

1.8 Collaboration Between CAS and VAW Services¹

In 2004, the York Region Children's Aid Society entered into a collaborative agreement with five Violence Against Women agencies – Family Services York Region (formerly Family Life Centre), Sandgate Women's Shelter of Georgina, Yellow Brick House, York Region Abuse Program, and Women's Centre of York Region. By entering into the collaborative agreement, the agencies agree:

that in order to effectively end violence against women and children, service coordination between VAW and CAS agencies along with a shared understanding of woman abuse and child abuse and neglect is essential.

This section provides a summary of the contents of the collaborative agreement. Please refer to the agreement for complete details.

The primary objective of collaboration between CAS and VAW agencies is to increase the safety of children by:

- helping women to be safe;
- making the best use of the means available to hold the abuser accountable for harming and being a risk to the women and their children;
- to build a response that starts from the woman's and child's perspective and their perceived goals; and
- believing that women are the experts in their own self determination.

Values Guiding Collaborative Work

The following values guide their work together:

- Women and children are not responsible for their abusers' behaviour.
- Working together increases safety for women and children and decreases chances for re-victimization.
- Collaboration is most effective when the woman is part of the process.
- Child abuse and woman abuse are often the result of abuse of power in family relationships. Neither women nor children can be responsible for changing the abuser's behaviour.
- Children can experience trauma in families where women are abused.
- When a child is exposed to violence within the family this can have both short and long term consequences, depending on a child's age, gender and stage of development. The

¹ Adapted from the Collaboration Agreement for the Children's Aid Society and Violence Against Women Agencies of York Region. May 2004.

impact of violence to a child is significant, as demonstrated by excessive symptoms of distress, anxiety and fear.

- Ensuring the safety of children is paramount, as children are most vulnerable and have the least power in our society.
- Increasing the safety of abused women will increase the safety and well-being of children.
- Abusers must be held accountable for their abusive behaviour.
- CAS and VAW services can provide a community leadership role to influence system changes.
- Effective intervention will include all existing York Region Protocols as they relate to woman abuse and child abuse.

Principles for Intervention

Intervening in situations involving woman abuse should be done in a manner that supports women and their children, and that uses the means available to the VAW and CAS sectors, within the authority of their mandates, to hold the abuser accountable for violence.

These principles guide intervention:

- The primary focus of child protection intervention in woman abuse cases is the ongoing safety of the children.
- Protecting abused women helps protect their children.
- The safety and well being of children who are exposed to or who are witnesses of woman abuse is inextricably linked to the safety and well being of their mothers and this must be the first consideration in evaluating any intervention.
- Providing supportive interventions to women will help them protect and care for their children.
- Respecting the woman's right to direct her own life is critical.
- The abuser, not the victim, should be accountable for the negative impacts of exposing children to their violence.
- It is the responsibility of the justice system to investigate, charge and prosecute the abuser in order to hold the abuser legally accountable.
- All interventions should include a gender based analysis of power and control.
- All interventions should be culturally informed and based on culturally sensitive practices. Culture includes country of origin, religion, sexual orientation, ability, and economic status.

The order of the above list does not reflect priority.

Areas of Collaboration

The CAS and VAW agencies, agree to collaborate on each of the following points where our work intersects:

Intersection Point 1: The CAS has received a referral/report/information that a child may be in need of protection. The CAS worker suspects or learns that woman abuse may be/is occurring in the home. For example:

- When a report of alleged child abuse or neglect, current or past, comes to the attention of the VAW staff a report to the CAS will be made forthwith as per mandated within the *Child and Family Services Act (CFSA)*;
- When a report of alleged child abuse or neglect, current or past, comes to the attention of the CAS staff, CAS staff will follow up appropriately to determine whether the child / family is eligible for CAS service intervention.

