

February 29<sup>th</sup> 2008

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Kilbride, Ontario  
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Halton Children's Aid Society  
North Service Road  
Burlington, Ontario  
Fax: 905-333-2860  
Attn: Marci Milroy, Supervisor of disclosure

Dear Ms. Milroy

## **RE: Barriers to disclosure of information by Halton CAS**

I would like to file a complaint regarding my dealings with the Halton CAS. Details of my complaints are as follows:

### **Your claim that Legislation prevents parents from obtaining copies of documents contained in Halton CAS files**

Both you and Elaine Szwarcz, your secretary, have stated to me that current legislation prevents the Halton CAS from allowing parents to obtain copies of CAS files about their families or make copies of documents in the files should parents come to view the files in person at the Halton CAS offices. You stated that I am not allowed to make copies of the documents from my family's files even if I was to make this process as easy as possible by bringing in my own scanner with my portable laptop computer to make copies on site.

First of all, I would find it very unusual that such legislation would exist as in my mind this would violate the very fundamental principles of justice by obstructing a person's right to fair disclosure by an opposing party in a dispute.

In order to ascertain the accuracy of your statement, I am therefore requesting that you provide me proof of your claims of the legislation to which you referred to and to provide me with reference to the specific section of the legislation of which you stated that prevents parents from obtaining copies of information in their files.

If such legislation does not exist as you claim, I would therefore ask that you forthwith contact me for the purposes of making arrangements for me to be provided with copies of my family's files at the Halton CAS.

### **Your claim that permission to view files must be obtained from children 12 years of age and older**

Both you and Elaine Szwartz have stated to me permission must be obtained first from children who are 12 years of age or older, giving their permission for parents to view the CAS files in



who are 12 years of age or older, giving their permission for parents to view the CAS files in person.

Again, I would find this very unusual that children as young as 12 years of age would be considered of sufficient maturity to understand the importance or the legalities of parents having disclosure of their CAS files. To my understanding there is legislation under the Child and Family Services Act which requires that children over the age of 12 provide their consent for a voluntary service agreement but I am not aware of this being applicable to disclosure of files of minor children.. Disclosure of files is a legal matter which relates to the issue of fair disclosure.

Again, in order to ascertain the accuracy of your statement, I am therefore requesting that you provide me some form of written proof as to your claim that the consent of children must be obtained to view files at your office. Is this written in legislation or is this a policy of the Halton CAS, is this a directive of certain supervisory staff at the Halton CAS or is this just a statement you made without knowing your facts. Please provide me with this information forthwith.

### **Unreasonable demand by Halton CAS restricting time allowed to review files at Society's offices**

You stated to me that parents could only come into the Halton CAS offices to view their files upon request. You also stated that parents are limited to just one hour to view their files and then must leave.

Again, I find it unusual that such an arbitrary time constraint would be applied as in my mind this would again violate the very fundamental principles of justice by obstructing a person's right to fair disclosure. Some of the files may be very extensive. It takes time to read the files and to make notes.

Again, in order to ascertain the accuracy of your claims, I am therefore requesting that you provide me some form of written proof as to the validity of this one hour time limit. Is this written in legislation or is this a written policy of the Halton CAS or was this a directive of certain supervisory staff at the Halton CAS or was this something you came up with. Please provide me with this information forthwith.

### **My request to view files in person at the CAS offices**

In light of your refusal to grant fair access to disclosure at this time and claims that parents can only view their files at the CAS offices for but a short one hour time frame, I have forwarded to you the consent form you provided to me to allow me to view the files at your office in regards to myself and both my daughters Audreylynn and Patricia Lynn. I am requesting to see all files including residential files on both my daughters Audreylynn and Patricia Lynn Butts. As the Halton CAS is already aware, I have full custody of both my minor daughters; a copy of that order is in the file or should be. It is dated December 13<sup>th</sup> 2000 by Justice Van Melle in Brampton. As the lawful custodial parent, I do not believe that any further consent is required.

Until such time as you have clarified the Legislation you have referred to, I feel that I have been left with no other choice but to give in to your demand that I come down to the CAS offices and



view my family's files in person for the one hour time period. Please contact me to arrange a date and time.

### **Closing**

I verily believe that your claims of legislation and unreasonable time frames to view files are nothing more than ridiculous barriers to hinder my family's ability to obtain fair disclosure of information. I verily believe that this is a violation of my constitutional rights. If the Halton CAS was fair and just, it should simply be providing parents with copies of files within a reasonable period of time. The Halton CAS should be working in an accountable manner by helping families obtain fair disclosure of information, not putting up barriers to parents in the community. If the information in the Halton CAS files is truthful with supporting evidence, then no one from the Halton CAS should be afraid to have the files copied and disclosed to parents. Fair disclosure gives parents the opportunity to review their files at their convenience in the privacy of their own homes and to have other qualified persons help them if needed. Why is the Halton CAS so protective of its files? Do they have something to fear?

As a final request for information in this letter, could you also advise me as to whether you and/or your secretary, Elaine Szwarcz, have any standing as members in good standing with the Ontario College of Social Workers or are you only administrative workers at the Halton CAS.?

In closing, my family's experience with the Halton CAS have not been pleasant. One of my daughters was recently beaten and robbed in care of the Halton CAS and assaulted by both a Halton CAS worker and a Halton CAS lawyer in an attempt to obstruct justice at the Milton court. Workers have not returned calls and have humiliated my children. In my opinion, there are a number of problems with the way in which Halton CAS workers and the agency conduct business that begs correction but that is another story in itself. How can the Halton CAS expect to be seen by residents in the community as an agency helping children and families when it seems to be doing more harm to children and families than good.

Your written response to the questions I have raised in this letter would be appreciated.

Yours truly



John Butts