

CHILD PROTECTION (ABUSE) SERVICES

PROGRAM DESCRIPTION

The abuse intake units provide an intake, investigation and assessment function on all new abuse cases being referred to the Agency.

The mandate of the program was that the creation of abuse units would ensure that investigations would be completed by specifically trained abuse workers that would result in efficient, well conducted investigation, assessments and treatment plans, which then would result in the required quality control and standardization of approach to investigating allegations of abuse.

Other positive aspects that were considered in the development of the child abuse unit, was a recognition that training needs could be contained to a limited amount of social workers, thereby allowing training to become more focused and specialized; that presentation at the Child Abuse Committee would be handed by a smaller number of people, thereby ensuring that social workers had a solid working knowledge about the function and responsibilities of the Committee, and what information is relevant to the number of social workers completing abuse investigations would develop strong working relationships with the police and hospital, thereby ensuring that all investigation were in keeping with a multi-disciplinary approach.

As well as being responsible for all new abuse intake cases, the child abuse unit is responsible for investigating all allegations of abuse in foster homes, day cares and schools. As these investigations almost always involve Agency social worker and/or other outside systems, the child abuse unit's added role is to ensure that appropriate coordination of the investigation occurs. The child abuse unit does not investigate allegations against agency staff, abuse allegations against agency staff, abuse allegations in residential facilities or agency receiving or group homes, where staff are employees of the Agency. These are investigated by either Lorna Hanson or Claudia Ash-Ponce, Provincial Investigations Specialists.

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PROTOCOLS FOR THE ASSIGNMENT OF WORKER TO THE CHILD ABUSE UNIT

There is one staff person assigned to respond to all child abuse referrals directed to the Agency.

REFERRAL PROCESS

ROLE OF ABUSE UNIT: Investigations of all new reports of suspected physical or sexual abuse, including intrafamilial abuse, third party incidents, position of trust investigations (day care, school teachers, etc.) and licensed foster homes.

DEFINITION OF “ABUSE” FROM THE *CHILD AND FAMILY SERVICES ACT*: “abuse” means an act or omission by any person where the act or omission results in

- a) physical injury of the child
- b) sexual exploitation of the child with or without the child’s consent

REFERRAL(S) TO ABUSE INTAKE FOR INVESTIGATION:

- Any allegation of sexual abuse/assault (including concerns re: sexualized behavior in children).
- Any allegation of physical abuse where there is a current injury and a disclosure from child.
- Suspicious death of a child.
- Where there is no disclosure, but an injury is suspicious.
- Where the injury was caused by an implement.
- Where there is a disclosure of a specific incident of physical aggression, without an injury, of such severity that an injury could have occurred, i.e. punching, slapping, shaking (dependent on the age of the child and the area of the injury).

GREY CASES REQUIRING FLEXIBILITY/CASES THAT COULD BE ASSESSED BY INTAKE AND/OR ABUSE INTAKE:

1. on cases where there are elements of both an abusive incident and neglect – recommend partnering of abuse intake worker and intake worker
2. situations of physical discipline rather than “abuse”
 - a. minor use of a common implement where there is no injury, no specific incident and no use of unreasonable force, i.e. infrequent spanking with a wooden spoon
 - b. use of physical discipline with/without specific incident that does not result in injury, does not cause fear or distress in child, is not severe nor intended to injure, i.e. spanking on buttocks, slap on hand, cuff on the head

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3. situations involving suspected mutual altercation between adolescent and parent where there is no injury or the stated “injury” is not severe (i.e. faint grab mark or faint single bruise)
4. cases of domestic violence where there is not specific incident, nor any disclosures by children nor any recorded history of abuse concerns. If the child is a witness, but not involved, case goes to general intake.

SERVICES PROVISION AND ASSESSMENT – PROCEDURES FOR ABUSE INVESTIGATIONS

1. INTERVIEW REFERRAL SOURCE

To be done before interviewing the child to gain as much information as possible.

2. CHILD AGENCY PREVIOUS INVOLVEMENT

- a. Check CFSIS
- b. Have unit secretary do a file check, including miscellaneous contacts
- c. Abuse registry check on CFSIS – have designated person check

3. BACKGROUND CHECK WITH RCMP/DOPS

Check regarding previous investigations involving both the child and the alleged offender. If there is a concern of violence in the home, have police check regarding past criminal involvement and domestic interventions.

4. BACKGROUND CHECK WITH THE CHILD PROTECTION CENTRE

Check previous contact with the child’s family and the offender’s family.

5. DETERMINE RESPONSE TIME WITH SUPERVISOR

When – response time determined based on safety assessment.

6. INTERVIEW VICTIM

Where – Child should be interviewed alone in a quiet, safe place. In interfamilial cases, this should be done away from the family home if at all possible.

