bashta: Do you think if we raised more awareness and educated both children in the system but also those responsible for their health and well-being about the role of the Office of the Ombudsman it could lead to better outcomes for children in care?

Ms. Ingrid Palmer: Absolutely, it could. It's very important that both the people in charge of youth in care and the youth themselves know what their rights are and what their avenues are for reaching out for assistance if they need it. But it's also important to have more oversight and, as was being said before, that the onus should be on the caregivers and in particular on ensuring the safety and the needs of the youth in care. It is important and empowering for youth in care to know their rights as well.

Ms. Natalia Kusendova-Bashta: Thank you.

The Chair (Mr. Steve Clark): Thank you.

At this point, I want to ask the committee's indulgence before we move on to the official opposition's questions. Our first presenter, Kemesha Alli, is here. I would like to ask the committee's indulgence. Can we agree to allow her to present her seven minutes now? Thank you.

Kemesha, do you want to come up to the chair there? What I've done is I'm going to prompt you when there is a minute remaining in your presentation. You're going to have seven minutes and after your presentation, we'll move to the next round of questioning for the official opposition.

So, welcome. Please introduce yourself into the mike for the purpose of Hansard. Your seven-minute presentation can begin right now.

Ms. Kemesha Alli: Wonderful. Thank you. Good morning, everyone. My name is Kemesha Alli. I am a former youth in care. I am also the executive director and founder of Patches 360.

First and foremost, I wish to extend my sincere thank you for the opportunity to address you today. It is both an honour and a privilege to stand before this esteemed committee and share my thoughts on the momentous changes proposed in Supporting Children's Futures Act, 2024. As a former youth in care, I cannot overstate the profound significance of the measures outlined in this Bill 188.

Tomorrow, May 14, marks 10 years since the proclamation of Children and Youth in Care Day, a day that holds deep personal and collective significance for many who, like me, have experienced complexities and challenges of growing up in care. It is a day to reflect on the resilience, strength and potential of children and youth in care and to reaffirm our collective responsibility to safeguard and support their well-being.

The proposed changes in Supporting Children's Futures Act, 2024, are a potent symbol of the government's commitment to the welfare of children and youth in care. The strengthening of the ministry's oversight of foster care and group homes, along with the enforcement tools to uphold high standards, is a critical step in ensuring that these environments provide a safe, nurturing and supportive atmosphere for our most vulnerable population. It is imperative that we hold these establishments accountable for upholding the quality and safeguards necessary to promote the safety and well-being of children and youth in care.

Furthermore, the enhanced privacy protections for current and former youth in care signify a momentous recognition of their right to privacy. By fortifying these privacy measures, we are not only affirming the dignity and agency of these individuals but also fostering an environment of trust and security, allowing them to move forward with confidence as they navigate the complexities of their past experiences and their journey towards a brighter future.

In addition, I commend the government's commitment to ensuring that children and youth in care have access to the necessary supports and resources to thrive, develop and achieve their full potential. These changes are not merely legislative amendments; they represent a beacon of hope, a declaration of care and empathy for a segment of our society that has often been overlooked and misunderstood.

As I stand before you today, I offer my full support to the proposed changes in the Supporting Children's Futures Act, 2024, and urge this committee to recognize the profound impact that these measures will have on the lives of children and youth in care. Together, let's continue to advocate for their rights, nurture their aspirations and stand as guardians of their well-being.

In conclusion, as we approach the 10th anniversary of Children and Youth in Care Day, let us reaffirm our commitment to creating a world where every child, regardless of their circumstances, is afforded the love, care and opportunities they need to flourish and succeed.

The Chair (Mr. Steve Clark): Thank you so much.

We'll now move to the next round of questioning. This will be through the official opposition. MPP Gélinas.

M^{me} France Gélinas: Thank you, Chair. My first question would be for Nicole Bonnie. You made some pretty interesting points when you talked about the frequency of visits: that it's not solely the regularity of the visit, but the engagement and the quality of the visit. Could you tell us what you mean by this and give me an example as to what would change if we had visits with more engagement and more quality?

Ms. Nicole Bonnie: Thank you for that question. There have been a number of coroners' inquests where it wasn't the lack of the worker being in the space with the youth or the child; it was the actual engagement of that child. So there were circumstances that if we had asked different questions, if we had engaged with the youth, we would have seen signs of abuse or danger that was happening.

Technically, they checked the box that they were in the home, in the group home or in that foster parent situation, but there wasn't an actual deep engagement or adequate engagement of that young person, and therefore within weeks of that circumstance, there's a tragedy that happened and that could have been stopped. So when I say that it's not just the checkbox that you visited, but that the quality and the measures that were taken in the engagement of that young person, that is really the piece that I want to underscore.

M^{me} France Gélinas: You made a comment before finishing, basically talking about extreme workloads. Is there a relationship between those two, that the engagement was not there and the quality of the visit was not there because of the workload, or are those two separate?

Ms. Nicole Bonnie: I do believe that there's definitely an interconnection between the workload of the worker and the ways in which—and sometimes the lack thereof in terms of the engagement and administrative burden that I had mentioned, as well, in terms of the documentation and all of the administrative pieces in addition to the engagement.

And so, when we talk about reforming child welfare, it's looking at some of these nuanced changes that need to happen in terms of the implementation, because if we're not looking at what the areas are that we need to stop, what areas are redundant, where there's an absorption of time that workers don't necessarily need to engage in in order to put the quality where it matters, then we are just going to be adding more work without that quality that we're looking for.

M^{me} France Gélinas: And do you figure that this is feasible? Like, if we were to look at the workload, if we were to look at the paperwork, we would be able to find efficiency and we would be able to do this; it's just that we've never done it?

Ms. Nicole Bonnie: Yes, absolutely. I feel that it's feasible. I feel that it's the right direction to move in, and I feel that in addition to adding these new aspects of the work, we also need to evaluate what some of the older pieces are that, as I said, may be redundant and may not be serving children and youth well. We need to also evaluate that as we're introducing new aspects of the work, as well.

0930

M^{me} France Gélinas: Makes sense. Thank you.

My next question is for Ingrid Palmer. Ingrid, you are in favour of the new privacy changes that the bill will bring, but then you went on to say it had been used to keep people that have been in care from adopting children. Did I hear that right?

Ms. Ingrid Palmer: In my work I have heard in discussions with more than one person who was a previous crown ward who described situations where they had applied to adopt and, through the investigation of—I've never been through that process so I don't exactly know what it entails, but they were convinced that they were denied adoption because it came to light that they were in care and that somehow access had been gained to their records, and because of what they learned or things that were written, they were denied. Those were allegations that I have heard from more than one former crown ward.

M^{me} France Gélinas: I cannot believe that you went to SickKids as a 14-year-old child by yourself.

Ms. Ingrid Palmer: I can tell you that the condition that I have, that I was born with, is degenerative, and that one of my issues that I had at home was, because it's a rare condition and presents rarely, I wasn't believed at not being able to see properly, because I had glasses. When I went into care, I received the same criticisms and accusations of just wanting to seek attention, just pretending, but eventually I was brought to SickKids for testing.

In the initial testing, my social worker accompanied me, but six months later when I had to go back for the results, I was sent alone. The doctor was in such shock, because he knew what he was going to be telling me, I had to sit for an extra hour and a half and wait for the hospital social worker to be with me because he was so concerned because he knew the detrimental news that he was going to be telling me. He personally called my foster parents and they refused to come in, so that is an experience that absolutely happened.

M^{me} France Gélinas: This is awful. I'm so—I can't believe—oof.

My next question is for Ms. Alli. You were sharing some good steps that are being taken through the bill.

The Chair (Mr. Steve Clark): You've got about one minute remaining.

M^{me} France Gélinas: Okay. You talked about nurturing aspiration. What would you like to see in the bill that would support nurturing aspiration of every child, including every child and youth in care?

Ms. Kemesha Alli: More into finding the supports after care, preparing youth when they're leaving care. For myself, I spent my teenage years in care, and when I left, I didn't have any support whatsoever. I was fortunate that

my foster mom was able to rent me a room when I aged out at the age of 18, and I got to the point where I had no idea that I would be able to even attend college. I pushed myself where I actually journeyed to Sudbury—had never heard of Sudbury, but I wanted to venture up. I planned my own route in the sense of just attaining that support that I needed and combatting all the adversity.

I would say really just preparing—

The Chair (Mr. Steve Clark): Thank you. We've just run out of time for this question round.

We're going to move to the 4.5-minute round for the independent member. Your time begins now.

Ms. Aislinn Clancy: I'll let you finish your comment.

Ms. Kemesha Alli: Thank you. It's really just helping youth to establish that vision for themselves and finding the supports, because I find for my brothers and sisters who have aged out of care, including myself, leaving care, I was—I then tried to return to my family. Like, "How can I get the support from my family?" But they were not supportive. So it was just finding that family connection. That's actually one of the reasons why I actually founded Patches 360. When I first started, it was an acronym, PATCHES: Preparing young Adults Transitioning out of Care, Help to Elevate and Soar.

I felt that the only supports that we had were social workers, but it gets to a point where, when the social workers have actually ended with helping to transition you out of care, there are no supports left. You need mental health supports. That's key. You even need access to getting a driver's licence. I find just even venturing out to university, if I didn't have the accessibility of obtaining my licence and being able to drive, or finding housing that was not within a city, where it's far more affordable—so it's really just providing those key steps. I know the Ready, Set, Go program has started since last year. However, I still think that there is a need to establish not just mentorship—I'm not really for mentorship—it's really that forever family, but what does that look like? It looks different for everyone. But it's detrimental that we do help youth who are leaving care to establish that long-term support.

Ms. Aislinn Clancy: Thank you, Kemesha.

My next question is for Nicole.

I agree with the panel; there is so much good stuff in here.

I share your concerns. From what I've heard—I've met with our local CAS. They have the least funding in 10 years; there's burnout among their staff and turnover—once folks get this experience to do the deep dive, they transition to other, often private sector jobs—and then, just the lack of access. A lot of kids are in care because they don't have access to complex mental health supports and developmental services.

Can you speak to your concerns? There are a lot of wins about removing bad actors from the care and asking for more oversight, but how is this feasible in this context, where the rubber band is more stretched?

Ms. Nicole Bonnie: Being the CEO for the Ontario Association of Children's Aid Societies over the last five

years, I've seen much of what you're speaking about play out in reality, in terms of not just the bandwidth and the workload of workers, but also the work that it takes—and to not underestimate the work that it takes to turn a system around and to make significant changes, in terms of not only the investment of time, in terms of ministry support and oversight, but also the investment of resources, in terms of when we talk about resources for children and youth and within that the fact that the structures and systems within themselves are old, antiquated.

The Chair (Mr. Steve Clark): One minute remaining.

Ms. Nicole Bonnie: They're antiquated systems. They've been around for over 100 years. There are aspects of this that need to be overhauled and change, and it's going to take investment, support and innovation in order to do that. In addition to the passing of these bills, there's actual heavy lifting to be done.

Ms. Aislinn Clancy: So instead of just red tape—and there's accountability that's good, but also a transition away from other measures that don't apply to today.

Ms. Nicole Bonnie: Exactly—that aren't serving well at all.

The Chair (Mr. Steve Clark): We'll move to the second round of questioning for the government. MPP MacLeod.

Ms. Lisa MacLeod: Thank you all very much for your bravery and for sharing your experiences in care, the two of you—and of course, congratulations on your PhD and your ongoing work on your doctorate.

This question will be for all of you, so you can decide who wants to answer.

I had the privilege of being the Minister of Children, Community and Social Services, with responsibilities for a number of things, but obviously the children in care was one that consumed me quite a bit. I had the opportunity on a number of occasions to visit different groups that spoke to me, particularly Black youth and Indigenous youth who suffer—and I say "suffer"—from different issues in care or through the lens of being judged as a child in care.

Some of you mentioned the racism—anti-Black and anti-Indigenous. You also mentioned mental health and the lack of resources as long—and I think probably the lack of resources as you transition out of being a crown ward. So I'd like to hear a little bit about that.

And the one thing I didn't hear but always struck me, because I was minister responsible for women's issues, as well—was the rampant sex trafficking that's happening in the care system, particularly in northern, rural and remote areas, and with Indigenous children.

So when you have three themes like that and you're looking at Ontario's most vulnerable children, what are your recommendations in terms of addressing three issues that any child could be dealing with at one time without their own mom and dad?

0940

Ms. Ingrid Palmer: Thank you so much for bringing that up and the importance of having an intersectional lens on this work and recognizing the multiple, varied and interlocking layers of oppression, trauma and abuse that a child can be facing.

