

**IN THE MATTER OF:**

**COMMISSION OF INQUIRY INTO THE  
CIRCUMSTANCES SURROUNDING THE  
DEATH OF PHOENIX SINCLAIR**

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**ADMISSION AS TO FACTS OF  
THE DEPARTMENT OF FAMILY SERVICES AND LABOUR**

**VOLUME II**

---

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Karl Wesley McKay CFSIS File

1. If, during the period from May 2004 to April 2005, a worker had completed a prior contact check in CFSIS for Karl Wesley McKay, and identified the correct Karl Wesley McKay who had involvement in the subject matter of this inquiry, the worker would have been able to access the information contained in four protection files (one of which is McKay's protection file) and four child in care files ("the CFSIS file"). The CFSIS file contains 225 pages of documents as of April, 2005. Attached as **Appendix A** are excerpts from the CFSIS file originating from the protection file of one of McKay's common-law partners (Ms. X's file). In the period from May 2004 to April 2005, a worker would have had access to the documents in **Appendix B** (Ms. X's file) in an unredacted form.

2. With respect to **Appendix A**, to the extent that the face of the document indicates it was created on a given date, then the information in that document would have been accessible to a person doing a CFSIS search in or around that given date and subsequently.
3. Ms. X's file contained additional documents which were not available in CFSIS during the period from May 2004 to April 2005. The paper file of Ms. X originates from Winnipeg CFS and consists of 832 pages. Excerpts from Ms. X's paper file are contained in **Appendix B**. In the period from May 2004 to April 2005, a worker would have had access to Ms. X's paper file in an unredacted form.
4. On December 1, 2004, a CFSIS person record was created for "Wes McKay", which was connected to the CFSIS case of Samantha Kematch. This "McKay" was given the birthdate of January 1, 1980, which is a date given to a person when the actual birthdate is unknown. This person record had no connection to any other cases on CFSIS ("the Duplicate Record").
5. On March 15, 2006, Karl Wesley McKay was added as a person connected to Samantha Kematch's protection file. At this time, the Duplicate Record was deleted.

## INTAKE OPENING SUMMARY

File Name: [REDACTED] xx McKay  
File Number: 174191  
Date Opened: October 25, 1997  
Date Closed: November 26, 1997  
Intake Worker: Edith Kovacs

Comment (Comment): Recording Title  
Intake Opening/Closing

Source of Referral  
[REDACTED]Presenting Problem

As documented in Night Duty report October 25, 1997, responding to concerns regarding drinking and lack of appropriate supervision of her children, Night Duty and WCP found a party in progress at the home of [REDACTED] on Alfred Street (1700 hours). Attending personnel found:

1. Approximately 10 intoxicated adults
2. Evidence of broken beer bottles/glass
3. Extremely dirty kitchen
4. No food
5. Filthy bathroom and
6. A drunk and unaware [REDACTED]

The apartment was deemed a serious threat to the children given the unsanitary conditions and broken glass. As well, there was no adults sober enough to care for the children, hence both were apprehended.

History

Father of youngest child [REDACTED] Wesley McKay has a file with the Central CFS which contains relatively little information on documenting child protection concerns. It is evident however that there has been some family tensions which have resulted in difficulty assessing the legitimacy of complaints around appropriate child care vs family disputes. Two unfounded allegations of bruising on [REDACTED] are documented. No concerns around drinking and poor supervision are indicated. Concerns around Wesley (Carl's) temper and alleged physical assaults against [REDACTED] are noted.

Family Demographics

Mother: [REDACTED]  
Address: [REDACTED]  
Telephone: [REDACTED]

Father: Carl McKay, b d. March 28, 1962  
Address: [REDACTED]

Child: [REDACTED]  
Address: With mom

Child: [REDACTED]  
Address: With mom

#### Comments & Recommendations

There has been significant and contradictory information provided to the writer by various family members, all indicating their desire to care for the children. [REDACTED] in particular has made numerous allegations during her twice daily phone calls to the writer that [REDACTED] drinks regular and does not care adequately for her children. [REDACTED] also states that she and her mother have provided the majority of care and essentials to the youngest child [REDACTED] (Carl's biological daughter). [REDACTED] is requesting the child be placed with her. It should be noted that prior unfounded allegations of abuse and marks on the child were made by [REDACTED]. [REDACTED] has stated Carl not only has abused [REDACTED] but herself and other family members as well. She states she is fearful of Carl but has not and would not consider apprising the police of these alleged altercations.

