

Father at end of his rope fighting for seven-year-old daughter

Girl is living in home with man convicted of sexual assault

By Mike Johnston
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COBOURG - A Cobourg father is questioning how a system set up to protect children is allowing a man convicted of sexual assault and sentenced to three months house arrest, is living in a home with his seven-year-old daughter.

Curtis Johns, (not his real name to protect the identity of his daughter) has spent the last month trying to get his child out of a house she currently lives in with her mom, and a man who in January was found guilty of sexually assaulting a 14-year-old girl.

Mr. Johns and his ex-wife have been separated for more than five years. The two share joint custody of his daughter, who spends one week with Mr. Johns at his Cobourg home then one week with her mom. Shortly after police charged the man with sexual assault, the mother moved to Peterborough.

Mr. Johns' journey to get his daughter out of his ex-wife's house actually began shortly after the charge was laid, when he started hearing rumours in the community about the case.

"I kept hearing stuff about this guy being charged and I went to the Cobourg police to find out more but they wouldn't tell me anything officially," said Mr. Johns. His problem was that the courts had put a publication ban on the name of the accused in order to protect the victim.

In a Cobourg courtroom in January, Crown attorney David Thompson said the accused, a 39-year-old man, had tried to touch the 14-year-old's breast over her clothes and

when he tried to put his hand under her clothes, she walked away. At another time, the accused masturbated in front of a web camera when he believed the girl was able to watch, said the Crown, who added the girl did not witness the event. Troubled by his conscience, the accused told his girlfriend about the incidents, and eventually the police found out through a third party. In the meantime, the accused apologized by e-mail and in person to the victim and her mother, said Mr. Thompson.

As the case proceed through the court system, Mr. Johns said he became convinced the accused was the man living with his ex-wife.

"I kept saying in the back of my mind everyone is innocent until proven guilty but I kept going to the police and asking them and finally, one officer just told me to continue on my way, and that's when I knew I was right."

It wasn't until the Northumberland News ran a story on the sentence, that Mr. Johns, again convinced he was correct but still without hard evidence, approached the Northumberland Children's Aid Society with his suspicion.

"I talked to a caseworker and she took the information but it didn't go anywhere," said Mr. Johns who also approached the Crown Attorney's office to get information. Again he was denied any access to the files.

Still acting on his belief, Mr. Johns filed an emergency motion with the courts asking for his daughter to remain in his custody. That was denied and Mr. Johns was left scratching his head, questioning his next move.

That next step came from an unlikely source in the form of a sworn statement from the mother of the victim who named the accused as the man who had assaulted her daughter. It was the same man living in the home with Mr. Johns' daughter.

"I knew then I was right and I went back to court and filed another emergency motion and it was denied because I didn't have a parenting strategy for day care for my daughter. I'm a single father and all I was doing was trying to keep my daughter safe and they stop me because of a parenting strategy. The system failed me," said Mr. Johns who now went back to the Children's Aid Society with the name of the man.

"They interviewed my daughter at school, interviewed her mom and that man and came back to me and said they didn't feel there was any risk. This case involved a breach of trust and here is a man, who for the next five or six years, will earn my daughter's trust, and who knows what will happen."

Linda Goldie at the Northumberland Children's Aid Society refused to speak about specific cases when contacted by the News. In general, she said the society investigates all complaints with the main goal to decide if a child is at risk. If a publication ban is placed on a name she said the society would not divulge any information to a parent in a similar situation to Mr. Johns.

"We would interview the parent in charge of the child and other people that might have information that is specific to the situation but

we do not give out confidential information," said Ms. Goldie.

"We do investigate when we get a complaint," she added.

As Mr. Johns continued his fight, he was thrown another curve when his ex-wife moved to Peterborough. It was then that Mr. Johns said he needed some guidance.

I called a lot of people and talked to them and ended up calling a victim's assistance hotline and talked for hours. The guy told me not to stop my fight because it was for my daughter.

Mr. Johns then got some help from a friend who called the Kawartha Haliburton Children's Aid Society which serves the Peterborough area.

"Someone from the society called me and told me to keep my daughter at home while they investigated this."

Mr. Johns felt a glimmer of hope but a few days later, he was told to make arrangements for his daughter to be returned to her mother.

"I think this whole system sucks. I think the Children's aid societies didn't do their jobs and I have to wonder if I was a woman would this be different? I have a shared parenting agreement and I think I should have been aware of this from the start. I've tried everything I can think of and still my daughter, who doesn't know about any of this, is in this situation. I don't know who to turn to now. No one will listen to me."