Absolutely, facing anti-Black racism or anti-Indigenous racism and dealing with various other forms of trauma and discrimination that come from the different identities that one is carrying is really important, and also recognizing that pipeline from the child welfare system into trafficking.

When children—and I’m going to especially speak about racialized girls who have already perhaps experienced sexual violence in their lives and are absolutely prone to the abuses, to offenders and to being trafficked. It’s really important that when we’re looking at servicing, when we’re looking at providing resources and treatment, that all of that is being overseen through an intersectional lens so that you’re looking at the particular nuances to each individual and child that they may need and to have those resources catered specifically to that.

I want to leave time for my companions to also speak on this, so I’m going to stop there.

Ms. Nicole Bonnie: The area that you raised around the overrepresentation as well as identity in terms of not only what women in our system that have been involved with child welfare experience in terms of what Ingrid spoke so well about, in terms of the trauma, in my mind, it really brings to the protective mechanisms within our systems. Not just within child welfare, but this is where the intersection of child welfare and education, child welfare and health—child welfare cannot stand alone as an isolated entity when there are many pipelines that exist.

And so, when we’re looking at the support of children and youth, we have to look holistically. We have to look at it in terms of bringing alongside other systems and closing the gaps that are between other systems in terms of how young people end up falling through the cracks and becoming more vulnerable in the areas of human trafficking that you mentioned, as well as not taking that as one-size-fits-all, but using a lens of understanding anti-racism and anti-oppression through understanding anti-Black racism and anti-Indigenous racism.

You said it so well, Lisa, when you framed up the question itself, that that’s the lens that we need to be able to take when we’re also looking at strengthening systems, plural, in how we engage young people. But I’ll—

Ms. Kemesha Alli: Thank you. I’d say definitely the inter-determinants of social health, so not just with regards to mental health, but racism’s interconnection with everything. I, myself, remember when I first got into care. I was placed with a Caucasian family. I was fairly new to the country, so I was only here for four years. I had a one-on-one with my social worker and I asked, “Can I have a Black family?” To this day I remembered his name, David, and this was over 20 years ago.

I was able to move in with a foster parent who was a social worker, so she was able to assist me in my transition to care, especially being that my parents were not even in the country. So that mental health piece really helped. However, other brothers and sisters that came into care that were living with me—there was one roommate of mine, she was experiencing sex trafficking at that point, and she had IDs. My foster mom wasn’t able to do that much even knowing that information. She tried, but then again, we need a chain of support—

The Chair (Mr. Steve Clark): There’s one minute left in the round.

Ms. Kemesha Alli: So, to this day, unfortunately, with the experiences that she’s had, I’ve had the opportunity to continue reaching out to her, but it has really affected her life, and it’s unfortunate because, like I said, the connections that we have in care—sometimes I think the government needs to be careful as to who the foster patients are, as well, because it could actually make the situation worse. If they’re not equipped, if they don’t have the skills and the training—because some foster parents, it’s just for the money: “How much money am I getting a day to have someone in here?” So we have to keep in mind, “Who are these folks who are being held responsible for minors?”

Ms. Lisa MacLeod: Great deputations. Thank you.

The Chair (Mr. Steve Clark): We’ll move to the official opposition for your second round of seven and a half minutes. MPP Taylor.

Miss Monique Taylor: Good morning, everyone. Thank you so much for taking the time to join us today and for sharing your personal stories. It means so much to hear lived experience when we’re talking about child welfare at any time, because we have definitely seen many flaws in the system that have continued for decades.

So while I welcome Bill 188, I am also hopeful to see so many more changes come into the system to ensure the safety of children; to ensure safe housing, mental health, so many things that we see young people face coming out of child welfare and throughout the number of mental cases, homeless and former kids in care.

I’d love to see more data being able to reflect on where kids in care are. That’s why I congratulate the Child Welfare PAC and all of the work that you have done to, first of all, bring this privacy legislation forward. I know it’s directly because of your advocacy and the work that you’ve done, so thank you for that. Please don’t stop. Keep going, because we need you.

Bonnie, it’s great to see you here. As the former ED of OACAS, I’m sure you have some input on my thoughts on this. Seeing the changes of licensing, of further oversight, talking about more workers, increased visits, increased supports—it’s so necessary, right? They’re talking about 20 new inspectors to be able to look at these homes, to be able to make visits often. But quite frankly, the budgets of the children’s aid societies have not budged in years. Last year, they saw a deficit of \$15.9 million, I believe, which they had to be bailed out for, and they’re foreseeing a \$50-million deficit this year. So how can we possibly do more with less again?

We know we don’t have enough workers throughout the children’s aid societies, so increasing those visits, increasing those relationships seems almost impossible to me. It’s great to talk a good game about it, but if we can’t actually do the work because the money’s not behind it, how do we deal with this? What are your thoughts on that, Nicole?

Ms. Nicole Bonnie: I agree. Earlier, I had made the point that this is not just about change from a legislative point of view; it’s going to take investment. And it’s going to take investment of resources in terms of money, but it’s also going to take an investment of time in terms of the

heavy lift to make some of these changes and not just do that from that superficial level. We celebrate the intent, we celebrate the spirit of the change and all of what is behind it, but we know that in addition to having goodwill, there needs to be some tangible support and resources behind the structural change, because it's significant.

So in terms of looking at the vulnerabilities and looking at taking a really good analysis of where some of the gaps are, as you mentioned, that are preventing some of the work that we're wanting to happen in the system in terms of looking at those gaps and looking at the vulnerabilities and closing them, it's also being able to understand that when we talk about not just the investment in workers but also the shoring up of foster parents, looking at homes, there are other structures within in addition to workers that needs to be supported and invested in in order to see some of these amazing changes happen. So I am in support.

0950

I'm also in support of the system also looking at where are there efficiencies. But to find efficiencies and to support that, that's also an investment in being able to analyze where within our system would there be proper efficiencies that need to be made and how do we do that across all 49 CASs in a good way that is consistent. That analysis in and of itself involves resources and support in order to make it happen. So I certainly am hopeful, and I believe that the good will to accompany and the resources to accompany some of this amazing change is going to see us fare well.

Miss Monique Taylor: So do you think that the spirit of intent can be accomplished without more additional funding into the system?

Ms. Nicole Bonnie: Not as well. I don't think that we will be able to optimize the changes that we're looking for. And I want to emphasize the fact that our children and youth are worth the investment. They are not worth a 40% effort, like we did a really good job; we got 30% of the way or 60% of the way there. They deserve a 100%. So if it's the investment that's going to take us to 100%, then that's what we need to do, because that's what children and youth in Ontario deserve.

Miss Monique Taylor: Thank you. I love that—so true.

Ingrid, you talked about the Ombudsman and not knowing at that time that the Ombudsman was available. In 2007—I'm not sure where you were in your life cycle—the provincial child advocate, was given an office and given the position of advocacy, of investigation, of, really, oversight of our most vulnerable children throughout our system.

The Chair (Mr. Steve Clark): You've got about one minute remaining.

Miss Monique Taylor: When the child advocate's office was shuttered by a previous minister under the same government, how did they make you feel, and other former youth around you?

Ms. Ingrid Palmer: That was an absolute, incredible loss that is still being deeply felt and impacting now. I'm still in awe of what the child and youth advocate's office did during its time and how it amplified youth voices and empowered youth from care. I mean, May 14—that's

coming up tomorrow—was born out of the work of that office. So I am one that would share in the call for a return to an Ontario child and youth advocate.

Miss Monique Taylor: Do you think that the Ombudsman has the ability to do the same work?

Ms. Ingrid Palmer: I do not.

Miss Monique Taylor: Thank you.

Thank you both for your time. Thank you for sharing your stories and just coming here—

The Chair (Mr. Steve Clark): Thank you. We're going to now move on to MPP Clancy's final round of questioning.

MPP Clancy, you've got four and a half minutes.

Ms. Aislinn Clancy: I so appreciate—I know how much effort it takes to come here. My cortisol goes up when I have to speak, so I appreciate how important it is that you took the time and energy to share your experiences, your expertise and for the work you do to this day.

I would like to start with Ingrid. We're seeing a real cut to—even though there's some money going into mental health for all, we know that that doesn't cut it when it comes to kids who have had complex experiences, and especially—I know from the child and youth CAS workers that I spoke to in my area, they feel powerless, because they know what's needed for kids and they don't have the capacity to access those services, because they, frankly, have all been cut across the province. So that's the tier 3 mental health care and outpatient.

Can you speak about—Ingrid, maybe—why we need complex, expert mental health care for young people who have experienced attachment and trauma and abuse?

Ms. Ingrid Palmer: The type of trauma and abuse that many youth from care are dealing with the after-effects would really require targeted, specific and trained expertise. I remember as a youth myself begging for mental health services, and we know that with teenagers, they usually balk at that. So, it's incredibly important that we increase the mental health resources available to youth in care, that those resources be targeted and have an intersectional lens and that the folks who are working in close relationship with youth in care absolutely need to have a trauma-informed lens and be trained in that area as well.

Ms. Aislinn Clancy: Would you have been able to receive that care in eight sessions? Would that have been enough to address the complex experiences you've had?

Ms. Ingrid Palmer: Eight sessions would be a nice beginning, but we know that, with mental health care, the effects and the needed resources require long-term, on-going reliability.

Ms. Aislinn Clancy: Thank you.

I also want to bring up that there was some feedback from Indigenous communities that this number of sessions doesn't quite translate and that the way that care is delivered and needed in Indigenous communities is different and they wanted their voice recognized. Can you speak to that, Nicole?

Ms. Nicole Bonnie: Yes, absolutely. Certainly, I'm speaking to it as a settler, not as one who is First Nation, Inuit or Métis. But in having proximity to Indigenous communities, we need to recognize that we can't have a one-size-fits-all approach when it comes to responding to

communities and the needs of communities. So, in looking at specific ways that trauma has been experienced, the history and legacy of oppression, as well as that Sixties Scoop and removing children from Indigenous homes and placing them into care, there is a deep history that requires us to respond that is different from other communities.

The Chair (Mr. Steve Clark): There's one minute remaining.

Ms. Nicole Bonnie: The uniqueness of that really requires us to be able to look at what are the ways in which we are taking direction from First Nation, Inuit and Métis communities and what they need, not just what we're prescribing, as being, again, that across-the-board response to all children and youth in care in terms of well-being.

Ms. Aislinn Clancy: Thank you very much.

The Chair (Mr. Steve Clark): I'd like to take the opportunity to thank our presenters for your very impactful presentations this morning.

If you'd like to submit any written materials to the committee in addition to what you presented this morning, the deadline for written submissions is 6 p.m. on Tuesday, May 14.

The committee now stands in recess until 1 p.m.

The committee recessed from 1000 to 1301.

The Chair (Mr. Steve Clark): Good afternoon, everyone. I'll call the meeting of the Standing Committee on Social Policy to order. We're meeting to resume public hearings on Bill 188, An Act to amend the Child, Youth and Family Services Act, 2017 and various other Acts.

To ensure that everyone who speaks is heard and understood, I just ask that all participants speak slowly and clearly. Please wait to be recognized by me as the Chair. As always, comments should be directed through the Chair.

As a reminder to both of our two presenters who are here and to our one who is coming to us online, you will each have seven minutes for your presentation. I'll give you a one-minute prompt when you have one minute remaining, and then we'll work through a 39-minute time slot for questions. We'll start this afternoon with two rounds of seven and a half minutes from the official opposition, followed by the government with seven and a half and the independent member with four and a half minutes. We will start with the official opposition this afternoon.

MS. VICTORIA HANTON

MS. MEAGHAN MARTIN

VICTIM SERVICES TORONTO

The Chair (Mr. Steve Clark): I'll first begin with our presenter who is online, Victoria Hanton. If you want to introduce yourself for the purposes of Hansard, your seven minutes starts now.

Ms. Victoria Hanton: Good afternoon. My name is Victoria Hanton. I'm a family law lawyer practising in Barrie, Ontario. Prior to becoming a lawyer, I used to be a political staffer at Queen's Park for several years, and my love for assisting in writing the law led me to my career

today in practising law. I requested to speak to this committee on Bill 188, as I strongly support this bill and the amendments to the Child, Youth and Family Services Act, which is an act that I utilize in my day-to-day practice as a family lawyer.

I will focus my submissions on the privacy portion of the bill. The privacy concerns create inequitable access to information and, frankly, a human rights issue to those who have been in care in their childhood. There's a clear gap in the legislation and this is an opportunity to fix that gap.