The writer, despite receiving several calls daily from both Carl and [REDACTED] was unable to receive an understandable and acceptable account of the events of October 26, 1997. Carl, calling from the Remand Centre from where he was released, charges of domestic assault and stayed on November 4, 1997, was not at the incident in question but was calling to advocate for [REDACTED] and provide additional historical information. He presented himself as articulate and generally co-operative, although concerned about his daughter's welfare and requesting her return to [REDACTED]. By his own admission and although he did not experience the chaos first hand, he has maintained that he supports [REDACTED] version of events, i.e. The home was not in the level of disarray as described, only 3 adults were somewhat intoxicated and [REDACTED] had not been drinking. The writer expressed concern to Carl regarding his support and advocacy of [REDACTED] version of events vs. his concern for the children's welfare and the dangerous environment that was around them. The issue of responsibility and admission of culpability was underscored numerous times by Carl and [REDACTED].

[REDACTED] recollection of events have been vague but were not indicating any assumption of responsibility and was refuting the validity of the night duty report and the account of the 5 witnesses (WCP and ND staff). Despite numerous daily phone calls, [REDACTED] maintained that (1) she was not intoxicated (2) the house was not in disarray as described and (3) there were only 3 adults in the home that were indeed "sort of drunk". It is this writer's opinion and impression [REDACTED] is very fearful of CFS and believing that any admission of guilt will result in the agency maintaining her children in care for an indefinite period of time.

The writer met with [REDACTED] and Carl November 5, 1997 to discuss the position the agency finds itself in i.e. Unable to work toward a return until a consistent believable story emerges to justify the details of the Night Duty report.

After lengthy discussions, [REDACTED] confirmed her fear and apprehension with respect to CFS authority and did admit to (1) being "half drunk" (2) having 7 drunk and sober adults present and

(3) the house being in some level of disarray. (Note: the writer made an unannounced field to the home November 3, 1997, 36 hours after the party in question and found the home in good condition: neat & clean, adequate furniture, no beer bottles/empties in evidence and smelling clean. [REDACTED] and family were present and alert, easily and comfortably conversing with the writer. They were in the process of cooking breakfast at 9:15 a.m.).

The writer discussed at length with [REDACTED] and Carl the seriousness of the incident and the implications should the incident be repeated. A plan was agreed upon by all parties to facilitate the imminent return of the children:

1. Carl and [REDACTED] to attend AFM or NAC for an assessment and counselling as recommended.
2. To attend counselling around communication issues with relationship (MaMaWi)
3. Carl to seek individual counselling for his self-described "temper and frustration" problem. The writer stated concerns regarding his temper and alleged assaults of [REDACTED] - despite the couple's repeated minimizations. Carl plans to receive counselling from MaMaWi.

Both children were returned to Carl and [REDACTED] November 6, 1997. Both parents and children appeared to be very please with the reunion. (At this time, Carl and [REDACTED] had secured appointments at NAC for November 13, 1997).

The writer advised both Carl and [REDACTED] all concerns were to be documented on file as well as their agreement to follow through on NAC and counselling at MaMaWi and that it is indeed in their best interest to follow through should they come to the attention of CFS in the future.

In summary, [REDACTED] and [REDACTED] were apprehended from their mother October 25, 1997 during a drinking party. The children were returned November 6, 1997 to both parents, Carl McKay and [REDACTED] with the following agreements in place:

1. Both to attend NAC for assessment and follow up on recommendations.
2. Carl to receive counselling at MaMaWi to address self acknowledged issues of anger management and alleged assaults on partner [REDACTED]
3. To ensure the environment of their children is healthy and appropriate.

As the (1) parents have accepted responsibility for the documented drinking party and ensuing concerns (2) the parents have co-operated with the agency in the development of a plan, (3) the children have ben returned home and (4) the file does not indicate historical child protection issues, it is recommended this case be closed on intake.

/kb

**CASE CLOSED ON INTAKE, WINNIPEG CHILD & FAMILY SERVICES, NW AREA SALTER TEAM - INTAKE UNIT, DOUG INGRAM SUPERVISOR**

2-2

INTAKE OPENING SUMMARY

Comment [Comment]: Regarding Title:  
Intake Opening/Closing Summary

File Name: [REDACTED]  
File Number: 174191  
Date Opened: February 23, 1998  
Intake Worker: Marion Clement

Source of ReferralPresenting Problem

Received Night Duty dated February 22, 1998 in which a neighbour voiced concern about the well-being of [REDACTED] and [REDACTED] had been the babysitter during the evening and was concerned because both [REDACTED] and Wesley were extremely intoxicated when she left.

History

File review indicates a drinking party had occurred October 25, 1997 in which the children were apprehended. The parents were to attend Native Alcoholism Council and follow their recommendations.

Comments & Recommendations

Night Duty workers used the assistance of Winnipeg Police Services. Both [REDACTED] and Wesley spoke to workers. There was no sign of drinking in the suite and [REDACTED] and Wesley spoke clearly and coherently and presented as quite capable to care for the children.

Night Duty workers warned and cautioned Wesley and [REDACTED] that they should retain the babysitter for the entire evening if they do go out drinking as workers did not speak to Wesley and [REDACTED] until the next day as no one was home on the original field.

