

ONTARIO COURT OF JUSTICE

BETWEEN:

Xxxxxxxxxx CHILDREN'S AID SOCIETY

APPLICANT

and

Xxxxxx Xxxxxx

Xxxxxxxxx Xxxxxx

RESPONDENTS

AFFIDAVIT

I Xxxxxxxxx Xxxxxx, of the do hereby swear the following:

- 1) I am currently 16 years of age and I am the child who is the subject of the child protection application before the court. Currently, there is a court endorsed Consent Agreement in place in which my mother had been forced to sign under duress in which she agreed to have me placed in the in the care of the Xxxxxxxxxx CAS. This was signed on Xxxxxxxxx 21, 2005 when I was 15 years of age.
- 2) After being in the care of the Xxxxxxxxxx CAS for almost 5 months, much of this time against my wishes, preference and best interest, I have come to the point where I am fed up with the Xxxxxxxxxx CAS and have decided to escape from the CAS for many reasons which I have outlined in this affidavit. On Friday March 10, 2006 I refused to return to the CAS foster home and instead returned to my family's home to live with my own family. I do not intend to return to the CAS. Even though police called my parent's home on March 10, 2006, it was made clear to the officer that I was safe and that I would not return to the care of the CAS where my rights and freedoms were being violated and where I am having to live under constant fear and threats by the CAS. I just want to remain in my own home, be with my family and return to school without interference by the CAS.



A picture of me with my younger sisters. My sisters, Xxxxxx and Xxxxxxx, miss me and don't understand why their big sister can't be at home with them. (March 8, 2006)



This is my younger brother, Xxxxxx with my little sisters. My younger brother, misses me too and is upset at the CAS for not allowing me to live at home. My little sisters are hams and like to get into every picture. (March 8, 2006)

- 3) I am coming forth to swear this affidavit in hopes that by bringing my evidence before the Honourable court, it will get the record straight for an injustice which I am largely to blame in starting but one which the CAS seems only to want to make worse.
- 4) On October 17, 2005, I called the Xxxxxxxx Children's Aid Society and made false allegations of abuse against my dad, Xxxxxx Xxxxxx. At that time, I told CAS workers that my dad had choked and threatened me. I was picked up and taken into care by the CAS. I also exaggerated about my relationship with my father by claiming I was afraid of him. I made my situation at home look abusive without mentioning about what I had done to contribute to these disputes. The allegations I made about being abused and threatened were was not true and I now regret having made them. At the time, CAS only seemed interested in hearing about the bad things I could say about my dad but did not ask me about how my behaviour may have contributed to the disagreements.
- 5) There were a couple of events leading up to my making false allegations against my dad. Prior to my call to the Xxxxxxxx CAS, I had got into an argument with my parents and during an argument with my dad over me using drugs, my dad slapped me lightly on my cheek. Although being slapped was not right for my dad to do, I must admit I had been mouthy and disrespectful to my parents over a period of time leading up to this incident. The slap did not injure me in any way and about the only thing it affected was my ego. This was an isolated incident and I know that my dad will not do this again. I had been having conflict with my parents over my curfew times, drugs and concerns as to whom I was hanging out with. I was being what some parents might refer to as a defiant teen and hanging out with the wrong crowd. My dad never choked me and never threatened me.
- 6) As a result of being disciplined for house rules which I did not want to conform to, I was angry at my parents and in a way, I was somewhat angry and wanted to get even by showing them I would leave my home. I did not think of the consequences. In hindsight, I now know my behaviour was wrong. I literally was pushing the limits of

my parents. My dad was just trying to enforce rules for me which would be in my best interest and it was I who did not listen.