In practice, social workers with the society get significant amounts of information, often from third parties, often unverified, which they document and place in the file. These are documentations of a child's most vulnerable, traumatic and intimate times in their lives. For example, a teacher or a coach could report an issue about a child to their foster parent, who then reports it to the society worker and then they make it into the file, completely unverified and through third-party sources. The child does not have the opportunity to defend themselves against these allegations, even though these may be unverified, sometimes even slanderous allegations that can affect the child in care and their future and even as they age out into the society care.

This unverified information is accessible to thousands of society workers across the province on CPIN, Child Protection Information Network, when these children who were once in care are potentially dealing with their own children in the future, or it can come up when they are applying to jobs at the CAS, board positions at the CAS, if they're adopting their own children or reporting violent crimes.

As a child who did not grow up in care, like myself or some of you, if there was a document record of everything you ever did growing up, every time you disobeyed your parents or acted out, if it was written down, documented in a record that follows you forever and was accessible to third parties in a computer system in your adult lives, it would be pretty concerning. This is, of course, what needs to be fixed for foster children in Ontario.

The counter-argument that was made for similar legislation in Manitoba was this information was necessary for safety. This is a flawed argument, though; it's grounded in prejudice. For the majority of the population, we don't have access to these historical records about every single intimate detail of an individual's childhood. This is something reserved only for foster children. This line of thinking supports a notion that just because you were in foster care yourself, you are somehow at risk of harm to your future children. This becomes a human rights issue of treating one group of people differently, and it's academically unfounded and not evidence-based.

When we see children who enter the foster care system, it is often due to abuse or neglect against the child. It's no fault of their own; it's the circumstances they were simply born into. They are vulnerable children who have not committed any crime or wrongdoing. Despite this, even juvenile offenders in Ontario have greater privacy rights

than foster children under the Youth Criminal Justice Act, which seals their records at 18, scrubs their names from any name database searches and permits third parties access only through the court. This ensures for youth who committed a crime in their youth that their name does not come up on routine searches in their adulthood. So, if an individual, for example, commits a crime in their youth and then maybe gets pulled over for speeding when they're an adult, it's not accessible in the system, and there's good logic for this: It avoids biases and prejudice to this individual from something that they did in their youth. So why do children who grew up in care not receive the same right, who did nothing wrong in their youth to even get there? They should have at least the same rights as juvenile offenders.

The concerns I've outlined above are also coupled with the risk of cyber security attacks on CAS servers, where this information could be released by leaks, or even by employees who potentially could access information and provide this information to third parties. This isn't something that hasn't happened before; we've seen breaches in the health care system and the policing system in the past.

I urge this committee to ensure that prejudices and biases that do exist do not make it into this legislation under the guise of safety.

Again, similar to the Youth Criminal Justice Act, these records can be made available if they are founded in legitimate safety concerns, but they must be unsealed through the courts, and through a third party requesting the record would require the evidence to prove to the court that it's necessary. It would not be as simple as having someone—the thousands of society workers in Ontario who have access—simply logging into their CPIN at work, searching someone's name and then potentially making assumptions or biases based on the information collected.

These records should not follow children after they age out of the system. This is an opportunity to fix the gap and put the children in foster care on the same level playing field of children who were fortunate enough to not grow up in the foster care system.

Those are my submissions and thank you for your time.

The Chair (Mr. Steve Clark): Thank you for your presentation.

I will now move to our second presenter, Meaghan Martin. Meaghan, can you introduce yourself for the purposes of Hansard? Your seven minutes begins now.

Ms. Meaghan Martin: My name is Meaghan Martin and I'm a child welfare advocate with lived experience in the foster care system. I've had an open and accessible file with the agency I grew up in care with since 1995. I aged out of foster care in 2004.

When I aged out of care at 21, I started to share my story and began advocating for others in the system. I wanted to create change. Unbeknownst to me, I was apparently not permitted by law to share my own story. That said, it would be 10 years later, during the height of my advocacy work, that I would learn how current and former foster children's files were open and accessible—a shock to me.

But if that's the case, then I wanted to know what people were reading about me. I sent a letter to the agency who held my file, requesting a copy. That request was met with a five-page summary of my nine-year involvement with their agency.

The five-page summary spun a more positive tale than what I remembered. For example, content that would be unflattering to workers or foster parents didn't appear in the summary, or details I recalled about my experience, such as repeated requests to be removed from a foster home that openly said they took me in only for the money.

To have none of that noted in the summary raised the question of whether any of what I brought forward was taken seriously. My concern only grew when I realized people I went to high school with became employees of this agency. These people would have full, untraceable access to my file at the simple click of a button.

Apparently, that was all I was entitled to, according to that agency: a short version of events that did not near reality. It wasn't until I wrote an opinion editorial in the *Globe and Mail* about it that the agency then released my file in full, all 1,500 pages of it. I thought we could dissect some of it together here as well.

In my intake paperwork from when I first entered foster care in 1999, it was written, "Meaghan is a bright, intelligent child who requires support and nurturing." However, I wouldn't say much of my experience in care was met with support and nurturing. Instead, over a five-year period, my file noted many times that "Meaghan has had little structure in her life, and as a result can be demanding of her foster parents to occupy her time," and "Despite being a responsible young woman, Meaghan lacks some social skills, is needy and showing attachment issues." Perhaps if I was made better known of my rights to a supportive, loving home that met my needs, things would have been different.

Ensuring children are aware of the Office of the Ombudsman is very important for those growing up in care. Later in my file, I found pages of notes on my first potential high school dating experience, overanalyzing whether I was emotionally mature enough to even have one.

I'm also sure many of you have skipped a meal or two before. I found it noted that in a meeting with a worker over the lunch hour, my decision to not eat was met with her reporting I had an eating disorder. This is the quality content we can hope to find in our files, and then we have to wear it for life.

Part X in the act previously recognized that inaccuracy of files happens, so it allows for edits of the files. However, these edits are no edits at all. They are addendums and can be so inaccurate, and potentially slanderous content remains on record. I urge this committee to consider an amendment to allow for proper edits to files. It is my history, after all. And perhaps we should even consider going further with the youth voice and asking at the age of majority for consent to retain my history at all or releasing the content to me in full.

Furthermore, while reading my file, I found a constant theme in these pages of me continuously having to say I didn't want contact with my mother, only to be met with the opposite: "Meaghan is well behaved, but her needs are high, likely as a result of not having contact with her family." And then, "Meaghan does not want access with her mother at this time but will be encouraged to resume contact with her."

While I, the child who they noted as bright and intelligent, kept saying I didn't want contact with the woman who physically and verbally abused me for most of my childhood, I was repeatedly being encouraged to do so by the social workers who knew the depths of the trauma I had endured because to them it was in my best interest.

My voice was certainly not central to my care. Instead, paternalistic decision-making that original family is best dictated what would happen to me, whether I liked it or not—again, where knowing my rights would have helped.

Also on record are the numerous times I had requested to be removed from a particular foster home due to inappropriate behaviours, like discovering that my foster father was sleeping in my bed when I wasn't home. Many of my requests were met with note stating, "Active pursuit of new placement is not happening." It wasn't until the age of 18, three years spent in that home, where I took matters to my own hands and I left. I found a new home and a family.

Days after moving in with this new family, we were met with an onslaught of slanderous emails from my former foster home directed at me and my choice to leave. We later had to take legal action to get the emails and slander to stop.

I repeatedly requested updates from the agency about the status of that home, as I worried for other children in that care. All requests for updates were met with none, and they continue to remain a foster home.

What I've shared here are only a few highlights from my file. Some parts of my story I haven't ever publicly disclosed before, and maybe there is some risk in sharing with you here vulnerable parts of my history for the world to judge, but at least I got to choose what I shared with you.

While reading all 1,500 pages, I relived a trauma. I read parts of my own history I wasn't even aware of. The ignored cries for support and nurturing—devastating. As I read on, I realized the effect of these files, long after services have ceased, is humiliation. The idea that people I don't even know can access the file indefinitely while I had to fight to have it is unbelievable. I'm also not allowed to share publicly that I grew up in care.

1310

These laws had been designed to protect the wrong people. That is why I'm so grateful that this bill begins to correct this injustice by treating those raised in care with greater dignity. The agencies, the social workers should not have access to these files at all after services have ended. Files should be archived outside of the system and third-party access to these files ought to only be granted through the courts.

The Chair (Mr. Steve Clark): You've got about one minute left.

Ms. Meaghan Martin: From the Office of the Information and Privacy Commissioner of Ontario, it's written, "Privacy is a fundamental right of every Ontarian." Bill 188 means that I'm finally going to be a little bit closer to being one of those Ontarians. I'm finally going to have my fundamental right to privacy. I'm finally going to have the right to my own story.

The Chair (Mr. Steve Clark): Our last presenter in this round is Victim Services Toronto. If you want to introduce yourself for the purposes of Hansard, your seven minutes begin now.

Ms. Carly Kalish: Thank you for your courage and bravery. It's unbelievable that you've gone through this and you're able to do this today.

My name is Carly Kalish. It's a pleasure to be with all of you here today. I'm the executive director of Victim Services Toronto. I'm here to express my strong support of Bill 188, the Supporting Children's Futures Act.

I used to be a trauma therapist, and I've worked closely with vulnerable children and youth. I've witnessed firsthand the critical importance of legislation that prioritizes the safety, well-being and future of the most vulnerable citizens.

One of the most troubling realities that underscores the urgent need for comprehensive reform as outlined in Bill 188 is the prevalence of human trafficking among foster children. I've encountered multiple survivors of human trafficking who were exploited by their very own foster parents—individuals entrusted with their care and protection. This egregious abuse of power not only inflicts unspeakable harms on the victims but also underscores the inadequacy of our current system in safeguarding those in its charge.

Additionally, I must share a disheartening anecdote from my own professional experience. A former colleague once boasted about fostering teenagers solely for financial gain, callously admitting that he received payment for providing minimal care and support. This attitude not only diminishes the noble efforts of countless dedicated foster parents but also highlights the urgent need for stringent regulations and oversight to ensure that every child in care receives love, empathy and the guidance they deserve.

Allow me to illustrate the transformative impact of trauma-informed care through a poignant example. As a therapist, I had the privilege of supporting a young girl who tragically lost her mom to violence. Initially placed in care separately from her siblings, she endured the dual trauma of maternal loss and then the forced separation of being separated from her sisters.

Through tireless advocacy efforts, we succeeded in reuniting her with her siblings in a loving and nurturing family environment. However, this process was fraught with bureaucratic delays, prolonging her anguish and impeding her healing journey. It is imperative to establish pathways designed to maintain family cohesion, particularly among siblings, wherever feasible, and to ensure the

existence of an infrastructure that minimizes bureaucratic delays.

Every child deserves the highest standards of care rooted in safety, love, trust and belonging. Maslow's hierarchy of needs serves as a stark reminder of the fundamental prerequisites for a child's future well-being. By prioritizing the passage of Bill 188, we affirm our commitment to fulfilling these basic human needs for every child in Ontario.

In addition to supporting the passage of Bill 188, it's imperative that we prioritize listening to the voices of young people currently in care and those who have transitioned out of the system. Their lived experience offers invaluable insights into the strengths and shortcomings of our current practices and policies. By actively engaging with these voices, we can co-create solutions that are truly responsive to the needs and aspirations of those directly impacted. Let us commit to amplifying their voices and empowering them as partners in shaping the future of child welfare in Ontario.

I urge you to wholeheartedly support Bill 188 and its provisions for enhancing child care services, improving educational opportunities, bolstering mental health support and strengthening child protection measures. Together, let us ensure that every child in Ontario is afforded the chance to thrive, regardless of their circumstance.

The Chair (Mr. Steve Clark): Thank you. Thank you to all three of you.

We'll now begin the questioning part of our committee deliberations. We're going to start first this afternoon with the official opposition for your seven-and-a-half-minute round. Go ahead, MPP Taylor.

Miss Monique Taylor: Good afternoon, everyone. Thank you so much for taking the time to join us today and to share your personal experiences and how much that means to the committee for you to do that.

There were a few things, Meaghan, that I caught while you were talking about your lived experience. It was the request to have access to your file. I could be wrong, and maybe somebody in the committee could correct me, but I don't believe that's actually in this legislation to correct that. Do you know anything different than that?

Ms. Meaghan Martin: I don't, actually. Sorry.