As no need for further CFS involvement is evident at this time, it is recommended this case be closed on Intake.

Ac

CASE CLOSED ON INTAKE, WINNIPEG CHILD & FAMILY SERVICES, NW AREA  
SALTER TEAM - INTAKE UNIT, DOUG INGRAM SUPERVISOR

2-3

## SOURCE OF REFERRAL:

29/04/98

██████████ re: After Hours report about Carl again assaulting ██████████ and drinking issues.

Comment [Comment1]: Recording Title  
Initials, number, date, time

## PRESENTING PROBLEM:

██████████ stated the following information:

- ██████████ has moved to ██████████
- ██████████ had been referred to NW because of domestic violence issues. At the time of the initial referral ██████████ was residing in NW area. She then went into Ikwe and moved to ██████████
- ██████████ seems to do well when she is on her own, but when she is with Wesley there is drinking and fighting. The last incident resulted in ██████████ getting her nose broke and entering shelter.

## HISTORY:

22/02/98

██████████ and Wesley drinking- Night Duty investigated.

25/10/97

The children were apprehended because ██████████ and Wesley were too intoxicated to care. Children were returned shortly as parents were agreeing to seek treatment at NAC.

## DATA:

29/04/98

Workers attended to ██████████ and met with ██████████ (also present were her two children). The following was discussed:

- Workers explained the reason for the visit and inquired how ██████████ was doing. ██████████ stated that everything was fine. There had been no contact with Wesley as he was in the Remand centre, and was not expected to be released until July. ██████████ was not sure if they would reconcile but thought it likely as she missed him and they had been together for 3 years.
- Workers discussed the importance of on-going supports especially if Wesley would eventually back in the picture as the issues of violence in the home had not been adequately addressed. ██████████ stated that she would call the worker at Ikwe and use this resource as her support.
- Workers asked ██████████ if she was drinking. ██████████ stated that she was occasionally having a beer but did not feel this was a problem for her right now. Workers cautioned ██████████ on ensuring that the children were always cared for by an appropriate caregiver.

25/05/98

PAC to ██████████ to ensure she had followed through on obtaining some supports. ██████████ stated that she had called and been to see an Ikwe worker once (she could not remember her name) She further stated that she had not spoken to Wesley and felt now that they wouldn't be getting back together. This worker encouraged her to keep involved with Ikwe and commended her for her decision to not reunite with Wesley. This worker also reiterated the protection concerns should Wesley return to the home without first being involved in a treatment program for violence.



**ASSESSMENT:**

██████████ seemed to have little understanding of the long term impact of domestic violence on herself or her children. It is hoped that by continuing her involvement with Ikwe she will gain a deeper understanding of this issue. The other outstanding concern is that of alcohol abuse in the home.. As ██████████ is denying this is currently a problem this worker was unable to effectively intervene. It is this worker's opinion that ██████████ and her family will again come to the attention of this agency unless she follows through on an appropriate treatment program.

PLAN:

As there are no immediate protection concerns, and [REDACTED] is not wanting any services from this agency, it is recommended that this file be closed on intake.

2605198      Marcena Yusishen M.S.W.,R.S.W.      Adrew Orobko  
Intake Social Worker      Intake Co-ordinator

(Prior to this case actually being closed the following occurred.)

SOURCE OF REFERRAL:

5\06\98

**PRESENTING PROBLEM:**

At 7:15 AM SOR brought a two year old girl to the office after they had being notified by a transit driver that she was with a very intoxicated male. (Please see After Hours report dated 5/06/98 for complete details.) Child was placed under apprehension and taken to PLR.

DATA:

5\06\98

At 10: AM Carl McKay called this office from the Remand centre. He stated that his three year old daughter, [REDACTED] was missing since 7: AM. [REDACTED] the mother of [REDACTED] had apparently left [REDACTED] with her cousin [REDACTED], who then took her out somewhere. Carl was further concerned because [REDACTED] was supposedly intoxicated.

Carl stated that [REDACTED] had reported the child to Missing Persons but had not been in contact with WCFS. Carl also advised that there is another child, eighteen month old [REDACTED] who is with [REDACTED]. Carl could not say if [REDACTED] was drinking.

5\06\98

At 10:35 AM [REDACTED] called this office inquiring if we had her child, [REDACTED]. She stated that she had called WPS -MP's who told her that WCFS had apprehended [REDACTED]. [REDACTED] admitted that she had left her children with her cousin, [REDACTED].

in her apartment this morning and had went out for a little while. [REDACTED] stated that [REDACTED] didn't appear to be intoxicated and was surprised that he had been placed in the drunk tank by the WPS.