Intersection Point 2: The CAS worker's is assessing the safety and future risk to the child. The CAS worker suspects or learns that woman abuse may be/is occurring in the home. For example:

- When CAS determines a child protection investigation is warranted, the CAS worker will attend the child(ren's) home, and conduct interviews including the child(ren), the mother, and all relevant family members. The interview will include gathering information regarding any history of abuse against the mother;
- The alleged abuser will be interviewed by the CAS worker and/or police (see Child Protection and Assault Protocol of York Region for procedures);
- The CAS worker will conduct a safety assessment determining the level and immediacy of risk to the child. The CAS worker will also conduct a risk assessment for the child(ren) using current Risk Assessment tools. Assessing need for protection must also include assessment of factors/options of danger and protection for the woman and child(ren), including efforts the woman has made to protect her child(ren) in the abusive relationship;
- The CAS worker will provide information/options regarding the range of services available in the community and will assist/support the woman in implementing options that will increase the safety of both herself and her child(ren);
- The VAW staff will follow CFSA legislation with respect to Duty to Report;

Intersection Point 3: The CAS worker is involved in developing a Plan of Service for a child in a case involving woman abuse:

- In those cases where violence against women has been identified as a risk to the child(ren) and the woman, the CAS worker will engage the woman, her child(ren) (if appropriate), the family (if appropriate) and collateral service providers, in the service plan solutions in order to address the factors that contribute to the risk of the child(ren);

- The CAS worker will develop a plan of service and will review the plan of service on a regular basis, and modify when indicated. Contained in the plan of service both short and long term risks will be identified and strategies to reduce or eliminate those risks will be identified and implemented.

Intersection Point 4: VAW worker is trying to determine whether a situation constitutes reasonable grounds to suspect that a child may be in need of protection. In some cases, (a) no report to CAS is required, or (b) a report to CAS is required.

a) No report to CAS is required:

- The CAS is available 24 hours a day, 7 days a week for both consultation and investigation purposes. Community professionals and lay people may contact the CAS for a consultation or present a hypothetical case to request information and direction on a case.
- The CAS worker can provide information that may help a VAW staff in making the decision whether a situation constitutes a suspicion that a child(ren) may be in need of protection.
- The CAS worker will make a determination based on the information provided at the time of the consultation as to whether or not a formal referral to the CAS is required.
- If it is determined that a CAS report is not required, the VAW worker will provide the woman with information about voluntary services provided by CAS and any other agencies whose services may be of assistance to the woman and/or her children.

b) A report to CAS is required:

- As per Section 72 of CFSA Duty to Report, VAW staff will provide relevant information.
- VAW staff are directed to refer to York Region Woman Abuse Protocol.

Intersection Point 5: A woman and a child are involved with both a VAW agency and CAS. They may either be known to be involved with CAS when becoming involved with a VAW agency, or become involved with CAS while involved with a VAW agency.

- While VAW agencies and the CAS share a common goal of ensuring the safety and well-being of women and children, it is important to recognize the separate and distinctive priorities in that regard.
- Given their distinctive mandates and different responsibilities, it is important for each to be aware of and understand those separate responsibilities. At the same time collaboration in these instances should lead to the most comprehensive and beneficial results for the mother and child(ren).
- Mutual respect and collaboration amongst service providers, in addition to the recognition that workers' knowledge of the other service sectors, increases the effective collaborative process.

- It is in the best interest of abused women and their children that roles and responsibilities outlined in the York Region Woman Abuse Protocol (2003) are followed in the delivery of service.

Intersection Point 6: The VAW or CAS worker is assisting a woman who is trying to negotiate custody and access agreements in order to increase her safety and that of her children.

- VAW staff will assist the woman in identifying what services are available to assist her, and in those circumstances whereby the woman requests legal support, VAW services will assist in accessing these legal services only, with the woman's permission.
- Current practice of the CAS will continue. Our mandate of ensuring the protection of children will remain the primary focus in all cases, including those of custody and access.

These specific intersection points have been identified for the purposes of identifying when the CAS and VAW agencies will collaborate. However, we recognize that they are only steps in an ongoing process to creating a fully collaborative working relationship. CAS and VAW agencies are committed to collaborating from the beginning to the end of our work in serving women and children wherever both child welfare and woman abuse are involved.

1.9 Children Exposed to Woman Abuse and the Duty to Report

Duty to Report

Under Subsection 72(1) of the Child and Family Services Act, the public and professionals have a duty to make a report to the CAS if they have reasonable grounds to suspect that a child is or may be in need of protection.

Ongoing Duty to Report

Also, a person who has additional reasonable grounds for suspicion is required to make a further report even if he or she has made previous reports with respect to the same child [C.F.S.A. 72(2)]. A person who has a duty to report must make the report directly and not rely on any other person to report on his or her behalf [C.F.S.A. 72(3)].

Professional Duty to Report

A professional person is guilty of an offence if he or she contravenes subsection 72(1) or (2) by not reporting a suspicion and where the information on which it was based where the information was obtained in the course of his or her professional or official duties [C.F.S.A. 72(4)]. The penalty for this is a fine of up to \$1,000.