Miss Monique Taylor: One of the government members may be able to correct me, but I don't think that's part of this file. I think that's such an important piece for your well-being and for your future growth, to be able to deal with the things that you know happened. To see just a very small snapshot that wasn't accurate, and then to have to keep fighting and actually come out publicly—which you weren't allowed to do; thank goodness you didn't get in big trouble for that—I'm glad that we're correcting that here today, because you should be able to speak out and to advocate on your own behalf. But I'm really hoping that that piece of you having access to your information is in this bill, and I don't think it is. We'll double-check, and hopefully we can get something on there to correct that.

Carly, thank you for your time and the work that you do. You talked about prioritizing the voices of young

people. One of the things that I unfortunately see with this legislation—I don't know if it's this legislation or previous acts of this government—was the loss of the Provincial Advocate for Children and Youth. Yes, the Ombudsman does have some oversight mechanisms, but he definitely does not have the ability to prioritize a child's voice and to be able to advocate and to be able to raise the voice as the provincial advocate did previously. Do you recall the provincial advocate?

Ms. Carly Kalish: Sure.

Miss Monique Taylor: In 2018, when this government came into power, unfortunately that was one of their first acts, was cancelling that office. Could you provide some thoughts on what that means for young people—our most vulnerable young people—to lose the voice of the Provincial Advocate for Children and Youth?

Ms. Carly Kalish: Sure. My understanding is that there is an Ombudsman specifically allocated to that file, so that there is a voice for them to be able to access.

I agree that—as I think Meaghan said—they might not know that that exists. So I think there's a lot of work to be done in terms of creating awareness to know that there is a person whose job it is to speak up for them and for them to advocate to. It's vital that there is a person in that role, and that they know and know how to access it. I would say that that is a really vital piece.

Miss Monique Taylor: I would say that the Ombudsman would be a reactive role, though, to when problems have already occurred within the system, where the child advocate was able to proactively speak to young people and empower young people to use their voices.

I hear you. Do you know what I mean? I'm glad that the Ombudsman is getting stronger education out to young people who will definitely need it, but it's a reactive measure. We've heard from other presenters for sure about the set-up of our children's aid societies, reactive instead of proactive, which would actually keep families together in the right times and places. And so, I would like to see more proactive measures from this government going forward for sure.

Hi, Victoria. Thanks for your time today. You were definitely focusing on the privacy aspect of this bill, something that we think is definitely a long time coming. I want to give a shout-out to Child Welfare PAC for all of their work in doing that. I was just wondering if you had any comments on the issue that Meaghan raised also when it comes to requesting your life file.

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Ms. Victoria Hanton: My understanding is that was kind of corrected on the operations side already. It wasn't necessarily in the—I think that was an older issue. But that's my understanding. I'm not 100% sure.

Miss Monique Taylor: Okay.

Ms. Victoria Hanton: I'm not entirely sure on that.

Miss Monique Taylor: That's fine. Thanks.

Carly, I want to go back to the human trafficking piece. We see that kids are put into homes that obviously are a fail—when they're put into these very terribly precarious, dangerous situations. What do you think needs to happen

to ensure that kids are kept safe in their homes? We know we don't have enough workers on the street. We know that CAS is already in millions of dollars of deficit each and every year. What is it going to take to ensure that kids are safe when they're put into placements?

Ms. Carly Kalish: I think there needs to be certain vetting. I think there needs to be listening to young people. Young people who are in care often tell you what they need—like, exactly what you were talking about—and are not heard. Yes, certain vetting, and I know that this bill—I don't know how the fines will work, but I know there's a punishment structure for those who are—I'm not sure what that will do in terms of potentially deterring some bad actors.

But yes, vetting: How do you vet? How do you make sure that there are adequate social workers in place to ensure that you are putting someone in a safe home? You're removing them from danger, and then you can't be putting them back into a potentially more dangerous situation.

The Chair (Mr. Steve Clark): There's one minute remaining.

Ms. Carly Kalish: I'm not an expert in child welfare, but there's probably best practices in terms of vetting and vetting families.

Miss Monique Taylor: Would you say that none of this work could be done without adequate funding to ensure that there's enough people in positions to keep kids safe?

Ms. Carly Kalish: Of course, of course.

Miss Monique Taylor: Great. Thank you. Me, too. I have nothing further at this time. Thank you.

The Chair (Mr. Steve Clark): Okay, we'll now move to the independent member. MPP Clancy, you have four and a half minutes for your round of questions.

Ms. Aislinn Clancy: Thank you so much for making time. I said this to you earlier: These experiences people have had I think are the most impactful. The things that we leave here knowing—why we support some parts of the legislation or some legislation and not others—is how it does impact people's everyday lives. I think your voice is so strong today—especially Meaghan, thank you so much for showing that courage and the real realities that people face that many of us in this room haven't had to face. That is so important.

And I'm glad we could talk about privacy. It's a violation to have someone learn that. Like, you weren't even made aware. It sounds like we've left kids out of the conversation when it's their lives. So I really hope that young people in care get better going forward—at least their voice, their privacy. So I agree with this bill.

I'm going to talk about some of the structural and systemic things because I think it's a systems thing that we're looking at adjusting. It sounds like there was a lot of judgment and a lot of misses, to say the least, or utter fails.

I just wanted to ask Meaghan, maybe: One thing that's come up repeatedly is that kids have been put in care because of mental health challenges or challenges in families accessing developmental services, and then also kids

in care and their workers want to get access to mental health supports. I know that the funding in recent years has basically removed any long-term, not-for-profit complex treatment of trauma. We have that kind of zero-to-15 sessions, but anything beyond that is gone, let alone having a priority. What would it have meant to you, Meaghan, to have access to a therapist who could understand your experience of trauma and be with you through this and to have an ally?

Ms. Meaghan Martin: Honestly, I did have that access. I even had that access before I went into foster care. What I didn't have is I didn't have a mother who supported that. She did not put anything in place to help get me to those appointments, even when the agency set up drivers and things like that. So my breakdown was at the biological root, with my mother, in the family setting. So while that was supported, it was hard for me to get access to that. But when I did have it, it was monumental, and I had it even more when I was in foster care. To be honest, I'm still doing therapy because I think you enter it in such a traumatic time, you're not able to really get to a lot of the roots of what's going on. So, I was in it throughout my 20-plus years, right? So, yes, it's very, very important, but I think it also can come back to the family setting, where I didn't have a biological mother who supported it.

Ms. Aislinn Clancy: Not only was it something you needed, but like so many kids in care, so many layers and so many barriers got in the way of you just accessing the basics of what you needed to be well.

Ms. Meaghan Martin: Yes. And I think it's not like, "Okay, here. Go to therapy and everything is going to be fixed." Like I said, I'm still doing therapy because there's still—like, it's an onion. I'm still uncovering layers here. So, it can't be like a one-stop-fix-all at all. I think we have to look at it through that lens.

Ms. Aislinn Clancy: And make sure the investment is there.

I don't know, Carly, if you could speak to that. I'm troubled by this gap in mental health care services for kids in care especially.

The Chair (Mr. Steve Clark): You've got one minute left.

Ms. Carly Kalish: I used to work in adolescent mental health at a social service agency in Toronto. For some people, a short-term mental health walk-in clinic or a solution-focused brief therapy is an amazing solution, and in some instances, that's of course not enough. It depends on the nature of the trauma. It depends on so many different factors. So, of course, longer-term trauma supports are vital to many people's healing and recovery.

Ms. Aislinn Clancy: What is your reaction to the cuts to that care, widespread across the province, zero access to not-for-profits?

Ms. Carly Kalish: I think that it's scary. There are so many things to fill. I can speak to Victim Services: We offer trauma counselling specifically through the Victim Quick Response Program—

The Chair (Mr. Steve Clark): Thank you. We've run out of time for this round for the independent member.

We'll now move to a seven-and-a-half round for the government. MPP Pierre.

Ms. Natalie Pierre: Good afternoon, everyone. First, before I get started with my questions, I'd like to thank each and every one of you for taking time out of your busy day to join us here today and share your perspectives with the committee.

I'd like to ask a couple of questions to Meaghan, please. Bill 188 really aims to protect the privacy of individuals who were formerly children or youth in care, and so—I know you touched on this a bit during your remarks, but I wonder if you could tell us a little bit more about the impact the current rules for personal information that's held by societies have on individuals when they grow up and they leave care.

Ms. Meaghan Martin: Yes. I mean, everyday, I go about life knowing that there are people out there who can access some of the most traumatic events of my life without me giving them permission or without me having the choice to share it. Like I said, there's some things I shared today that I haven't shared publicly. There's a lot more I haven't ever shared publicly, and I don't want it to be public but, you know, there are people out there who can access it.

I've heard stories of people having their files accessed when they've gone to adopt children, when they wanted to be foster parents themselves. It's terrible. I mean, this is supposed to be my privacy, and yet there's other people out there who can access it.

I think what was pretty monumental for me was learning of people I went to high school with that now are working at an agency that I grew up in care. I was in high school when I was in foster care all at the same time, so these people knew that, and now knowing that they could easily access that information is just—I don't know. It's devastating. It's humiliating, as I'm reading it. I don't really want that stuff out there and I don't want to be judged for it either.

Ms. Natalie Pierre: And you also talked about some of the information in the files—having gone back, requested the information from your file and reading through it. So, can you speak a little bit more about the integrity of the files and the information that's contained there?

Ms. Meaghan Martin: Yes. That's a great question.

I'll be honest, it was quite messy, looking at all 1,500 pages. The notes were hard to read. It wasn't in a very good order. The copies weren't taken very well.

And to the comment about me not eating and just blatantly writing, "I think she has an eating disorder, so I'm putting this in here," just out of nowhere, just to put that on there, knowing full well that's going to be on a record for life.

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Yes, it's hard reading through some of that stuff. And I noted in my presentation, there was information in there that I didn't even know about, like my biological father; I've never known him but there was information about him in my file. So, I had to read that a couple of weeks ago when I decided to read this. It's hard.

Ms. Natalie Pierre: Do you think these files have been used to undermine the well-being and future of youth in care at all?

Ms. Meaghan Martin: I can't speak to it personally because I don't have proof that that was ever something done to me, but as I said, I've heard stories from others who grew up in care, who have had their file accessed when they went to adopt or be a foster parent.

Ms. Natalie Pierre: Okay, and then lastly, I just wanted to ask you a little bit about the Ombudsman and what you think may be important about children in care having the availability of supports of an ombudsperson or the Office of the Children's Lawyer. Any comments?

Ms. Meaghan Martin: I wish I knew about the Ombudsman when I was in care. That would have been greatly important to me, to know those rights. I'm glad you're asking that because I keep hearing talks about the provincial advocate's office, and I do appreciate the push to have it back, but we also have to be honest that there were breakdowns happening during its existence as well.

I didn't have access when I was in care to the provincial advocate's office, but I did know about it after I aged out and became an advocate myself. And I will be honest, I didn't have a great experience with that office. My voice was deemed not as important because of my age. I was 29. It wasn't young enough to have an important voice to them, so it was pretty impactful to leave that feeling like, "Okay, I have this experience and how is it not a valuable addition?"

I think something we have to realize is that our first point of contact as a child is a social worker, is a foster parent, so more oversight over that, more training in that area and more looking into that, I think, would be of more value.

Ms. Natalie Pierre: And then, I guess, just my final question is, how important do you think it is that children in care are actively informed of their rights and understand that there is an ombudsperson available to them?

Ms. Meaghan Martin: Hugely important, and I wouldn't say to tell them once. Tell them multiple times because, as I said, we're going through so much that if you tell me the one time, I might not remember because I'm dealing with something else in my life.

So constantly reminding them—giving them a pamphlet is great at one time, but in every meeting remind them, "Again, you have these rights." Just laying it down there as a foundation would have been really, really impactful for my life.

The Chair (Mr. Steve Clark): MPP Pang.

Mr. Billy Pang: How much time do I have, Mr. Chair?

The Chair (Mr. Steve Clark): One minute 40.

Mr. Billy Pang: Okay. Then I'll make sure—to Carly then. So I'm a first-generation immigrant to Canada and I was shocked that two thirds of human trafficking in Canada happens in Ontario. What do you think this bill can do to help, and further, how can Ontario's child welfare system help to avoid or lower the risk of human trafficking?

Ms. Carly Kalish: So I think that there are intersections with human trafficking, but in order to combat human trafficking, I think you have to look at it from a bigger perspective in terms of how we are going to combat poverty, misogyny, all of these big, huge things that are impossible to combat in one piece of legislation.

The Chair (Mr. Steve Clark): You've got one minute.