5/06/98

Workers attended to [REDACTED]. [REDACTED] was there with [REDACTED] and two other adult females, one of which was quite intoxicated and identified herself as [REDACTED]'s sister, [REDACTED] ( [REDACTED] children are permanent wards of SE CFS.)

[REDACTED] stated that she had went for a walk to the store and had left the children with her cousin, [REDACTED] who she thought was sober. She had no idea why [REDACTED] would leave with [REDACTED]. [REDACTED] further stated that she had went out drinking last night but had left the children with a babysitter (unidentified adult female). She stated that she had returned home at about 5:AM after she had sobered up and had went to sleep. She was woken by [REDACTED] coming over and so decided to go for a walk to the store. When questioned about why she did not call sooner, [REDACTED] stated that she had been out looking for [REDACTED] on her own.

At the same time that [REDACTED] was talking to workers, [REDACTED] was on the phone to SECFS worker, Robert Vincent. This worker spoke to Robert who wanted to know the situation. This worker gave some information and then asked Robert to call the office later when this worker would have the time to discuss this matter in more detail. Robert agreed to do so.

Workers then advised [REDACTED] that [REDACTED] was also under apprehension and would need to come into care until the situation could be further assessed and the protection concerns resolved. Workers indicated that WCFS was concerned that [REDACTED] had left her children with a person who was intoxicated who then had taken one and left the other alone. Workers discussed the seriousness of this situation and also expressed concern about [REDACTED]'s drinking. Workers reminded [REDACTED] that she had been given the opportunity to address her drinking as well as the violence in the home and that she had not done so.

[REDACTED] asked workers to place her children with friend/relative, [REDACTED]. This worker did speak to [REDACTED] who advised that she did not have the space for the children.

This worker asked [REDACTED] to call later this PM to discuss planning for herself and the children. [REDACTED] agreed to do so, at which time workers left the apartment with [REDACTED] and placed her with her sister, [REDACTED] at the PLR.

5/06/98

P/C to Robert Vincent - LM.

5/06/98

P/C from [REDACTED] she stated that she had made an appointment with NA on 16/06/98 at 10: AM and had made an appointment with Mamawi on the 17/06/98 at 10: AM. [REDACTED] also asked this worker to call her sister-in-law, [REDACTED] as she was wanting information about the apprehension and [REDACTED] did not want to do this herself.

5/06/98 PIC to [REDACTED], provided her with limited information and asked that she speak with her brother or [REDACTED] if she wanted more. [REDACTED] asked to have the children placed with her if they were going to remain in care.

5/06/98 PIC from Carl, he asked to have information regarding the apprehension. This worker provided him with the particulars and then discussed the agency concerns. This worker advised Carl that the agency would not be looking at returning the children until the issues of alcohol abuse and domestic violence were addressed as it was the opinion of this agency that the children were at risk because of these. Carl stated that he was planning on reuniting with [REDACTED] and that the two of them were going into counselling for the violence. Carl stated that he did not have a problem with alcohol, that he was a good parent and had basically raised [REDACTED] for the first year of her life.

This worker confronted Carl on his violent behaviour and suggested to him that couple counselling would not be appropriate until he had addressed this problem on an individual basis. Carl stated that he disagreed with this and that because he never hit [REDACTED] in front of the children it should not be a concern for this agency. This worker again confronted Carl on this sort of thinking and suggested to him that the trauma and impact for children living with violence is indeed a child welfare matter and that it was this agency's position that we would not support a reconciliation unless he addressed this first. (It is worth noting that when this worker challenged Carl on the trauma to the children on seeing their mother battered, Carl stated that "it was beside the point".)

Carl also advised this worker that he did not want SECFS involved, but would prefer that WCFS continue. When this worker advised him that it was at [REDACTED]'s request that SECFS be involved, Carl stated he would talk to her about this.

Carl asked this worker to place the children with his sister and asked about the length of time they would be in care. This worker stated that the agency would be seeking a four month order as it was not realistic that Carl and [REDACTED] could effectively address the issues before then.

Carl stated to this worker that his plan was for the whole family to go to St. Norbert for treatment, once he was released from jail.

8/06/98 PIC from [REDACTED]. She stated that she had spoken to Carl and that she doesn't want SECFS involved. Though this worker challenged [REDACTED] on this as she had a relationship with the SE worker, Robert Vincent, [REDACTED] refused to reconsider. [REDACTED] also stated that she wants her sister-in-law to foster the children and that she has an appointment on 15/06/98 with the AFM.

This worker advised [REDACTED] that the agency would be seeking approximately a four month order of guardianship and outlined again the concerns that would need to be addressed in order for [REDACTED] (and Carl) to resume parenting. This worker discussed the possibility of signing a VPA, [REDACTED] stated that she would need to think about this.