- 7) A significant factor affecting my decision to call the CAS was that another girl who I had met, who was a foster teen, told me that because I was almost 16 years of age, I could move out of my parent's home, go on welfare and eventually get my own apartment and that CAS would basically arrange all of this for me. I was told that all I had to do was to call CAS and to tell them I was afraid of my parents and to make up a good sounding story. The girl told me that I would not have to put up with my parent's rules once I got my own place. At the time, it sounded like a good idea and an easy way to easy life, free of parental controls.
- 8) Social workers from the CAS had also come to the school assembly in the past and talked about how kids could leave their parents if they were not happy living at home. The workers told the kids at the school about child abuse and were telling the kids that if the kids felt they were being abused at home that CAS always would provide a place for kids to live if kids were having problems living with their parents. Overall, leaving home and getting away from parents seemed such an easy and normal thing to do with the CAS there to take care of all the details.
- 9) At the time it all seemed too easy. All I had to do was to make up a good story, call the CAS and then I would get my freedom away from my parents. I did make the call to CAS without realizing what effect that this was going to have on my family and on me.
- 10) The first foster home the CAS put me into was with a black family. It did not take long for me to feel out of place. They called me and the other foster girl who lived their, "ghosts", because we were white. We did not like this. The family ate so much chicken that it made me feel sick at time. There was little variety with the food. When I told my CAS worker Xxxxxxx that I was not happy where I was living and wanted to go back home with my family, she just defended the foster parents and seemed to ignore my concerns. Xxxxxxx told me that I should just put up with the foster home even if I did not like it. I even asked to be transferred to another foster home, but I

could hardly ever get in contact with Xxxxxxx. It soon became apparent to me that the CAS foster home was nothing but a room to live in. There was no love and no real caring, just a place to live. I was very unhappy living there and felt trapped because my CAS worker did not seem to care about my feelings and did not seem to be doing anything to get me back to my home. I was simply put into care and my wishes ignored by my worker.

- 11) The foster parents also kept some of the spending allowance I was supposed to receive. When I told my CAS workers about this she said the foster parents had the right to do this. I got the feeling that the foster parents were just in it for the money and that was all.
- 12) The other foster girl who was also white and lived in the same foster home felt the same as I. In fact, both of us were so unhappy with our foster home and our dealings with CAS workers that we ran away from the CAS foster home and went into hiding on the street for about six weeks. We hid with friends during that time and did not go to school. CAS did not know where we were. I really wanted to go home and to go back to school, but when I called my mother and told her I wanted to come home, she told me that CAS would not allow me to come home and that CAS would apprehend me if I showed up. I was so upset with the way in which CAS had handled my case that I chose to remain in hiding and to not go to school rather than to be forced to go back into foster care with the CAS.
- 13) If I would have been given reassurance that I could have been allowed to come home and go back to school, I would gladly have done so. I was more scared the CAS would pick me up at school if I returned, so I remained in hiding out of fear of being forced back into a foster home by the CAS. At that time I was already fed up with the CAS and did not want them interfering in my life any further.
- 14) For six weeks CAS did not know where I was. When I come to think of it, my own parents were able to exercise better control over me than the CAS. My parents would have gone crazy knowing I was out on the streets, yet I don't think CAS was too worried about me. Based on my experience, I don't think the CAS really cared at

all if I was out on the street. I think the only thing they cared about was that I was kept away from my own home and my family.