Ms. Carly Kalish: But in terms of—if you think of the risk factors of who is trafficked, the intersection of foster care and the child welfare system increases the risk of being trafficked exponentially. So if you can provide loving—the antidote to human trafficking is loving, supportive, caring family environments, and so by implementing legislation that does that, you are potentially preventing some people from being trafficked. So yes, why not?

Does that answer your question?

Mr. Billy Pang: Thank you. We don't have time.

The Chair (Mr. Steve Clark): We'll now move to MPP Gélinas for the next round of official opposition questions.

M^{me} France Gélinas: My first question will be for Victoria Hanton. Victoria, you made a very good link between the Young Offenders Act, which makes it clear that information cannot be shared after your 18th birthday, but none of this applies to your protection of privacy if you have been in care.

I understand you're a lawyer. Have you looked at the bill? Do you feel confident enough that we could copy and paste some of the Young Offenders Act protection of privacy into Bill 188? Is this something that could be done?

Ms. Victoria Hanton: Yes. A fairly similar framework is already in place. It has a high threshold. There is a way to access: the Youth Criminal Justice Act, through the courts. It's a high, high threshold to get there, and there's tons of jurisprudence on why that threshold would be met, which would be applied—in my understanding—likely to this bill for foster children.

In those very unique circumstances when potentially safety could be a concern, then there is a mechanism to get it. The concern I would have is if, at some stage of this legislation as it's getting drafted, it gets broken down that CAS has some type of control over deciding what constitutes a safety concern. I think it's absolutely necessary that it's the courts that are that threshold to make sure that it's not discretionary or anything like that; there's a system and there's a way to deal with it in the unique, very rare circumstances that it does come up.

M^{me} France Gélinas: I take it that, for children in care, it wouldn't be based on age? It would be based on the date when they are no longer in care?

Ms. Victoria Hanton: Yes. That's kind of a moving target. It's hard, because it's not always just 18. I would say it's likely the most appropriate date would be when their service is stopped.

M^{me} France Gélinas: Okay. Thank you. Good advice.

My next question is for Meaghan. You also talked about third-party access through the courts to your file. I take it

you just heard what Ms. Hanton just said. Would you be comfortable with something like this in the bill?

Ms. Meaghan Martin: Yes, I would be comfortable with that. This has been an issue we've been talking about and advocating for since 2017, 2018, so we have definitely been looking at what that could look like. And, yes, I would be in favour of that.

M^{me} France Gélinas: Okay. And as limited as it is for young offenders: you really have to go through a court process to gain access; nobody else does—and you agree with the time that it happens: when the person, child or youth exits care.

Ms. Meaghan Martin: Yes, very much so. I think if that, hopefully, comes into place, that could also be communicated to the youth, because I didn't know. Like I said, I didn't know my file was open and accessible after I aged out. So if we can even communicate that—we should be communicating that now to the youth when they're aging out, that “oh, and by the way”—but, hopefully, we can give them good news soon that, when you do age out, this will be closed.

M^{me} France Gélinas: You give examples of things in your file that you would like to change, as in being diagnosed with an eating disorder when all you did is not eat for one meal; that's not an eating disorder.

Have you tried to edit your file? How did that go?

Ms. Meaghan Martin: Personally, I have not, because I just read my file a couple of weeks ago. But what I have been told is that you can request an edit to be put in, but that doesn't mean that what was put in there by the worker is stricken out. So their word is still there. While my correction can be down there saying, “Meaghan disagrees with this. She does not have an eating disorder,” it's still on record that this worker said that I did. What I'd love to see is that stricken out and my word—since it is my word and my body and my history—is put there as word.

M^{me} France Gélinas: When you shared with us—and you don't have to share if you don't feel comfortable. You shared with us that, at the age of 18, you were able to transfer to a new family—a family that CS found for you, or no?

Ms. Meaghan Martin: No. I found that family on my own through my church that I was attending. People within that church knew. They had witnessed and seen what was happening in the home that I currently was at, and that family came forward and said, “If you need to get out, we'll help you.” That's how I got out.

M^{me} France Gélinas: Okay. Thank you.

To Carly: We know about the child advocate. The child advocate could not only take in complaints, but he could on his own do investigations. He could on his own—it was a he—look at what should be done to make things better, even if there were no complaints.

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The system we have now with the Ombudsman is that the Ombudsman is complaint-driven. There are a lot of children in care who will never complain to the Ombudsman. They just don't have a voice. They just have so much on their plate in their lives that the fact of going to a

government Ombudsman, a word that they've probably never heard before, is not really easy.

If you look at the system that we had with the children's advocate, without any complaints, if he became aware that something wrong was going on, he had the power to investigate; he had the power to request files, to request people to testify. He had a lot of power. None of this is available to the Ombudsman. So if you look at those two, which one would be better to ensure the best possible system for children in care?

The Chair (Mr. Steve Clark): You've got about one minute.

Ms. Carly Kalish: Such big questions, such short time.

I was a trauma therapist at the time when that office existed, and as you heard, the many anecdotes I shared were not investigated. So I would say that neither are perfect and neither are the solution. The voice of those being exploited who are in care, the voice of those who are struggling in care—there isn't a system yet that is in place that is adequately advocating for them.

M^{me} France Gélinas: Do you know if it exists someplace else?

Ms. Carly Kalish: I don't. That's not research that I do. But I'd be curious to know if there's a best-practice model where—like, the office existed when you were growing up; the office existed about all of these stories I heard. So I don't doubt that it was better, but I don't think it was the answer either. I just think that, yes, there's something being missed for survivors.

The Chair (Mr. Steve Clark): Thank you for that.

We'll now move to MPP Clancy. Your second round of four and a half minutes of questions begins now.

Ms. Aislinn Clancy: Thank you very much—lots to discuss today.

I think the best answer is to try to prevent traumas. We see the impact of poverty, the impact of gaps in services and how that leads to family breakdowns, and then there are parents who don't have the toolbox to parent and cause harm. I think what we're all worried about is harm caused to kids. We are all here and we all agree on that.

One thing that I'm concerned about is the funding for children's aid societies. The organizations in my riding said they're at the lowest level of funding in 10 years. I'm going to ask Carly: How do you see that looking for the organizations? We need to do this work, but how is it looking out there in this sector?

Ms. Carly Kalish: It's not my sector, so I can't speak to the funding model exactly, but of course social service agencies and agencies whose job is to keep people safe need to be adequately funded in order to be able to do their job well, in partnership with legislation that assists them in doing their job well. So, yes, of course, I think those things go hand in hand.

Ms. Aislinn Clancy: Okay. Thank you.

Meaghan, I'd like to know more about any ideas you have that we could add to the legislation. Obviously we can't go and do something out in left field, but what more could be done? You've been thinking about this a lot; what would you like to add, if you could see an amendment to

take away some other layer of bureaucracy that has negatively impacted you or give young people a voice in another way?

Ms. Meaghan Martin: I mean, so much of it is in this bill, and yes, there is so much more that can be done. Again, I highlighted the oversight. As I think I said in my presentation, there were so many times that I tried to speak up and I wasn't heard. So better training, better oversight would have been great.

When I was in foster care, it was about five or six years and I probably had 10 to 12 different social workers, so there's no consistency. I'd love to see more of that. I didn't know who I could trust, who I could really talk to. I'm rehashing the same stuff over and over again, and yet my voice is still not being heard. I would really love to see the voice of the child be heard.

Ms. Aislinn Clancy: I can appreciate that. We've heard time and again from kids in care that having so many foster families—like, every time you move schools—you know, there are ones you want to leave and there are the ones you want to stay at.

But I feel you with the social workers. Here we have kids who struggled with attachment because they had caregivers that didn't have that tool box, and then we're changing your social workers time and again. That could be a result of funding and people leaving the role, and it could be, maybe, some measurements we should do in the agency to try to keep that relationship strong so they can build that bond. I know people talk about boundaries, but that attachment with someone you shared vulnerable times with is important. So that's a great idea.

I know one of the things in the bill—right now, it sounds like to access the Ombudsman, you have to go to the website and find the email. What other layers—how could we do this better so that more and more kids can find that information in a youth-friendly way?

The Chair (Mr. Steve Clark): You've got about a minute.

Ms. Meaghan Martin: Sure. So one thing when you're in foster care—and I might be wrong now, but when I was in care, every three months, I had a plan of care with a social worker. We would go over my goals, what I wanted to achieve for the next three months, how I was doing. At these check-ins, this would be a great time to go over my rights and, "If you're having concerns, here's where you can go."

And like I said, I voiced many concerns and yet, I wasn't directed to that office. I was told, "We'll look into it," but nothing was ever done, and then I'd have a new social worker. So consistently educating the youth, the child, on their rights—not just once, not just twice; do it multiple times—I think that would lay a good foundation.

Ms. Aislinn Clancy: Wonderful. Thank you so much. I really do appreciate everybody's calling to be here today and the work you do to be a voice for yourself, your little peanut self and for many others—

The Chair (Mr. Steve Clark): Thank you, MPP Clancy.

We'll now move to the government's second round of seven and half minutes. MPP Grewal.

Mr. Hardeep Singh Grewal: Thank you to all of our presenters for joining us here today and sharing your valuable insight.

My question is to Carly, and my question is going to be regarding police checks. I wanted to know, are stricter rules around consistent police checks and attestations in between—are they important to providing service in child welfare? What are your thoughts on that?

Ms. Carly Kalish: Yes, 100%, but police checks, even vulnerable sector police checks, aren't factoring in if you've been reported a child welfare, for example. So I think that communication between the two bodies would also be crucial to enhance those police checks.

Mr. Hardeep Singh Grewal: My second question would be, how do you think the increase of CAS visits to out-of-home settings from every 90 days to every 30 days will support the improved standards in the overall sector?

Ms. Carly Kalish: The more oversight you can have of "are those kids safe", check-ins with those kids—"How are you doing? What do you need? Here are your rights"—the more you can build that relationship, the better service you're going to receive. So, yes, I'm in full support of that.

Mr. Hardeep Singh Grewal: Awesome, thank you.

I'd like to share the rest of my time with MPP Nolan Quinn.

The Chair (Mr. Steve Clark): MPP Quinn.

Mr. Nolan Quinn: Thank you to everyone for coming to present. My questions are for Meaghan. So Meaghan, you mentioned that you tried to speak up, but you weren't heard. I don't want to speak for yourself, but it sounds like the office for the child advocate let you down because you continually tried to speak about the challenges, whether it was with your mother, your relationship with your mom, but they continued to push it.

Do you believe that the Office of the Ombudsman would've had you have different care? Do you believe you would have had a better experience in care if the Office of the Ombudsman was active, and you were very aware it? Because you tried to speak out on multiple occasions, and unfortunately, the child advocate didn't necessarily hear that. So I was just curious if you wanted to expand on that a little bit further.

Ms. Meaghan Martin: Well, I do want to correct there, because I don't want to speak out of turn. The child advocate wasn't in existence—the provincial advocate—at the time. It was my social workers that were not hearing me.

Now, it's hard to say, if I had had access to the Ombudsman office—it almost makes me a little sad to think that there was that opportunity, and I didn't get it, and I could have maybe had a very different outcome. Though, I did end up with an incredible family at the end of it and I'm very grateful to them, so things work out, I guess, the way they do.

But I think what I want to see is those coming after me. I want them to have that access. I don't want anyone to go through what I went through, hence why I kept pushing for updates on that home, to make sure that they weren't still

having children in there. I want to see them be educated on their rights and the access to their rights.

Mr. Nolan Quinn: I know you've touched upon this already, but I'm just curious if you want to expand a little further. A common argument to keep these files accessible to CAS employees involves safety. Do you believe that has any merit at all, that the access is open to CAS employees who don't know who you are, indefinitely?

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Ms. Meaghan Martin: I don't think so. It just continues to grow the stigma of foster kids and those of us who age out of foster care that we're going to be something bad, we're going to do something bad, that we're going to be abusers down the road. I've heard this multiple times. Society and media portrays it as kids who grew up in care are delinquents and bad people. Well, we're not. To have access still because of safety is laying that stigma. You're saying, "Well, just in case, because they were a foster kid." So no.

Mr. Nolan Quinn: Do you believe that third-party access should be determined by CAS or by the courts?

Ms. Meaghan Martin: By the courts.

Mr. Nolan Quinn: Okay. Thank you.

The Chair (Mr. Steve Clark): MPP Pierre.

Ms. Natalie Pierre: How much time do we have?

The Chair (Mr. Steve Clark): You have three minutes and 20 seconds.

Ms. Natalie Pierre: Okay. Thank you.