- 8/06/98 P/C to [REDACTED], advised her that this agency would licence her as a place of safety for the two children. Made arrangements to complete place of safety agreement later this same day. (Completed child abuse, criminal records and CFSIS checks on both [REDACTED] and her roommate [REDACTED])
- 8/06/98 P/C to Robert Vincent - LM.
- 8/06/98 P/C from Carl wanted update on the situation. This worker advised him again what the agency's position would be in terms of length the children would be in care and what would need to happen in order for him and [REDACTED] to resume parenting their children. This worker tried to tell Carl that the four months was an estimate, given what they needed to accomplish, but Carl stated this was unreasonable and that both he and [REDACTED] were good parents. Carl stated that up until he was picked up for assaulting [REDACTED] the last time they had been doing good! Carl was advised that he would be served court papers and that he had the right to speak to lawyer if he disagreed with the agency's position.
- 8/06/98 Workers attended to [REDACTED] home to complete place of safety agreement. [REDACTED] stated that she really only wanted [REDACTED] and that she had basically raised her. [REDACTED] further stated that she did not believe that either [REDACTED] or Carl were fit parents and believed that Carl had been assaultive towards [REDACTED] in front of the children. This worker advised [REDACTED] that the agency would not separate the children unless there was no choice. When [REDACTED] tried to argue this point by saying that they have hardly been together, this worker stated that was all the more reason to try to keep them together as it was the parents plan to reunite the family and separating the children would only make this harder. This worker advised [REDACTED] that should placement together not be possible, the agency would reconsider using her as a foster parent.
- 8/06/98 Filed apprehensions.
- 9/06/98 P/C from Robert Vincent. This worker provided Robert with an update on the situation and also advised him that [REDACTED] had changed her mind and did not want SECFS involved. Robert stated that he was meeting with the child care committee in Little Grand [REDACTED]s community) on 25/06/98 and that it would be there decision if they wanted to be involved in planning for the children. Robert stated that they will consider [REDACTED]s unwillingness and also that she has been out of the community for some time when they make their decision. This worker asked Robert to provide any history that SECFS had on [REDACTED]s family, as this would be helpful with this agency's assessment and plan. Robert agreed to fax this over and indicated extensive involvement with this family, though not particularly with [REDACTED]

- 10\06\98 Completed information form to Aboriginal Agencies and gave to JJ to serve next week.
- 10\06\98 P/C from [REDACTED]. She stated that she thought it would be a good idea to separate the children as [REDACTED] just wanted [REDACTED]. This worker challenged [REDACTED] about whether she really thought this was a good idea or if she was feeling pressured by Carl's family to do this. [REDACTED] agreed to come in tomorrow to discuss a plan for her and the children.
- 10\06\98 P/C from Carl. He stated that he would like his step-mother and father in Fisher River to foster the children. This worker agreed to check into this if they called and were interested in fostering.
- 11\06\98 P/C from Carl's step-mother, [REDACTED]. She stated that both her and her husband, [REDACTED] were considering fostering and that she would call Annishinabee CFS in Fisher River if they decided to go ahead with this.
- 11\06\98 P/C from [REDACTED] the pediatrician that had seen the children yesterday. He stated that the tests results had come back and that [REDACTED] had very low blood. He stated this was the result of poor nutrition and put her on ferinsol, with a repeat blood test to happen in three weeks.  
P/C to the hotel to advise of above.
- 11\06\98 This worker and worker Carolyn Parsons met with [REDACTED] in the office today. [REDACTED] stated that she did not make it to either of her appointments as she was too busy and upset.  
[REDACTED] was served court papers and explained the legal process. She was advised that the agency would be seeking a temporary order of guardianship and that she should seek legal council if she did not agree to this. The length of the order the agency would be seeking would be four months as [REDACTED] would need to complete an alcohol treatment program and become involved in counselling for domestic violence before the children could be returned.  
Regarding the relationship with Carl, [REDACTED] stated that he had been calling her a lot as he was worried about her and the children. [REDACTED] stated that Carl wants to get back together, but that she is undecided. This worker advised [REDACTED] that the agency would be against them reunifying unless Carl underwent treatment for his violence. It was explained to [REDACTED] again that the agency was quite concerned by how Carl minimized the assaults on her and the impact that this has on the family. This worker encouraged [REDACTED] to think about herself and the children and what was in their best interests, not Carl's. [REDACTED] stated that she knew this was a problem and that Carl had assaulted her numerous times and been charged on at least three or four of these occasions. When asked if she thought Carl had a

drinking problem, [REDACTED] first stated no then said the assaults usually occurred when he was drinking. When this worker asked [REDACTED] to consider the possibility that someone who react with violence when they are drinking not only has a anger management issue, but a problem with alcohol as well, [REDACTED] agreed that this was the case regarding Carl.