How – Child should be interviewed alone. Exceptions could be made if the child is very young and needs the support of someone he/she knows. (Note that certain school divisions require that the child be specifically asked if/who they would like in the room). This person should be notified of the interview process beforehand and should be a silent observer only during the interview. This person should also be neutral to the proceedings.

7. ARRANGE MEDICAL APPOINTMENT

In cases of acute or visible injury, this should be done immediately, ideally through the Child Protection Centre. Private practitioners may be used to document minor physical injuries, but Child Protection Centre is preferred as they keep background information. Child Protection Centre should always be

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used for cases of complex physical abuse and for all cases of sexual abuse. In cases of sexual assault, Child Protection Centre should be notified immediately, but may book a future appointment at the sexual assault clinic depending on the abuse described.

8. INTERVIEW SIBLINGS

In intrafamilial abuse cases, siblings should be interviewed before parents, if possible. In all other cases, siblings should be interviewed if they have also had contact with the alleged offender. This could be done after the parents have been interviewed, but should be done before the investigation is concluded.

9. INTERVIEW PARENTS

In cases of intrafamilial abuse where the police investigation is pending or ongoing, the parents should not be interviewed without the investigating officers' consent. If an apprehension is necessary, parents must be notified of such, but are only informed that the child has been found in need of protection and an investigation is pending. (If parents are persistent, consult with unit supervisor). Parents are interviewed only when the police have completed their investigation or give their consent for the agency to proceed. There are exceptions in interviewing the non-offending parent, i.e. non-offending parent has no knowledge of the abuse, as reported by the victim, and may be supportive. All exceptions should be discussed with the police and abuse unit supervisor before proceeding. The agency coordinator is available for consultation to the family service workers if an abuse investigation required is on an open protection family file.

10. INTERVIEW OFFENDER

The offender should be interviewed only at the conclusion of the investigation. In all cases of abuse, the offender should always be interviewed unless he/she refuses. In instances where the offender is dangerous, intervention should be discussed with the unit supervisor or abuse coordinator to ensure worker safety. Where a criminal investigation has occurred, consultation with the assigned officer or Sergeant is to occur when the criminal interview is completed.

REPORT TO POLICE FOR INVESTIGATION: Police should be notified immediately after interviewing the victim if there is a disclosure. In cases of severe injury or death (such as shaken baby syndrome, multiple sexual assaults, or offenders in the positions of trust, these cases need to be reported to police prior to investigation as police may want to interview prior to the agency worker). In cases where the worker is unsure of procedures, the abuse supervisor or the abuse coordinator should be consulted. Even if there is not enough information to launch a police investigation, police should be given the details as information which they will hold pending further details. Reports to the police are an expectation. They will prioritize and may assign the case to the Abuse Unit, the Youth Division/Sex Crimes Unit, or the local district.

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All of the information, however, is coordinated and funneled through the RCMP/DOPS Child Abuse Unit.

REPORT TO EMPLOYER: As per the legislation, some cases must be reported to employers. This process is never done without prior consultation with the supervisor, abuse worker and the Executive Director.

ABUSE SUBMISSION TO THE ABUSE COORDINATOR: The initial submission is done within thirty (30) days of the date of the referral to the agency. The legislation requires this. They are then passed on to the supervisor for review/signoff and are then submitted to the abuse worker to be presented at the monthly regional abuse committee. This process must begin the first working day of the month in order to meet the regional committee deadline. Completion of these reports must be given priority in order to meet the necessary deadlines for profiling/presentation at Committee. A photocopy of this completed form is to be kept by the worker and placed in the family file.

Final submissions can be submitted prior to the final criminal court dispositions if offender is not in a position of trust (if applicable). The worker is still expected to make the supervisor aware of any criminal court proceedings, however, and, at the final disposition, the supervisor is to be notified through a memo.

If the worker has been made aware of a criminal court conviction, the supervisor needs to know what the conviction date is, as well as the offender's birthdate. This information is absolutely necessary in order to obtain proper documentation for the Abuse Registry. The police will always have the offender's birthdate if they have been involved. If police have not been involved, it is the worker's responsibility to get this information.

REPORT TO THE PROVINCIAL ABUSE REGISTRY: This is the abuse worker's responsibility in consultation with the Regional Child Abuse Committee. The worker will be notified if the registration process is to proceed.

PROCEDURES AND PROTOCOLS IN FOSTER HOME INVESTIGATIONS

1. Investigations into allegations of abuse in foster homes are coordinated and completed by the Agency which licenses the foster home. When SBCFS is the "licenser" of the foster home, allegations of abuse are forwarded to the respective supervisor for investigation. This policy also applies to foster homes which are managed by other agencies or treatment agencies (i.e. Mamawi, Marymount, MYS) where SBCFS approved the foster home license.
 - Allegations against staff in residential facilities (not foster homes) are different and currently will be forwarded to either Lorna Hanson (945-7274) or Claudia Ash-Ponce (945-0842), Provincial Investigations Specialists, for investigation, following consultation with supervisor and the abuse worker.