My questions are for Victoria. During your remarks, you talked a lot about privacy issues affecting children in the future and once they leave care. So I'm just wondering if you could tell us how protections for personal information and provisions that allow youth formerly in care to identify themselves could support the lives of people transitioning from care into adulthood.

Ms. Victoria Hanton: I think just by way of—the way the legislation is written right now, the way that they don't have access and don't have that autonomy over their own privacy, like Meaghan explained, is humiliating, it is embarrassing. There's that constant fear that foster children are living in. A lot of them don't even know, and the ones who do know—it's very concerning to know that. The fact that now in adulthood that gap will be closed I think really just puts them on the exact same level playing field as everyone else who didn't grow up in care, who doesn't have their childhood record just out there and available for the world to potentially see.

Ms. Natalie Pierre: All right. Thank you for that. We've heard a couple of comments around the role of an Ombudsman. Any thoughts, ideas or perspectives that you'd like to share?

Ms. Victoria Hanton: Yes, I echo, similar to what Meaghan was saying, and Carly too. The provincial advocate wasn't necessarily effective when they were in place, and we have the Ombudsman who can fill that role and they can do the investigations. They can really do the exact same function as the provincial advocate. Again, that office was not without flaws when it was around. I was at

Queen's Park when it was around. We've got other grass-roots organizations that can give children a voice and that can encourage those things. I think it's all just about information, and this act aims to do that: to get that information to the foster kids so they can make complaints should they need to—because, again, the previous system was not without flaws.

Ms. Natalie Pierre: Okay. Thank you for that. And then, any thoughts about having stricter rules around consistent police checks for providing safer services for child welfare out-of-home care?

The Chair (Mr. Steve Clark): You've got about a minute remaining.

Ms. Victoria Hanton: Yes, absolutely. I mean, of course, if there's more oversight on that, that would make sense.

Ms. Natalie Pierre: Okay. All right. Thank you.

The Chair (Mr. Steve Clark): So, I'd like to take this opportunity to thank our three presenters today. If you wish to submit any written materials to the committee in addition to your verbal presentation today, the deadline for written submissions is 6 p.m. on Tuesday, May 14, 2024. So, thank you very much for being here and thank you for telling your stories with the committee on Bill 188. Thank you.

So, we are a couple of minutes ahead of schedule, but we have both our presenter online and we have our two presenters here. As was the wish of the committee, we're going to need consent of the committee to allow the two presenters that are in person, given the direction from the House—is there agreement to allow both of the presenters that are here personally? Agreed? Thank you.

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WORKERS

DR. REBEKAH JACQUES

The Chair (Mr. Steve Clark): So, I'll ask the Ontario College of Social Workers and Social Service Workers to come forward. Both Denitha Breau and John Fleming, if you want to come forward.

Rebekah, we'll get to you after their presentation.

So both of you presenting, the two of you here and Rebekah online, you'll each have seven minutes, so collectively the two of you will have seven minutes to present. I'll give you a one-minute remaining time check, and then after both presenters are finished, we'll then start the round of 39 minutes for questions.

I'm not sure which one of you will start first. All I would ask of both of you is to introduce yourselves for the purposes of Hansard. Your seven-minute presentation begins now.

Mr. John Fleming: Hello. My name is John Fleming, and I'm the council chair of the Ontario College of Social Workers and Social Service Workers and, for your infor-

mation, a former deputy minister of the Ministry of Children, Community and Social Services. I'm a public member of the college council.

Thank you for inviting myself and my colleague Denitha Breau, CEO and registrar of the college, to speak with you all today. Throughout our remarks we will refer to our organization as the college.

The college's primary mandate is to protect and serve the public through a transparent and effective regulatory structure. Within this mandate, the college supports ethical and professional practice through the regulation of both the social work and social service work professions. The main focus of social workers and social service workers is largely in mental health, including counselling, community services and social support programs.

We are the largest regulatory college in the province whose registrants are trained entirely in providing mental health support services, making them uniquely positioned to provide specialized support in our health care workforce. We regulate over 28,000 social workers and social service workers in diverse settings across Ontario.

We are often asked, what's the difference between social workers and social service workers? Social workers collaborate with their clients to address challenges through a process of assessment, diagnosis, treatment and evaluation. They operate in settings like hospitals, social service agencies and schools. Social service workers similarly assist clients in dealing with personal and social problems by delivering counselling, community services and social support programs. They operate in settings like group homes and settlement agencies, crisis centres and income support programs, to name a few.

As a provincial regulator, some of our duties include setting registration and entry-to-practice requirements, ensuring registrants follow a code of ethics and standards of practice, providing transparency through the maintenance of a public register and maintaining rigorous complaints and discipline processes.

Denitha?

Ms. Denitha Breau: Hello, everyone. My name is Denitha Breau. As John mentioned, I'm the registrar and CEO of the Ontario College of Social Workers and Social Service Workers.

So, why are we here today? We know that Ontario's children and youth are in crisis and, across the province, demand for mental health services remains concerningly high. Demand has increased by more than 100% over the past four years. Our college is one of the many groups and agencies provided with a mandate of public protection, and in order to achieve the mission of providing the strongest possible oversight and compliance to keep Ontarians safe, these legislative changes are needed.

To maximize the effectiveness of our college, as a regulator, we require changes to our current governing legislation that would allow us to collaborate with agencies involved in ensuring increased protection and better care for the province's most vulnerable. These modernizing changes have been proposed as part of Bill 188, the Supporting Children's Futures Act, 2024. In its current

form, the Social Work and Social Service Work Act has strict confidentiality limits. Simply put, this means that essential information regarding allegations against a college registrant—so, a social worker or a social service worker—cannot be shared between the college and other relevant parties, including children’s aid societies. Where this has direct effect is in matters that involve ongoing investigations. Being able to share relevant investigation information regarding registrants or members of the college with relevant parties like the CAS is essential to the well-being of children and youth living in these settings. The most beneficial route to protecting the public is to empower local agencies to work together, and the college can achieve this goal with the proposed changes in the existing legislation.

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It is important to recognize that this isn’t a theoretical exercise. There have been several previous incidents where the college has not been able to share information freely in the interest of public safety that has resulted in delayed action and potential harm to vulnerable populations involved. The gap in information sharing during the investigation increases the potential risk to those most vulnerable, meaning that there’s a significant additional burden put on our province’s health care system.

So, what are we asking for? What are we talking about here? With the government’s clear focus on operations being as efficient as possible in its effort to protect children and youth, the proposed amendments to section 50 of our act, the Social Work and Social Service Work Act, in Bill 188, is an important step towards modernizing regulatory approaches and achieving our shared goal of creating a safer environment for children and youth. If passed, the legislative changes outlined in Bill 188 will enable the college to share information about registrants during an investigation, eliminating or reducing the significant risk posed to those vulnerable populations.

What’s significant and important to understand is that it’s already in place in legislations for health colleges. The Regulated Health Professions Act has section 36, which does allow for collaboration in between interested parties, regulatory bodies, agencies with the ultimate goal of protecting the public. As part of our role in protecting the public, our legislation should allow for these exemptions from confidentiality limitations as it relates to our own registrants, our members, when it’s relevant to safety and well-being.

The Chair (Mr. Steve Clark): One minute remaining.

Ms. Denitha Breau: The ability to properly share information can help divert and reduce strain on our health system.

John?

Mr. John Fleming: Thank you very much for the opportunity to present today about this essential topic. We look forward to continuing to work with the government, modernizing our legislation to enhance by ensuring the province’s social workers and social service workers are professional, compliant and can provide the highest standard of care.

The Chair (Mr. Steve Clark): Thank you very much.

Our second presenter is joining Rebekah Jacques, who is joining us online. Do you want to introduce yourself for the purpose of Hansard, and your seven-minute presentation will begin now.

Dr. Rebekah Jacques: I’m humbled to speak from the territory of the Haudenosaunee, Anishinaabek, Lūnaapéewak and Chonnonton Peoples. My name is Rebekah Jacques. I’m a proud citizen of Métis Nation, and against all evidence about former foster care kids, I became a medical doctor that specializes in forensic pathology. I’m here on my own behalf because I believe that every child matters.

I’m pleased to see that Bill 188 aims to fill some gaps in the legislation by improving the ministry’s oversight of foster care and group homes, that there is an understanding that protecting a child’s privacy is integral to protecting that child and improving foster care kids’ knowledge of their own rights. These are early steps in transforming a child protection system into a child welfare system. After all, every system is perfectly designed to achieve the outcome it gets.

What is known about the outcomes of children in foster care is that they are poor compared to their peers, including low academic achievement, high unemployment, poverty, homelessness, criminal justice involvement, early pregnancy and poor mental health. Yet, the government of Ontario assumes a parental responsibility that parents, foster children on average, for a decade—it could 165 days of the year, 24/7—for children that aged out. With that type of intensive intervention on young, developing minds, the outcomes should be the exact opposite of what they have been. I see these outcomes, as a forensic pathologist who performs autopsies on children and youth that die in foster care, but also many years after they are no longer in the system.

A coroner’s report indicates that those transitioning out of care are up to five times more likely to commit suicide. In addition, a number of studies have shown that the rates of post-trauma stress can be double that of war veterans for youth who have aged out of foster care. What is needed is a comprehensive mental health strategy with priority access to health care to improve life outcomes after care.

I entered your foster care system over four decades ago. The outcomes seemingly have not changed much. Law-makers tasked with the system didn’t design it in a way that holds them accountable and they didn’t ensure that each child in the system would have a bright future.

We have inherited the system, so it is up to all of us to redesign a system that ensures we make decisions that are in the best interest for society’s most vulnerable children. It’s not just a legal duty, but it’s a moral obligation to ensure that the system is truly child-centred and prepares foster kids for success, not just surviving the system.

I’ll address three areas of the act, including privacy, data government and the role of siblings.

First, the bill addresses a privacy gap by acknowledging that protecting a child’s privacy is integral to protecting that child and their future. By its nature, child protection services are knowledgeable about a child’s most vulnerable life events that landed them in care. Many foster children enter the system due to abuse or neglect against

us, not because we committed any crime. Our files contain highly sensitive information, including unverified third-party information that can be inaccurate and even racist, and these can be accessed indefinitely by many child welfare workers who have access to the provincial software system on individuals who are now adults and no longer active in the system.

There have been multiple cyber security breaches reported by child protection agencies, and these files remain vulnerable to future cyber attacks and vulnerable to misuse in accessing these files, as it has been allegedly reported to be used to disadvantage children from care during their adult lives by negatively impacting job opportunities, custody disputes, adoption and fostering.

There is zero credible evidence that supports that that failure to protect our privacy is beneficial. In fact, it's wise practice to destroy confidential files that are no longer active, and from a financial perspective, the administrative cost to seal our files would be less than the cost of ongoing data breaches. From an equity position, restoring privacy to former foster children and protecting our identities would give us the same privacy rights as juvenile offenders.

The privacy of young persons who are found guilty of a crime is protected under the law by keeping their identity and other personal information confidential by destroying the records. To be clear, foster care records are not criminal records, but it should be criminal to not protect the intimate details of our most vulnerable children.

Second, the Ontario government functions as the minor's guardian, and in doing so grants itself consent to collect data about them until they're adults. Part of this is improving the quality of child welfare data to establish a baseline of common measures across children's aid societies that can be reported publicly, as well as developing an outcomes-based performance measurement framework.

However, we know that for decades, First Nations, Métis and Inuit children have been overrepresented in the child welfare system. Consequently, much of the data collected will be about them, and therefore, Indigenous tools on data government such as OCAP are one of many tools that can be used to support strong information governance on the path to Indigenous data sovereignty.

Finally, there are many factors that affect a child's experience in foster care, including the stability of important relationships such as siblings. Given their shared experience, siblings in foster care may look to each other as unique sources of support. Separations of siblings can result in a loss of belonging, loss of identity and decreased self-esteem. As a member for the National Advisory Committee on Residential Schools and Unmarked Burials, I have seen the negative impact of separating brothers and sisters while they're growing up.

Fostering positive sibling relations has been identified as a protective factor for children's mental health. Evolving to a child welfare system—

The Chair (Mr. Steve Clark): One minute remaining.

Dr. Rebekah Jacques: Thank you.

Evolution to a child welfare system would permit a more individualized approach to each child. This would include

allowing children with siblings to make sibling connections a priority, so that we avoid siblings becoming strangers because of the system. Merci.

The Chair (Mr. Steve Clark): Thank you very much for your presentation.

We'll start the questions section. We'll begin with the independent member. MPP Clancy, you have four and a half minutes.