- 15) After the New Year my mom and dad convinced me to go back to the CAS. They did not like me living on the streets and they told me that the CAS said I would not allow me to come home if I was still a runaway. I was led to believe that if I did not go back to the CAS that the CAS might force me to remain be in a foster home until I was 18 years of age. I did what my parents told me to do and my worker picked me up on January 2. Going back to the CAS was really the last thing I wanted to do. I hoped that matters would be settled soon and I could go home. The CAS did place me in a new foster home which was no better than the first.
- 16) Since January 12, 2006, attempts to get me back home keep getting put off. My lawyer says nothing in the court. He doesn't tell the court I want to go home. He does not tell the court that I lied to the CAS so that I could live on my own. How can the court move things ahead if the CAS and the lawyer are not telling the truth to the judge? The CAS does not do anything with me yet seems to want more from my parents. I don't understand why. My mom, dad and I have worked out our problems and things are better, so why can't I go home? It seems that the CAS just don't want me to go home and still want to make life difficult for my parents.
- 17) The next foster home I was put into was the home of people who were Jehovah Witness. Although these foster parents don't call me names they are religious and make me feel uncomfortable trying to preach their religion to me. I was raised as a Roman Catholic and don't like being brainwashed into the Jehovah Witness religion. Recently I was grounded for simply having a bottle of water in my room. On Monday, I heard the foster parents get into an argument with one of their kids. I then heard yelling and a door slam shut. It seems that these CAS foster home parents have their own issues of violence to deal with.
- 18) Staying in CAS foster care and dealing with CAS workers for the past almost 6 months has been a bad experience for me. It is not the good life as the CAS foster teen had told me it was. There is just not the love and caring in a foster home that is

in a real family. Even though my parents and I had our disagreements over curfews and who I hung around with, living at home is still better than living in a foster home where it seems that all you are considered is a source of income to the foster parents.

- 19) I told my lawyer to tell the court my wishes to go home but my children's lawyer did not speak up in court and do as I asked him to do. I got the sense from my children's lawyer that he was on the side of the CAS and not on my side. Rather than fighting for what I wanted, my children's lawyer, XXXXXXXX XXXXXX, told me that he agrees with CAS that I should be in care and sees their point of view on some issues and that the CAS was right. What's the sense of having a lawyer if the lawyer is just going to believe what the CAS say and to side with what the CAS wants?
- 20) Throughout this whole ordeal, I have felt that nobody with the CAS wanted to listen to me or to listen to the truth. Although I tried many times to tell the truth, it seems that my CAS workers and my children's lawyer only wanted to listen if I was reporting abuse against my parents. The only persons who listened to me and really were concerned about me were my parents. The CAS is supposed to be helping kids but after my experience I can say that the CAS has made me more upset and distrustful of them than anything else. Despite my arguments with my parents, my parents still had more influence in protecting me than the CAS. Never in my life had I been away from home for 6 weeks, yet I was AWOL and the CAS did not know where I was for the 6 weeks that I was in hiding.
- 21) On February 13, 2006 at the court, my lawyer and CAS told me that I am still at risk and that I cannot go back home. Yet on the other hand, CAS workers allow me to go home during the day but say I cannot sleep at my home. My lawyer won't tell me why. My worker won't tell me either. My lawyer has not talked to me outside of court since January 12 to even to see if I am still alive and my worker has not monitored any visits so how do they know if I am at risk? My lawyer and my worker have not had any meaningful contact with me. Things just seem to go from court date to court date with nothing being done to get to the truth and to get me back home.

- 22) I was so upset with my children's lawyer, Mr. Xxxxx, doing nothing for me and siding with the CAS that I phoned up his office and told him that he was fired!
- 23) I have cried a number of times at my foster home wanting to come home but I have been afraid of telling anyone because I feared that the CAS would somehow use this against my parents or against me. I feel sad when I leave my parent's home to go back to sleep at the foster home but I am made to feel afraid to tell about my feelings in case the CAS workers try to claim something is wrong with me. I have trouble sometimes focusing on my homework because I am sad because of what CAS has done to me and how they have turned my life with my family upside-down.
- 24) I wrote a note to the judge and had my friend give it to my mom asking the judge to please let me go home and that my dad is not abusing me but my lawyer would not give it to the judge. It seems to me as if the CAS and my children's lawyer don't want the judge to know the truth and they want to make sure that I am silenced.
- 25) While I live in the foster home I can come home everyday but I am told I cannot have overnight visits. Yet CAS will let me sleep at my friend's house without knowing anything about the people I am staying with. I could be staying over at the home of criminals, yet CAS would not know. The only thing that CAS seems to want to do is to keep me away from my family. Other than that, I can do almost anything I want to do.
- 26) CAS and my lawyer keep giving different excuses why I can't stay overnight at home and why I can't go home. First they said it was because of my dad, then it was because we had to start counseling, then they thought that I was going to hurt my brother and sisters. CAS is always changing its story and coming up with different excuses. They say they will try overnights but then later they say not yet. I am fed up with their stories and their flip-flopping back and forth. The CAS workers have outright lied to me.
- 27) I have now come to realize the harm I have done to my parents and my siblings as a result of my actions. Calling the CAS and making false allegation was wrong. While