This worker then discussed where and who the children had been raised by as Carl's family was suggesting that [REDACTED] had basically been raised by them. [REDACTED] stated that Carl had parented [REDACTED] for the first five months as they had separated. She stated that [REDACTED] had never parented [REDACTED] but that she had her over almost every weekend because she wanted to. [REDACTED] stated had always been with her.

This worker asked [REDACTED] if she really thought it was a good idea to separate the children if the plan was for her to parent them together again in the future. [REDACTED] first stated that she thought it was ok but then changed her mind.

[REDACTED] stated that she supported the placement in Fisher River as she got a long with Carl's parents and if she went into treatment in Peguis, she would be closer to them.

This worker advised [REDACTED] that [REDACTED] was ill due to poor nutrition and that the agency would be asking that she take a parenting course as well. [REDACTED] agreed to this. This worker also encouraged [REDACTED] to begin her counselling for violence while she was waiting to get into treatment for her alcohol abuse. [REDACTED] was given the number of Klinik and asked to make an appointment with them before the next meeting. [REDACTED] agreed to this.

A visit was arranged for Tuesday at 2:PM.

At the end of this interview [REDACTED] provided the following background information; [REDACTED] and her siblings were first raised by their GGM as their mom abandoned them and dad couldn't cope. Not long after this CAS removed the children from GGM as she was having difficulty raising the children because of her age.

[REDACTED] has known Carl's family since she was ten years old. After she left her GGM's home she was raised by Carl's sister [REDACTED] in Winnipeg. It was through Carl's sister and father that she met Carl when she was in her late teens.

- 12/06/98 Children placed in the foster home of [REDACTED]  
[REDACTED]
- 15/06/98 PIC from [REDACTED]. She stated children doing fine. [REDACTED] much improved since getting on medication. Advised [REDACTED] that their was a visit scheduled for tomorrow at 2:PM.
- 15/06/98 PIC from [REDACTED] inquiring how children were doing. This worker advised children doing fine. Worker advised [REDACTED] of the children's move and confirmed visit.

- 15/06/98 PVC from Carl. This worker advised Carl of the children's move. Carl questioned this worker on if the home was white. This worker also advised Carl of how sick [REDACTED] was and what the Dr.'s explanation was for this. Carl stated that [REDACTED] did a good job parenting and that [REDACTED] was not eating properly because she was missing him. This worker explained that [REDACTED] was suffering from poor nutrition and not depression. Carl inquired whether [REDACTED] was having her visit today and if she had called to confirm. This worker stated yes to both questions.
- 15/06/98 Received the following information on Carl's past criminal behaviour:  
 -Has a lengthy list of convictions and charges dating back to 1991. Numerous assault charges, failure to comply, etc.  
 -With respect to [REDACTED] WPS confirm Carl has been arrested on three separate occasions for assaulting [REDACTED]  
 -06/06/96 Charged with assault, charges stayed 11/96.  
 -21/09/97 Charged with assault with a weapon, charges stayed 11/97.  
 -21/09/97 Charged with uttering threats, charges stayed 11/97  
 -23/09/97 Charged with assault, charges stayed 11/97.  
 -23/06/96 Charged with assault on a 22 year old female, probably [REDACTED].
- 16/06/98 PVC from Carl wanting again to confirm [REDACTED]'s visit and inquiring whether this worker knew where [REDACTED] could be reached at.
- 16/06/98 Aboriginal Agencies served Petitions and Notices of Hearing.
- 16/06/98 [REDACTED] visited with the children. Visit seemed to go well. This worker asked [REDACTED] after the visit if sh had made any appointments, [REDACTED] said no.
- 22/06/98 workers attended to the Remand Centre to meet with Carl and serve him court papers. Remand Centre staff advised that Carl was released on 17/06/98.
- 23/06/98 PVC from Carl. He stated that he had been released with time served and two years probation. The conditions of his probation are that he take anger management, alcohol and domestic violence counselling. Carl also stated that he was living again with [REDACTED] and had got a job with Aldridge Moving. Carl asked this worker to change the visit to later in the day so he could visit as well. This worker agreed to try to do this.
- 23/06/98 This worker was unable to get a hold of [REDACTED] to let her know the visit had been changed so she showed up at the original scheduled time. [REDACTED] was advised that the visit would take place tomorrow and that it was important that Carl be

there so we could finalize a plan.

24/06/98

Carl and [REDACTED] arrived at the office early for their visit, which allowed this worker to meet with them before the children arrived.

This worker served Carl court papers and advised that the agency would be seeking a temporary order of approximately four months.

Carl stated that he and [REDACTED] were back together and that their plan was to address the issues as a family. This worker expressed concern over this and advised that the agency would prefer that they work on their issues separately as the concern of ongoing violence had not been adequately addressed for them to do couple work. This worker also advised that if they were going to remain together they would still need to have individual treatment plans and suggested Clinic as the most appropriate resource. Carl stated that he had his own resources and mentioned the Mamawi program. Carl also stated that he had two years to do this program as that was what his probation order said. This worker reminded Carl that this may be true, however the agency's position would be that this would need to be completed prior to the children returning home.