Ms. Aislinn Clancy: Thanks to everyone for coming, and Rebekah for sharing a bit of personal insight about your calling in life and how you ended up doing the work that you're doing with so many layers of expertise.

I wanted to start with you, Rebekah. Can you give an idea about what would be an amendment that you'd like to see to ensure that Indigenous communities have sovereignty over their data?

Dr. Rebekah Jacques: I think it would be dependent on each community. There's First Nations, which is a variety of nations; Métis; and Inuit.

For the Métis Nation, we don't really have a presence, even, in the child welfare system. I would direct you towards not only the northwestern Métis child association in northwestern Ontario, but also to consider the federal law that's respecting the Indigenous child and families act that came into force January 2020.

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Ms. Aislinn Clancy: Thank you so much.

I'll turn it over to the college. I'm a college member myself. I have a grave concern about the erosion of complex care in mental health. We've had agencies close, services cancelled, when it comes to long-term services that focus on attachment and trauma. I wonder, have you been hearing this from your members? This is a service, I think, that would be essential and, as we heard, should be a priority for kids in care. But I know, across the sector, we're seeing these experts leave to the private sector and the funding move elsewhere.

Ms. Denitha Breau: Sure, I can maybe speak to a little bit about our engagement with the college registrants. We regulate approximately 29,000 social workers and social service workers within the province. And in terms of engaging with the registrants on an ongoing basis, we take every attempt to ensure that we're coming into communities that, often, are not as urban-centric so that we can ensure that we have a touch point in terms of understanding what regulation can do for them.

In terms of service delivery, we're not directly involved. We connect with our community partners. As I had mentioned in our review, when we can bring information back to those localized centres, we find that there is just ability to service those communities. To the extent we can influence any change and connect communities, we do what we can, but it's beyond our direct mandate.

Ms. Aislinn Clancy: Thank you so much.

I'll pass it over to Rebekah. What was your experience with trying to access mental health supports? You talked about the need for it in your work now, the impact of trauma on people's brains. What do you think we should be investing in as a government to ensure that young kids who have had these traumatic experiences access the appropriate care from the experts?

Dr. Rebekah Jacques: I think, from a Métis perspective, it's quite layered. There's a unique history with Métis people in Canada.

The Chair (Mr. Steve Clark): You've got about a minute remaining.

Dr. Rebekah Jacques: We're in a post-genocide era, and so there is all that history related to residential schools, the Sixties Scoop and birth alerts on top of the trauma related to foster care, which is loss of identity, loss of connection to our culture. Our group would need to be prioritized, given these layers and intergenerational trauma.

Ms. Aislinn Clancy: Thank you so much.

The Chair (Mr. Steve Clark): We'll now move to the government's first round of questions. MPP Quinn?

Mr. Nolan Quinn: My questions will be for the college. How could the information-sharing provisions proposed in this bill affect the ability of professionals and colleges to serve vulnerable populations such as children and youth in care?

Ms. Denitha Breau: By ensuring that this bill is put into place, we're able to then share information within the investigative stage. A real scenario would be, if you have a social worker or social service worker that's also working in, let's say, a CAS organization that's registered with the college—because it's not always interchangeable. So someone who is registered with the college that's working within CAS may have an investigation that's taking place through, perhaps, their private practice at the college.

Currently, the way the legislation stands, we cannot share that information. So we are holding on to information that potentially has a risk to the public. The way section 50 is set out, we cannot share it. With these changes and amendments, we would be able to share that information midway as the personal protection of confidentiality overrides the public protection. So we can determine that there is a public interest in sharing the information, and we would be able to share in the interest of the public.

Mr. Nolan Quinn: John, do you have anything else to—

Mr. John Fleming: No, having experienced some discipline hearings as a council member myself, I share that frustration when we see risk that we can't mitigate in the way that the registrar has just described. I think it's a very progressive step to make this amendment to our statute.

Mr. Nolan Quinn: The timeliness of sharing important—it's extremely, extremely important. What changes to the college's operations and business processes could be impacted by the proposed information-sharing provision?

Ms. Denitha Breau: We're actually extremely positive about this information coming forward, so we've already given some thought into some of these legislative amendments. Certainly, if the government is interested, we have additional modernization pieces that we would love to speak through.

But in terms of changing our processes in our complaints and discipline area, we don't see this being in any

way an operational burden. It's really just to have a matrix set into play where we're determining that there is public interest in sharing the information.

Another scenario, just to highlight this, would be when there is a registrant that's in the media that's being investigated, but the college, at present, can't state yes or no. It really makes regulation seem like it's not doing its job when we're hampered in the ability to share.

Mr. John Fleming: If I might just add to that: It seems to me that if one were to look at the broader system, improvements that are being discussed here might, in the long run, enhance the efficiency of the system so that we avoid children and youth who are at risk not being protected in as timely a way as they could be.

Mr. Nolan Quinn: I think you both touched upon it, but understanding that the college did request some of these changes, could you expand a little bit further as to why the college decided there was a need to request these changes?

Mr. John Fleming: With respect, I think exactly the same reasons we've just been describing for you—

Mr. Nolan Quinn: —if you want to expand a little further.

Ms. Denitha Breau: The risk, I think, in terms of—legislation can obviously be modernized throughout, and the college's legislation is no different, but this was the piece that we prioritized because the risk of not making these changes is so vast in terms of the types of cases we're seeing. We're seeing more sexual abuse cases over time that are coming through. We want to make sure that we're protecting the public in all of our actions, and this change would allow us to do so.

The Chair (Mr. Steve Clark): MPP Kusendova-Bashta.

Ms. Natalia Kusendova-Bashta: My questions will be to Dr. Jacques. Thank you for sharing your very unique lived experience. I was just wondering if you could speak a little bit more about the integrity of the childhood files, and especially for Indigenous children and youth.

Dr. Rebekah Jacques: Well, I think the integrity is a question, right? Because we are always sitting, wondering when will these files be used against us, and we haven't committed any crime. And so, it really impacts our well-being and it impacts our ability to heal, knowing that there are concerns about the integrity of these files.

Ms. Natalia Kusendova-Bashta: Could you tell us a little bit more about the unique needs of Indigenous children in care?

Dr. Rebekah Jacques: I think that the unique needs for Indigenous children in care—and I'll speak more to my experience as a Métis woman being in care, is that I didn't know that I was Métis until I was an older child because there was no insurance to connect me back to my Métis community. And so that really affected my identity because I wasn't aware that I was a Métis person.

We really need to ensure that there are cultural considerations for Métis children, and that the act on respecting First Nations, Inuit and Métis families that has really affirmed the constitutional rights of Indigenous peoples to create and administer our own child and family

services laws is upheld so that we can have a say and direct Métis children—and I'm not speaking for First Nations or Inuit, so you would have to see their position on that.

Ms. Natalia Kusendova-Bashta: Thank you for that. Do you believe that ongoing CAS employee access creates organizational risk?

Dr. Rebekah Jacques: Yes.

Ms. Natalia Kusendova-Bashta: Do you think that third-party access after the fact should be determined by CAS or the courts?

Dr. Rebekah Jacques: I think it should be determined by the courts.

Ms. Natalia Kusendova-Bashta: Is there anything else you would like the committee to know, from your perspective?

Dr. Rebekah Jacques: I think what we need to think about when we are thinking about designing and transforming a child welfare system is that it needs to be holistic and it reflects the components of what a human being is, so the physical, emotional, spiritual and mental parts of being human. That includes making sure that children aren't in hotel rooms and that the funding for children is not a commodification of these children and—

The Chair (Mr. Steve Clark): You've got one minute remaining.

Dr. Rebekah Jacques: Okay. And the emotional part is having built-in love, care and support that is trauma-informed, that is not stigmatizing and that increases oversight, requiring qualitative and quantitative aspects—so increasing more workers for oversight. It can't just be a checkbox; it needs to be a way that we ensure there's an engagement with that child and, spiritually, that we can practise our culture, maintain sibling connections and connections with our kin and sense of belonging. Finally, mental: Our life trajectory of health and wellness begins in childhood, so we need to build resiliency and attachment into the system.

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Ms. Natalia Kusendova-Bashta: Thank you so much.

The Chair (Mr. Steve Clark): I will now move to the official opposition. MPP Gélinas.

M^{me} France Gélinas: My questions will start with the College of Social Workers and Social Service Workers. I have the bill in front of me, and I think you agree with this: "Information disclosed ... shall be limited to the fact that an investigation is or is not under way and shall not include any other information." That's the way you understand the changes.

This is not how it's done in health care. I'm on the website right now of the College of Physicians and Surgeons, and I can tell you—I don't know this person—Dr. Clarence Clotney; I don't know how to pronounce the name—will have a hearing on June 7 at 9:30 from the College of Physicians and Surgeons. You can go online with the 27 health care colleges and find out that information.

Would you be open to having the same amount of disclosure for social workers that we do for health care professionals who are under investigation? Right now, what's

in the bill is very tiny compared to what we do for health care professionals.

Ms. Denitha Breau: I'm happy to answer that. The piece that's reflected in the bill is section 50, which is the information prior to an investigation being referred to discipline. The piece that's referenced in the RHPA where someone is referred to discipline and that is made public information, we already have that in our act. It's stated in the same way.

If the registrant has gone through our process and has gone through our screening committee and found themselves that discipline is referred, with an actual referral, whether there's a finding or not, that's allowed to be on the public register and, in fact, is on our public website with dates similar to the RHPA colleges.

What we're really asking for and what section 50 changes in this bill is providing us is the in-between period. So when you initiate an investigation, prior to it becoming public information through a referral, in that initiating period it often takes a while—months—to investigate something appropriately. But we may be sitting on information that's worthy for another agency to be aware of because that agency has this individual working there who is dealing with a vulnerable population. With these changes, similar to section 36 of the RHPA, we would be able to make that referral, if asked, or initiate that conversation with another jurisdiction, another agency or another regulator.

M^{me} France Gélinas: But there would be nothing in the bill that will mandate that you let an employer know the minute that you start an investigation. It would still be a process within your college that will make the decision that, yes, we should proactively share that information. Am my understanding it right?

Ms. Denitha Breau: That is correct, and that would be similar to the Regulated Health Professions Act as well. There's a fine balance that you have to take between the individual registrant's right to privacy and not disclosing too much that negates their ability to have an income and create a way of life with their employer—and the regulator would determine whether the information that's presented to them has a larger risk to the public and, at that point in time, decide whether it needs to be disclosed.

Similarly, if there's media attention, the regulator, with these changes would be able to state, yes, the college is currently investigating this matter, thereby ensuring that the public is comfortable with the work that's done at a regulatory level.

M^{me} France Gélinas: Would there be any cases where, if permitted by law, you would share more than just the name, but the nature? If it was of a violent or a sexual nature, would you be open to being allowed to share this?

Ms. Denitha Breau: If the act stipulates in a way—there are certain things in the RHPA, certain parts of the act where there is the ability to put interim suspensions in, which we do not have the ability to do. When I kind of spoke about modernizing our act over a long term, these are the types of discussions that we want to continue to have with the ministry. In those circumstances, absolutely,

the college would be open to—the college’s primary mandate is protecting the public and any which way we can manage that, we’re open to doing.

M^{me} France Gélinas: Okay. So in addition to what is already in the bill, if we were to copy and paste some of what’s in the HPRAC law—

Ms. Denitha Breau: RHPA?

M^{me} France Gélinas: Yes, the Regulated Health Professions Act—when it comes to what you’re allowed to share before you’re referred to a disciplinary hearing, you would be open to that?

Ms. Denitha Breau: Absolutely.

M^{me} France Gélinas: Okay, I just wanted to make sure. Thank you.

My second question will be for Rebekah Jacques—I’m pronouncing your name in French, but I’m not sure you’re French. When you talked about how you would like to see increased data collection and increased public reporting—could you give me examples as to what kind of data you would like collected, how often you would like it reported, what you would like to see reported publicly and on what kind of a regular basis you would like to see that?

Dr. Rebekah Jacques: I think things that we would like to be reported publicly are things like how many Indigenous children—First Nations, Métis, Inuit—are in care, what are the themes that have put them in care, the outcomes, and also positives and negatives, including deaths. That may require coordination with the Ontario coroner’s office, not only when children are in care, but the outcomes after care.

In terms of the interval of providing this information, I’m not quite sure if it should be less than annually, because we need to see—

The Chair (Mr. Steve Clark): One minute remaining.

Dr. Rebekah Jacques: Thank you.