my parents and I have worked out our problems a long time ago, it now seems that it is the CAS workers who continue to intrude into our lives and make it impossible for me and my family to get our lives back to normal. I hate the CAS for what they have done to me and how they continue to intrude into my life and violate my rights to be with my family. From what I see, the CAS is not helping to keep families together, but helping to destroy them by keeping them apart. Young workers who don't even have teenage kids themselves are telling my parents how to parent teenagers!

- 28) My parents and I have talked about our problems and have a better understanding between ourselves as to how we are going to deal with these problems in the future, should they ever occur. We have worked our problems out while CAS has only been all talk when it comes to making things better. My family worked things out on our own without ANY help from the CAS. If anything, the CAS has made things more difficult for us to work things out and to get on with our lives.
- 29) At 16 years of age, I am fully aware of my option to call the Children's Aid Society should I feel threatened for my safety or for the safety of my younger siblings. I am fully aware of what abuse is and would not hesitate to take action should I experience abuse or see abuse in my family's home. I consider myself capable enough of protecting myself and do not need the CAS workers treating me like some young child unable to think and act for myself. I do not consider myself at any risk of harm and I certainly don't need the CAS telling me that I am in need of protection and then don't even explain why. I don't need the CAS forcing me into one of their foster homes and telling me that only they know what is best for me. If anything, I feel that the CAS has caused a lot of harm to me.
- 30) This matter involving my family and the CAS has been going on for almost 6 months. If the CAS workers and my lawyer were listening and told the truth to the court, I believe that I should have been home a long time ago. It seems that if a teen makes a mistake, nobody wants to acknowledge that the teen may have done wrong. Another thing which I feel is stupid is that the CAS has been taking part of my mom's baby bonus and other government money she gets because I am in care. Even while

I was living on the streets, while supposedly under the care of the CAS, the CAS was taking money from my mother.

- 31) I am very sorry for the problems I have created. When I made that call to the CAS back in October, I never realized that all of these things would happen. I did not understand the consequences of calling the CAS.
- 32) When I tried to correct my mistake by telling the truth, it was if CAS and my children's lawyer who did not want to listen to me. I was called a liar and told by CAS workers that if I changed my story I would get into a lot of trouble. I felt threatened by workers and the children's lawyer and made to feel afraid of telling the truth. It seems that CAS wanted only to hear bad things about my parents, but nothing good. It seems my parents were automatically assumed to be guilty. CAS workers did not want to hear any information which would reveal the truth.
- 33) In the CAS's plan of care, they say that they will provide a stable foster placement for me. They have failed. CAS claim that they would maintain regular contact with me, but in the 6 months I have been dealing with them there has been very little meaningful contact. As soon as I told my worker that I had fabricated my original story, it seems that nobody wanted to hear from me.
- 34) Just recently, the foster home told me that I could not call my mother unless I walked to the store which is about 2 miles again. CAS say that my parents should not be using threats but here I am in a CAS foster home where my calls to my mom and my family are being used as threats against me.
- 35) Another very recent incident which has upset me very much about the XXXXXXXX CAS is that my worker, XXXXXX XXXXXX, refused to meet with me and my parents at my home on March 8, 2006. She attended my home for a meeting at 1:00 pm anyway. When she arrived, I told her I would like to talk with her and my parents together. My CAS worker, XXXXXX, instead of being reasonable and willing to talk, refused to meet because I was present. Just like a bully, she threatened to call the police on me and have me taken away just for being there at my home to meet with

