

## **Legal Information Workshop for NWT Women Experiencing Family Violence**

### **CHILD WELFARE: WEDNESDAY, FEBRUARY 20, 2013**

#### **CASE SCENARIO #1: Mary & John**

##### **Mary goes to the hospital**

Mary is brought to the Emergency department with her son. As Mary is processed through triage, the LPN on duty opens a chart for Mary and the toddler, Miky, is playing on the floor with some stuffed toys. As the doctor examines Mary, the LPN is entertaining Miky and she notices some old bruises on his back when he lifts his shirt. She examines him closer. She asks the Doctor to check Miky. Mary was just getting her prescription for eye drops when she is confronted by the nurse about the marks on Miky's back. Mary bursts into tears and confesses that John did this one week ago and she is so afraid of John that she feared for her safety and that of Miky if she said anything.

The nurse and doctor tell Mary that protocol requires them to call the RCMP and Child Welfare because of these injuries on Mikey and because of the history of Mary coming to ER at least 5 times in the last month for unexplained injuries. Mary had not brought Miky with her on the other visits. Mary pleads with the Doctor to let her take Miky back to Allison McAteer house with her as they will be safe there and she will contact a lawyer right away and get a divorce (John and Mary are not married but Mary is panicking and says anything that she thinks might avoid social services intervention). Mary is allowed to keep Miky on the condition that she is escorted back to Allison McAteer House.

When she arrives, she is sobbing. You (the worker) ask Mary what is troubling her? Mary says that she fears that the social workers will take Miky away. You are the on-call worker and while Mary is still explaining what happened at the hospital, you pick up the emergency line and the caller is a social worker from Social Services, who asks whether Mary has made it back with Miky. You say yes. The social worker indicates that they should not have let her leave the hospital without a visit from the Social worker first and once you confirmed that Mary and Miky are safe, the social worker indicates that she and her supervisor will be visiting in 45 minutes. (for the sake of argument, it was a hectic day at ER, 3 accidents with multiple victims and injuries, new intern for ER, had been on double shift, protocol was modified). Mary is terrified, she clings to Miky.

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### **Questions:**

- What do you explain to Mary about the visit from social services?
- What information would you give Mary about the child protection investigation?
- Who would you refer Mary to?
- How can you help Mary prepare herself?

### **Child Protection investigation**

Exactly 45 minutes later, two social workers arrive at Allison McAteer, they ask to speak with Mary and to see Miky. Mary asks you to stay as a support person. The interview starts. Social services is concerned because of the reports from the hospital, the injuries to her and to Miky and the 10 reports that they received in the last 2 months from anonymous callers regarding this family.

### **Possibility 1- apprehension because Miky is need of protection**

Mary indicates that the injuries on Miky were caused by him playing outside with other children. She is worried about John. She asks the social worker if he will be arrested again once the RCMP are informed of Miky's situation. She loves John so much, he is a good father, he doesn't mean to do what he does. Mary is panicky and contradicts the social workers on the statements she made at the hospital, she denies what happened. Mary is asked if she plans on going back to John. She says no, then she says yes, then she says no, then she says maybe. The Social worker informs Mary that the social workers are going to take Miky back to the hospital as they want the doctor to thoroughly examine Miky because of the reported observations. Mary refuses to let the child go, she says no. The supervisor makes the decision that Miky is in need of protection because Mary cannot see that Miky needs medical attention and Miky is forcibly removed from Mary, placed under apprehension status and taken to the hospital. On leaving, the social worker pulls out an apprehension package and hands it to Mary. The social worker indicates that they will contact Mary in a few days as the investigation will continue and she will have to go to court. Mary is devastated and in shock.

### **Questions:**

- What do you do for Mary right now?
- What can you explain to Mary about the child protection process?
- Who would you refer Mary to for further information or advice?

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### **Possibility 2 – no apprehension**

Mary indicates that she's had it with John, she is not going back. She will take him to court to get sole custody of Miky and a restraining order. She says that she will temporarily go on income support so that she can access housing. She asks the social worker for help. The social workers leave and say that they are satisfied that the child is safe and that Mary can keep him safe. They will come back once they finish their investigation tomorrow. They will be speaking to the hospital and the RCMP and they will speak to her about the results of the investigation.

#### **Questions:**

- How can you help Mary prepare her safety plan and her meetings with child welfare representatives?
- What steps does she need to take?

### **Mary's safety Plan – with Miky**

Mary is relieved when she finds out that John has been arrested again and charged with child abuse. She is even more relieved when she finds out that the social worker has completed the investigation and because Mary is willing to be helped and can keep Miky safe, they will not apprehend Miky. They will be coming back to see her to work on a plan of care agreement. Mary asks you if you can help her prepare for the interview with social services.

#### **Questions:**

- How can you help Mary?
- What are Mary and Miky's immediate needs?
- Who can support/assist Mary? Who can you refer her to?
- What can you tell Mary about the implications of signing a Plan of care agreement?