We need to see if we’re on the right track and if the changes that we’re implementing in law actually have positive or negative outcomes.

M^{me} France Gélinas: I very much appreciate the fact that you focus on First Nations, Métis and Inuit. Would you be open to the collection of race-based data and reporting based on the race-based data that is collected, which would include Black, Indigenous and people of colour, as well as First Nations, Métis and Inuit?

Dr. Rebekah Jacques: Yes, as long as it doesn’t affect privacy. If you have smaller communities—say it’s refugee or immigrant communities and there has been a recent war—it might interfere with privacy, so those would be some of the considerations to think about in publicly reporting that.

M^{me} France Gélinas: I agree.

I know nothing about the northwest Métis organizations that you refer to. What is the name—

The Chair (Mr. Steve Clark): MPP Gélinas, we’re going to have to move to MPP Clancy’s second round. You can pick it up the next time.

MPP Clancy, your second round of four and a half minutes starts now.

Ms. Aislinn Clancy: I’d like to start by asking the college, as you call yourselves: There’s a concern about funding. When I spoke with the local CAS in Waterloo

region, they talked about being at a 10-year low in funding. What are you hearing from your members in terms of the system’s stress in the child welfare system?

Ms. Denitha Breau: As the regulator, our primary mandate is public protection. We would really leave it to the associations in terms of ensuring that the professions are funded appropriately. Having said that, with the interest of public protection in mind, professionals who are well paid and well funded do provide good care and, to the extent that we can support that, we’re always able to support it.

We know in regulating two professions, the funding has been an issue that has come up more often than not.

Ms. Aislinn Clancy: So funding would also reduce the harm to the public.

Ms. Denitha Breau: Yes.

Ms. Aislinn Clancy: A family member of mine worked in a for-profit group home and experienced trauma because of the understaffing for kids with these complex needs. Are you hearing from members that understaffing, especially in for-profit homes, is an issue?

Ms. Denitha Breau: We hear about the staffing issues across the board. What’s interesting is that the college’s registrants have grown significantly post-pandemic, up to 6,000-plus registrants in the last two to three years. So the question then really is, we are one of the only regulatory boards where the actual population of registrants is increasing, yet that there are still buckets of underfunding and under-resourced areas available, so I think there is an opportunity here to ensure that we’re sitting at tables, discussing where the incentives are, where individuals are moving into certain areas as opposed to others. We know that private practice is growing but perhaps some of these community-funded agencies are not. So, I think there is an opportunity, at a larger scale, to look at why that is and how to incentivize individuals to work in these areas that really do require trained professionals.

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Ms. Aislinn Clancy: Yes. This is a bit of a side note, but it’s becoming more and more of a two-tier system, where the folks on a middle, low income don’t have the same access to mental health care and supports in the community. Thank you.

Rebekah, I wonder if you could share a little bit about your experience. I know you wear many hats. What would have been helpful in addition to more contact during your years in care to be sure that you had a voice?

Dr. Rebekah Jacques: Being told that I had one so that there’s that expectation that I’m allowed to speak, that my voice will be centred and that there will be consideration of what I have to say. That never happened, and so you don’t know if you have a voice until someone really tells you. That would have been transformative for myself.

Ms. Aislinn Clancy: Well, and I hope that, in addition to this legislation, we’ll get some funding for that training, and maybe you can come and speak a little bit about what you’d like to see.

The Chair (Mr. Steve Clark): You’ve got one minute remaining.

Ms. Aislinn Clancy: Yes. Thank you.

I think you spoke really well about how these are developing brains, right? We have soft, mushy brains, and don't get me wrong; we can rewire them throughout the lifespan, but it's better if we can do it at the right time. Can you share a little bit about what it would mean to a brain to have a nurturing caregiver?

Dr. Rebekah Jacques: I think it's almost self-evident that if you have a caring, loving environment, it can have positive benefits. We even know this in animal studies. The macaque monkeys that they gave two types of mothers—one that was caring and one that just provided the necessity of life. And so, that can have wonderful trajectories of having an early, bright start to our futures to continue that on into adulthood.

The Chair (Mr. Steve Clark): Thank you. We're finished this section.

We'll now move to the government's second round of questions, MPP Quinn.

Mr. Nolan Quinn: My questions are for Dr. Jacques. You had mentioned that the funding is not a commodification in our previous round of questioning. Would you be able to expand a little further on that?

Dr. Rebekah Jacques: Yes. Thank you for the question. Some of the funding models can be that a certain agency gets a certain amount of money per child, so there's an inherent conflict of interest where the more children that you have in care the more funding that you can get. On the face, it seems that makes sense: With more children, you need more funding for that. But then it places dollar signs on children, and it makes us look as a commodification, and so when there's vulnerable communities or marginalized populations, that can negatively impact us.

Mr. Nolan Quinn: Okay. Thank you. And then the bill, which is going to be supported by regulatory changes, introduces new offences for prohibited acts and requires that children in out-of-home care understand, for example, methods of discipline that are prohibited. In your experience, do you believe children in care have a good understanding about the practices that aren't permitted?

Dr. Rebekah Jacques: I certainly didn't when I was in care, and I don't think much has changed since 40 years. So, I support that we need to have our children in foster care knowledgeable about what's not appropriate.

Mr. Nolan Quinn: So, I think you answered that one a little bit, but could children in care feel safer and more secure knowing that certain derogatory or dangerous practices are prohibited and punishable as an offence?

Dr. Rebekah Jacques: They may not feel safer, but they may have a better understanding of what their rights are.

Mr. Nolan Quinn: Okay. Thank you. And then, how do you feel the increase of the CAS visits to out-of-home settings from every 90 days to every 30 days will support improved standards in the sector?

Dr. Rebekah Jacques: I think the way that it can improve things is it's not just considered a checklist. It's not just, "Yes, I visited this place on May 14, period." There actually has to be a quantitative component. There has to be significant engagement and looking at that child, seeing that child, seeing that child in their environment. It can't

simply just be a number; it has to be meaningful engagement.

Mr. Nolan Quinn: And then, personal, but how important is it that you can freely share about your experiences that you had while in care?

Dr. Rebekah Jacques: I don't feel free to share any of my—

Mr. Nolan Quinn: You don't feel comfortable?

Dr. Rebekah Jacques: That's correct.

Mr. Nolan Quinn: Okay. And then, how important is it that childhood details are protected after care? Do you think that third-party access after the fact should be determined by CAS or the courts? I know you've already mentioned that before, but how important is it that, after your care is finished and you've grown up, your intimate details are protected?

Dr. Rebekah Jacques: It's extremely important. This impairs my wellness. I lose sleep at night worrying about the contents of what's in my file that is sometimes slanderous and often inaccurate. It may be used in a way that it was not intended to be used. Sealing those records will help me in my healing journey related to foster care. And if this bill doesn't go through, then children that are currently in foster care need to be informed that this is what the ministry does with their records.

The Chair (Mr. Steve Clark): Any other questions?

Mr. Nolan Quinn: I believe that's it, Chair.

The Chair (Mr. Steve Clark): Okay. We'll move now to the official opposition. MPP Taylor.

Miss Monique Taylor: Good afternoon. Thank you so much for joining us.

Rebekah, thank you for being here. I can see the hurt on you right now, and if I could, I'd virtually hug you because what so many young people have gone through within our system has created lifelong trauma. We see the people with mental health issues—how many of them came through care? I heard a number the other day; I believe it was 65% of people who are homeless on the street have had interactions with children's aid societies. So I feel you, sister, and I'm grateful for your ability to come and share with us today.

I know my colleague had asked for that name of the northwest Métis child welfare association. If you could share that with us, that would be fantastic. But I do have a few things that I want to be able to talk to you about, particularly with First Nations children and the overrepresentation of Indigenous and Black children in children's aid societies. Unfortunately, there is nothing in this bill to hopefully rectify some of that.

But we have seen kids being called "cash cows." We have a private system that is housing our most vulnerable youth and has left them in definite precarious positions. We see the cost of a group home for an Indigenous youth is, what, 26% more per day than another youth. So, I would love to hear your comments surrounding that and what that possibly does to encourage more Indigenous youth in care, when we know that our provincial budgets for the children's aid societies are completely underfunded and have been for decades.

Dr. Rebekah Jacques: Yes. So, the name of that is Northwestern Ontario Métis Child and Family Services.

Miss Monique Taylor: One more time, Rebekah? Sorry.

Dr. Rebekah Jacques: Northwestern Ontario Métis Child and Family Services.

Miss Monique Taylor: Thank you.

M^{me} France Gélinas: Thank you.

Dr. Rebekah Jacques: And they're quite new.

So, anyway, the issue that you brought up in the second part of your question about the finances and the “cash cows,” as has been put—not by you, but by others—is that concern I have about commodification of children in care. It incentivizes having more children in care. There's not going to be any—I don't know of any perfect funding system, but those are things to consider about properly funding children's aid agencies, foster care homes and group homes, that that's not a thing that we're thinking about, and not putting a dollar on children's heads, so to speak.

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And the issue about not having proper funds and resources for the child welfare system is really a form of financial institutional neglect. Many Métis children have been put into child welfare systems because of poverty that's masqueraded as neglect. So we need to really do better and have a better financial plan related to funding these services.

Miss Monique Taylor: Thank you. That would mean that we would need a proactive system to keep families in place and do our best to support them while within the family unit, instead of the reactive of when that family has come into crisis for not having that. So thank you for that.

An increase of visits for workers from 90 days to 30 days: With the underfunding that we're seeing in the system, do you think that's even going to be possible?

Dr. Rebekah Jacques: If you want it to happen, it can happen. There are budgets that come up all the time, and so consideration of putting budget aside to support this legislation is important. When I go back to thinking about a holistic system, the physical part is part of the financing. But there's also the spiritual, emotional and mental part that you have to consider, and that needs to be supported, not by also evidence-based practices but resources that can allow this system to ensure every child in our system has a bright future.

Miss Monique Taylor: Great. Thank you so much, Rebekah. Honestly, thank you for joining us and being here with us today. It's really important to hear your voice.

To the college: Good afternoon. Thank you so much for coming. My experience of speaking with children's aid workers is the huge caseload that so many of them are facing, the burnout that they're facing, working long hours, not having enough supports. Now we're hearing more being put on them with increased visits that are going to be requested of them, and really just the pure struggle that they're facing. How, as a college, will you address this? Do you have suggestions to the government on how better to treat your members?

Ms. Denitha Breau: I think an important point to note is that not all children's aid workers are regulated by the college, just the supervisory, generally, and then anyone who wants to be regulated are regulated.

The college usually holds educational sessions a few times a year, in terms of providing resources to the registrants. We have professional practice that engages with the registrants on an ongoing basis in terms of really practical, on the ground, how to assist in a system that's really weighed down. It's really through policy-making and engagement. Where possible, we want to be at those discussions, because our lens is the public protection mandate, and we know if areas are short-staffed. I mentioned it earlier as well: We know our registrant base is growing, but these specific community organizations still remain short-staffed. So there is an opportunity there to look at the actual workforce. Different from the health workforce, we have a growing workforce. Where are these individuals? How can we situate them into the most-needed areas? I think that is ongoing communication we'd like to have wherever those policy tables are.

Miss Monique Taylor: Thank you.

Mr. John Fleming: I would just add to that: I think it's really important. I know it sounds like we're not specifically addressing your question and that we keep reverting to the fact that the mandate that we have under our current statute is very specific—

The Acting Chair (Mr. Aris Babikian): Thank you very much. The time is up for the presenters—

Miss Monique Taylor: Sorry. We didn't get a warning.

The Acting Chair (Mr. Aris Babikian): Unfortunately, there was some switch between the Chairs. That happens sometimes.

Thank you very much to all of you for coming and sharing your thoughts with us and giving us your input. Thank you very much.

If you would like to submit any written materials to the committee in addition to your presentations, the deadline for written submissions is 6 p.m. on Tuesday, May 14, 2024.

As a reminder to committee members, the deadline for filing amendments to the bill is 5 p.m. on Friday, May 17, 2024.

Is there any further business? MPP Kusendova-Bashta, go ahead.

Ms. Natalia Kusendova-Bashta: I move that the committee enter closed session for the purpose of organizing committee business.

The Acting Chair (Mr. Aris Babikian): MPP Kusendova-Bashta moved a motion. Is there any debate? No debate? Okay. Are the members ready to vote? Okay. All in favour of the motion, please raise your hand. Any opposition to the motion? Okay, I see none. The motion is carried.

We will now go into closed session.

The committee recessed at 1449 and later continued in closed session.

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