



**Ministry of Human Services' Response to the
CS Fatality Inquiry Report**

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Background

The Ministry of Human Services has carefully reviewed the fatality inquiry report released on July 9, 2013 regarding the death of CS on September 28, 2008.

The inquiry found this death was due to carbon monoxide poisoning, and the manner of the child's death was homicide, committed by the father. The child was in parental care at the time of death. The parents were engaged in a lengthy custody dispute over the child, and the family was receiving services under the *Child, Youth and Family Enhancement Act* (CYFEA) via a supervision order¹.

The fatality report references similarities to a report released in 2005 about a death of a child. As such, the judge hearing the case of CS did not make specific recommendations for Human Services: "I make no specific recommendations in this matter ... The issues raised in this Inquiry were numerous and complex and I believe have been or are being addressed."

Similarities between the deaths of CS and the child in 2005 included the following:

- In both situations, the fathers were found to be responsible for the death of the child.
- Both tragedies involved long-drawn-out divorce proceedings, with highly contested custody and access issues.
- Both fathers were the non-custodial parents with rights to access only.

Since the 2005 fatality inquiry was released, the Ministry has taken a number of steps to enhance services for families; foster stronger relationships between families and child intervention workers; enhance training opportunities for staff; and strengthen casework practice.

General Response

The report from the 2005 fatality identified the following recommendations for the Ministry:

1. The development of a strategic plan to improve communication between community stakeholders providing services to families impacted by family violence, with an aim to better coordinate community responses to families.
2. Develop a process to guide caseworkers when dealing with families involved in custody and/or access disputes, including the development of an effective response to frequent malicious reports.
3. The office of the Director of the Child, Youth and Family Enhancement Act, the office for the Prevention of Family Violence and Bullying, and the Child and Family Services Authorities explore, identify, and address the barriers to caseworkers applying for Emergency Protection Orders.

¹A court order whereby the Director or a child intervention worker delegated on behalf of the Director supervises a child residing with their parent(s)/guardian(s) to protect the survival, security or development of the child.

In January 2005, the Ministry drafted a framework for responding to situations where child maltreatment and adult domestic violence happens at the same time within a family. It includes:

- roles and responsibilities
- case documentation and client confidentiality
- screening, investigation, and assessment
- safety planning and lethality assessment
- planning an intervention strategy.

Under CYFEA, services and supports may be provided to families in cases where the safety, security and well-being of the child may be impacted by custody and access issues.

Child intervention policy was revised in 2009 to clarify that the child's intervention needs must take precedence in assessments with respect to custody disputes. In addition, training for all child intervention staff, including delegation training for new staff and mandatory suicide intervention training, discusses best practices in working with families experiencing highly conflicted relationships.

The *Protection Against Family Violence Act* (PAFVA) provides protection to family members who are victims of family violence through protection orders. In 2008, the Screening Aid for Family Violence was introduced for mandatory use by child intervention workers in cases where family violence is present. It has been embedded in all assessment tools used by child intervention workers. In addition:

- Since 2005, mandatory training for child intervention workers has been regularly updated to better reflect the complexities of working with families impacted by family violence.
- PAFVA training is mandatory for all child intervention workers and includes reference material for working with children exposed to family violence.
- Family Violence and Bullying 101 training is available for all child intervention workers and service providers who support children and families who have been impacted by family violence and bullying.
- Delegation training remains a mandatory requirement for newly hired staff of Child and Family Services Authorities (CFSAs) and Delegated First Nation Agencies (DFNAs) and continues to provide information about legal activities and court orders.
- Stand-alone training sessions about different aspects of family violence have been developed for all staff.
- The Family Violence Safe Visitation program provides a safe environment for children to visit with their non-custodial parent in situations of ongoing family violence. Seven safe visitation sites across the province assist parents in maintaining contact with their children and in developing their parenting and relationship skills, and help children to maintain relationships with both of their parents while addressing safety concerns for all family members.

The recently passed *Children First Act* is a result of collaboration between government, external stakeholders and service delivery partners who identified opportunities to enhance legislation, tools, processes and policies to improve the security, education, health, safety and well-being of children and youth in Alberta. The Act clarifies roles and responsibilities and further enables front-line workers and

caregivers to work together with their teams to make decisions in the best interests of the children and the families they serve.

Two key themes of the *Children First Act* that are of particular relevance to the recommendations stemming from the CS and 2005 fatality inquiries are:

- Efforts to enhance relationships between child intervention workers and families by placing team-based decision-making with the people who work most closely with the child and family.
- The creation of a Family Violence Death Review Committee. The creation of the committee will enable a formalized process for reviewing deaths related to intimate partner homicide and will bring together representatives from the Office of the Chief Medical Examiner, police, justice system, health sectors, child intervention and other service providers to make recommendations to the Minister of Human Services that support the prevention and reduction of family violence.

Conclusion

Since the recommendations from the 2005 fatality inquiry, the Ministry has made efforts to incorporate promising practices and emerging knowledge in the area of family violence and the impact that it has on children into day-to-day services delivered to Albertans.

With the passage of the *Children First Act*, the Government of Alberta has made a commitment to place children and children's policy needs at the centre of a more focused and integrated agenda. Central to this is the commitment made in the Act to establish a Children's Charter to guide the government in the development of policies, programs, and services affecting children and to guide collaboration among departments and agencies, service providers, and Albertans.

Cases such as this one highlight the importance of information sharing between anyone who is working to support a family and address their needs, including Human Services workers, police and health professionals. The *Children First Act* supports information sharing to assist in coordinated and collaborative planning and delivery of services for children and their families.

The Ministry of Human Services remains committed to supporting the safety and well-being of children and helping families to become and remain strong. We will continue to work toward ensuring vulnerable Albertans have the resources and supports they need to achieve good outcomes, provide children and youth with the best opportunities in life and build a better Alberta.