her. I took the morning off school and I went to my parent's home that afternoon in hopes of just having a meeting with her. Instead, Xxxxxxx threatens me with police for no reason, other than she does not want me at the same meeting with my parents. How is the CAS going to get solutions to problems if they don't get the kids and parents to talk together? It seems like CAS worker Xxxxxxx Xxxxxxx wants to keep my parents and I in the dark. Xxxxxxx would not even give the meeting a try with me present. She was being rude and nothing but a bully to my parents and I when she came to our home on March 8, 2006. Xxxxxxx totally rejected my attempts to simply sit down with her and my parents together. My family and I were all happy and having a great time just before Xxxxxxx came over and she turned everything sour with her threats, her bullying and her rudeness. She clearly showed that she was angry likely because my parents and I stuck together and refused to succumb to her power and control. Here is a picture of me with my family about one hour before CAS worker, Xxxxxxx Xxxxxxx, came over to our home. We were happy before she came.



This is me with my Mom & Dad and my little sisters just before my CAS worker, Xxxxxxx Xxxxxxx, came over to our home but then refused to meet and talk with us on March 8, 2006.

- 36) All I want right now is to return home with my family and to have the CAS leave me alone and to stop bullying me and my family. I am tired of their lies and their ever-changing excuses and just fed up with how they have treated me. I just want to get on with my life and go back to school with my friends just like other normal kids. Living in a CAS foster home has only made me depressed and is only making things hard on me and is adversely affecting my school because I have to keep being driven back to the foster home every night by my parents. I find this very disruptive and upsetting. I enjoy seeing my sisters, my brother and my mom and dad every day and I don't like being told that I am only allowed one call a day to my family. Being in care of CAS is like being in prison.
- 37) I am hoping that this affidavit will get information before the court which CAS and my children's lawyer have not put forward as they should have done before now. My children's lawyer never told me about an affidavit and my children's lawyer never gave me the opportunity to express my true thoughts and wishes to the court. I learned about affidavits on my own. Hopefully, the court will see the wrong that the Xxxxxxxx CAS have done to my family and to stop the Xxxxxxxx CAS from harassing me and my parents any more.
- 38) One thing for certain is that I am now 16 years of age and I have now decided that I am not going to tolerate the abuse, the bullying and the violation of my personal rights and freedoms by the CAS any more and I will do everything in my power to fight the CAS if they do not back off. I do not feel threatened by my parents nor am I afraid of my dad as the CAS workers have made it appear and continue to claim, even though I have told them many times otherwise. If anything, this horrific experience with the CAS has brought my parents and I closer together. It's like we have all been forced to fight together against these evil workers who just don't want to listen to reason.
- 39) I would very much appreciate the opportunity to express my wishes directly to the court seeing as my children's lawyer has not done this in the past. I am willing to speak to the Honourable court alone in chambers if permitted by the judge I would like the opportunity to provide information to the judge, information which so far, my

children's lawyer has not conveyed to the court on my behalf. I believe that the courts should listen more to the kids and less to the lawyers and the CAS workers who I feel in my case have not listened to me or really cared about me nor have presented accurate information to the Court.

40) One thing I have learned out of my experience is that parents sometimes act tough because they care for their kids and want to protect them, not because they don't care for them. I have also learned that the CAS cannot be trusted and that kids and parents should be very wary when dealing with them. I will never speak to a CAS worker again unless I tape record my conversation with them just so that I can protect myself. Maybe I don't get the freedoms I want at times living at home, but living under the care of the CAS has clearly done more harm than good to me and my family.

41) I make this affidavit for no improper use.

Sworn before me in the town/city)
of _____, in the)
Region of _____) _____
_____) XXXXXXXXXXXX XXXXXX (Age 16)
this ____ day of _____ 2006)