It is incumbent on all those in contact with children who are exposed to their mothers being abused, to be attentive to the actual harm and/or risk of harm that can be caused to children by abusers. Using sound and reasonable judgment, professionals should intervene appropriately in an effort to support and protect the woman and her children and have the actions of the abuser stopped whether or not the intervention requires reporting to the Children's Aid Society.

Protection from Liability

The C.F.S.A. subsection 72 also states that the duty to report suspicions of a child in need of protection applies despite "the provisions of any other Act" and that there is protection from civil action for individuals who report unless that person has acted maliciously or without reasonable grounds for the suspicion.

Referral to CAS at Any Time

Remember, when you have reasonable grounds to suspect that a child has suffered, or that there is a risk that the child is likely to suffer abuse or neglect (specifically, one of the matters listed in subsection 72(1) of the Child and Family Service Act):

- Immediately notify the appropriate Children's Aid Society of the suspicion;
- Provide demographic data (including, name, age, gender, address, telephone number, etc.) and all the information upon which the suspicion is based;

- DO NOT delegate the making of the report to the Children's Aid Society to any other person;
- Serve as a liaison between the agency, the family and the Children's Aid Society, providing information as required or permitted by law;
- Provide support to the family and child when possible; and
- Assist in any necessary follow-up intervention where appropriate.

The York Region Children's Aid Society encourages all service providers, when in doubt, to call the CAS for the purposes of assessing whether the concern is a reportable situation.

For more information on Grounds for Reporting, refer to relevant sections of the Child and Family Services Act.

For additional information you can also refer to:

York Region Children's Aid Society
www.yorkcas.on.ca

Ontario Ministry of Children's Services
Reporting Child Abuse and Neglect: It's Your Duty
www.children.gov.on.ca/NR/CS/Publications/AbuseNeglect-en.pdf

1.10 Impact on Children Witnessing Abuse

Children living with woman abuse are likely to be maltreated themselves, at risk of injury during incidents of violence, are unable to grow up in a safe, supportive and peaceful environment, and are at risk at developing trauma symptoms.

The reactions of children who witness woman abuse can include emotional, social, cognitive, physical and behavioural maladjustment problems (Jaffe, Wolfe and Wilson, 1990). These children tend to show lower levels of social competence, higher rates of depression, worry and frustration, and are more likely than other children to develop stress-related disorders and to show lower levels of empathy (Fantuzzo, et al, 1999; Graham-Bermann and Levendosky, 1998; Moore and Pepler, 1998; Edleson, 1999).

How children react to woman abuse depends on many factors, including their age. As they get older, children develop a more sophisticated understanding of the violence and an increasing ability to intervene. Their coping strategies will also evolve.

Some of the impact on children include the following²:

| Infants | Preschool Children | Latency 5-12 years | Early Adolescence 12-14 years | Later Adolescence 15-18 years |
|--|--|--|---|--|
| Disruption in eating and sleep | Acting aggressively | Bullying | Dating violence | Dating violence |
| Extreme distress when hearing loud noise | Clinging | General aggression | Bullying | Alcohol / Drug abuse |
| Being too frightened to explore play | Anxious | Depression | Poor self-esteem | Running away from home |
| Distressed | Cruelty to animals | Anxiety | Suicide | Sudden decline in school achievement and attendance |
| Tense | Destruction of property | Withdrawal | Post-traumatic Stress Disorder symptoms | Disrespect for females; sex role stereotyped beliefs |
| | Symptoms of Post-traumatic Stress Disorder | Symptoms of Post-traumatic Stress Disorder | Truancy | More likely to intervene in physical incidents and risk injury |
| | Worry about getting hurt | Oppositional behaviour | Somatic concerns | |
| | Frustrated | Destruction of property | Disrespect for females; sex role stereotyped beliefs | |
| | Confused | Poor school achievement | Embarrassed | |
| | Nightmares | Disrespect for females; sex role stereotyped beliefs | Displays a great deal of concerns and responsibility for younger children | |
| | | Angry at both parents | Concern for well being of mother | |

² Taken from Sudderman, M. and Jaffe, P., Health Canada (1999). *A handbook for health and social service providers and educators on children exposed to woman abuse*. Health Canada, National Clearinghouse on Family Violence, Ottawa, Canada. (p 13).