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2. Upon receipt of an allegation, information must be obtained about all individuals in the foster home (i.e. biological children, adoptions, children over 18), and the file will be opened as PRT under the foster parents.
 - This information can be obtained, as well as clarification about the license, from the Resource Department or Foster Care Worker listed on CFSIS. If not on CFSIS, contact the Resource Department for clarification.
3. People who require information about the abuse social worker/supervisor once an allegation is received and the initial plan to investigate has been determined:
 - Provincial Investigations Specialists, 114 Garry (as per Section 18.6 of the Act). Currently they do not directly investigate allegations in foster homes but does require notification of the allegation and the conclusion of the investigation. This can occur by phone, fax, e-mail.
 - Resource Supervisor/Foster Care Social Worker for the foster home.
 - Supervisors/Social Worker(s) for all children in care placed in the home.
 - Winnipeg Police Service – Child Abuse Unit, or RCMP, in appropriate jurisdiction where home is located.
4. **Where the severity of the allegation, the proximity of the offender, and the vulnerability of the children suggest that there is a moderate or high risk, a decision about removal of the children is necessary.**

This decision is made in joint consultation between the abuse worker/supervisor, the children's workers/supervisors and the foster worker/supervisor. The abuse worker/supervisor will form an opinion about the risk to all of the children, as well as about the need for removal and ensure this information is provided to all of the social workers involved. The child's worker/supervisor has the final decision with regard to their children in care.

When possible and an immediate intervention is not required (i.e. acute injury, death, etc.), a meeting is recommended to include all of the parties name above in order that an initial plan for investigation can be presented and roles clarified. This is particularly recommended in cases where the plan is contentious or where there may be disagreement between the units or workers involved (i.e. removal of children). Should the disparity be unresolved, a larger forum should be convened that might include Assistant Program or Program Managers.

5. Once the plan to investigate has been clarified, the abuse worker begins to coordinate and complete the investigation.
 - This worker determines when/who informs the foster parent and what information can be shared.

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- The abuse worker determines who and how the children/alleged victims should be interviewed in consultation with the police. In some cases, it is requested that the child's worker interview the child, however, it may be recommended that joint interview occur with the abuse worker (in order to assure the required "forensic" information is received) and the child's worker (to support the child). If the child's worker does not feel comfortable interviewing the child around abuse, the abuse worker is responsible for completing and assisting with this task.
- The abuse worker will coordinate and ensure that completion of all other tasks related to the investigation as in any intrafamilial abuse case. This may include consultation/medical examination at the Child Protection Centre, interviews of all family members or witnesses to the alleged incident, interviews with collaterals, liaison with the assigned police officers, etc.

6. The abuse social worker is responsible for sharing the details of the investigation with the foster parent in accordance with the general steps in abuse investigation. When interviewing the foster parents, the foster care social worker may request to observe/offer support during the interview.

7. The abuse social worker/supervisor is responsible for determining whether the investigation is concluded as,

- No abuse occurred
- Inconclusive
- Or abuse confirmed

and is responsible for making a statement of risk with regard to all the children in the foster home. Some recommendation may be made in these cases in consultation with the foster care worker and children's workers (particularly in "inconclusive" investigations).

Where recommendations or the ongoing plans are disputed, contentious, the matter is "high profile", or involves many social workers from various systems, "findings" meetings may be necessary in order to jointly clarify a plan. The same principles as in Section 4 apply.

8. The investigation is complete when:

- All agency personnel have heard verbally from the abuse social worker about their conclusion, and the recommendation discussed.
- Any criminal investigation has been concluded (including charges and conviction/court disposition).
- The case has been reviewed by the abuse worker/supervisor, presented and closed to the respective Regional Child Abuse Committee. (In some cases of unfounded allegations the abuse coordinator may approve a conclusion prior to presentation to the committee).

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9. Once the investigation is complete with verbal findings shared and recommendations approved by all social workers involved, any criminal case disposed (including conviction), and the case is closed to an abuse committee (presentation registry process completed or not deemed necessary), then the abuse social worker/supervisor shall provide a letter of conclusion to the foster parent, indicating that the information has been provided to the foster care worker.

This letter is copied to:

- The Child Protection Branch
- The foster care supervisor and social worker; and
- The child (children's) social worker(s) and supervisor(s)

All of the above-named receive a copy of the letter. Additionally, the Child Protection Branch will receive a full copy of the abuse closing summary. As a caution that the protection information does not get placed on the foster home file, the package to the Resource Supervisor should be marked with "Read Only – Not to be Placed on the Foster Home File". The children's workers should have copies of any interviews of their children in care (or any other documentation they require).

As per provincial statute, the child (if over 12), the parents of the children, and the source of the report, are entitled to the conclusion, however, the means of providing this information should be determined between the abuse social worker and the family service worker (or other).