This worker advised Carl and [REDACTED] that the expectation of the agency would be to complete domestic violence, alcohol abuse and a parenting course before the children could be returned. Carl stated that he had been assessed at the AFM and that he doesn't have drinking problem. This worker told Carl that the agency disagreed with this as he has demonstrated violent behaviour when he is drinking. Carl asked that his children be moved to his parents home in Fisher River again and this worker again advised that this was a possibility, but that it would need to be further explored.

This worker advised that a family service worker would be assigned to work with them in the next little while.

Carl and [REDACTED] visited with their children for one hour. The visit seemed to go well.

#### ASSESSMENT:

[REDACTED] and Carl have been a long term relationship that is plagued with domestic violence and alcohol abuse. The results of this are that the children are continuously at risk of being hurt and/or neglected. Both [REDACTED] and Carl have been given opportunities to address these issues, however to date they have not been able to follow through.

Although it is this worker's opinion that Carl and [REDACTED] not be together until Carl has satisfactorily addressed his violence issues, this couple is determined to work things out together. The challenge for this agency will be to ensure that [REDACTED] is getting the support she requires and is not being controlled by Carl.

The conditions of Carl's probation are the same as the expectation of this agency. This should be helpful to the assigned worker as it will provide collateral support and assist in monitoring and assessing progress.

Because the violence demonstrated by Carl has been so severe in the past and as



he continues to minimize the impact that this has on his family, this worker would strongly suggest that any treatment program Carl enter into be closely monitored.

PLAN:

The agency should seek a temporary order of guardianship, approximately four months in duration. During this time [REDACTED] and Carl should enter into and/or complete the following recommendation prior to resuming parenting of their children:

- Complete individual programing for domestic violence.
- Enter into couple or family counselling regarding the impact violence has on the children in the home.
- Complete alcohol abuse treatment programs.
- Complete a parenting course that will help them understand more adequately the needs of their children.

During the time the children are in care the agency should continue to ensure the children visit with their parents on a regular basis and explore further the possibility of placing them in a relative home.

Case to be transferred for ongoing service.

Mareena Yusishen MSW., RSW.  
Intake Social Worker

Andrew Orobko  
Intake Co-ordinator

2-4

## TRANSFER SUMMARY AND FAMILY ASSESSMENT

Comment [Comment1]: Recording Title:  
transfer summary

Social Worker: Kim Shier  
 Address: 720 Broadway  
 Phone: 944-4174

Date: October 15, 1999

File Name: [REDACTED]XXMcKay  
 File Number: 174191

Mother's Name: [REDACTED]  
 Date of birth: [REDACTED]  
 Address: [REDACTED]  
 Phone: [REDACTED]  
 Treaty Status Southeast Child and Family  
 [REDACTED]

Father's Name: Wesley Carl McKay  
 Address: [REDACTED]  
 Phone: [REDACTED]  
 Treaty Status: West Region  
 [REDACTED]

## CHILDREN

| NAME       | DATE OF BIRTH | FOSTER HOME | LEGAL STATUS   |
|------------|---------------|-------------|--|
| [REDACTED] | [REDACTED]    | [REDACTED]  | TO expired Sept. 28,<br>seeking a further<br>order     |
| [REDACTED] | [REDACTED]    | [REDACTED]  | TO expired Sept. 28,<br>1999, seeking further<br>order |

## SIGNIFICANT OTHERS

| NAME          | RELATIONSHIP                        | ADDRESS    | PHONE      |
|---------------|-------------------------------------|------------|------------|
| [REDACTED]    | [REDACTED] former Probation Officer |            | [REDACTED] |
| [REDACTED]    | Wesley's Probation Officer          |            | [REDACTED] |
| Mike Paulck   | [REDACTED] lawyer                   |            |            |
| Vicki Heibert | Family Support Worker (Agency)      |            |            |
| [REDACTED]    | Wesley's sister                     | [REDACTED] | [REDACTED] |
|               |                                     |            |            |

## RELEVANT REPORTS

Letter

Feb. 18, 1999 [REDACTED]

## APPREHENSIONS

[REDACTED] and [REDACTED]  
to parents

October 25, 1997 to Nov. 6 97 returned

[REDACTED]  
month order

June 5, 1997

Seeking 4

[REDACTED]  
month order

June 6, 1997

Seeking 4

Dec. 16, 1998

Signed 4 month VPA

Feb. 22, 1999

apprehended seek 4 mo. TO

Sept. 28, 1999

seeking further TO

## CHILD WELFARE HISTORY

March 26, 1996 After Hours received information suggesting that bruises were seen on [REDACTED] neck. It was also reported that Mr. McKay was physically abusive to [REDACTED] as well as to [REDACTED]. The source of referral also reported that he consumes alcohol in large amounts on the week ends. During the investigation it was determined that [REDACTED] was very passive but was familiar with supports and resources. Abuse was

unsubstantiated and the file was closed on intake.

June 9, 1996 A report was received by After Hours stating that bruises were again seen on [REDACTED]. The report continued to say that they wanted the baby to be placed in a home and [REDACTED] to go to a women's shelter as her boyfriend beats her up. The file was closed on intake as the family was not open to voluntary services. [REDACTED] and Wesley believed The source of referral was someone that may be harassing them and they were referred to contact a lawyer.

March 30, 1997 Wesley McKay called Night Duty in regards to being concerned that [REDACTED] leaves [REDACTED] with many different care givers. Wesley had been taking care of [REDACTED] and [REDACTED] decided to come and get her and brought the police as she was scared Wesley would be angry.

October 2, 1997 Source of referral stated that Wesley was in the Remand Centre for assaulting [REDACTED] and Wesley had legal guardianship of [REDACTED] since she was one month old. [REDACTED] was staying at a women's shelter and had retrieved [REDACTED] from the care of the source of referral with police assistance. It was reported by the referral source that neither of the parents are capable of caring for these children. The case was closed as [REDACTED] and children were at a women's shelter and safe.

October 25, 1997 An After Hours report was received alleging there was a party occurring at the residence of [REDACTED]. Night duty workers and Winnipeg Police attended and found that a party was going on and the children were present. It was reported that ten intoxicated adults were present and [REDACTED] was intoxicated and not aware of what was going on in her home. The floor had broken beer bottles and glass on it. The kitchen was extremely dirty and the bathroom was filthy. The home was deemed to be a serious threat to the children due to the unsanitary and unsafe conditions. The children were apprehended and placed in care of the Agency. After a period of investigation and interviews with the parents a plan was devised and agreed upon by both parents. They agreed to attend AFM or NAC for addictions assessments and counselling following the recommendations. They were to attend MaMawi to receive counselling around communication issues within their relationship. Mr. McKay agreed to attend individual counselling at MaMawi to address his issues of self described temper and frustration. Since both parents appeared to be committed to

change and following the plan the children were returned on Nov. 6, 1997.

Feb. 23, 1998 The source of referral called Night Duty to report that she was concerned as [REDACTED] and Mr. McKay had returned home and were very intoxicated. The following day After Hours attended the home and both parents appeared coherent enough to care for children. They were warned and cautioned to obtain a sitter for the whole night if they had plans on drinking.

April 29, 1998 After Hours report received reporting that Mr. McKay and [REDACTED] continue to have issues surrounding domestic violence and alcohol. The report continues to state that the last episode of domestic violence resulted in [REDACTED] having her nose broke by Mr. McKay. During the investigation and interviews with the family it was determined that the parents had little understanding of the impact of Domestic violence on their children. The pervious plan for the parents to attend counselling, alcohol assessments and anger management was discussed and encouraged.

June 5, 1998 Winnipeg City Police brought [REDACTED] to the Winnipeg Child and Family Services After Hours office. They had found her on the corner of Isabelle and William with an intoxicated male by the name of [REDACTED]. The child was dressed only in a diaper and a sweatshirt. [REDACTED] had been observed by the police falling down on the road. [REDACTED] was placed under apprehension and [REDACTED] was taken to the detoxification unit to sober up. [REDACTED] had said the child's mother was [REDACTED]

June 6, 1998 [REDACTED] contacted the agency to inquire about her daughter. She explained that she had left that morning and felt that [REDACTED] had been sober. The agency was concerned that [REDACTED] had also been left with [REDACTED] and when he left with [REDACTED] the other child [REDACTED] had been left at home alone. [REDACTED] explained that she left the children with [REDACTED] and she returned and then she left the girls with an unidentified female baby sitter so she could go out. She arrived back home around 5 am to sober up and sleep. [REDACTED] came back to her place and woke her up to tell her that [REDACTED] was gone. After searching for [REDACTED] on her own she then called

the Agency.

When the Agency attended to [REDACTED] home they found [REDACTED] was with her. [REDACTED] sister, [REDACTED], was also present and was very intoxicated. [REDACTED] was also apprehended.

August 21, 1998 A 4 month TO was granted for both [REDACTED] and [REDACTED] until Dec. 21, 1998.

Sept. 25, 1998 Wesley left a phone message stating that [REDACTED] was an alcoholic and had problems. Wesley sounded as though he was intoxicated. He appeared to be very vindictive and left the message out of revenge.

#### IDENTIFIED PROBLEMS

Ms. [REDACTED]

[REDACTED] appears to have difficulties with understanding the cycle of violence and the impact it plays in child development. She also appears to have difficulties with alcohol addictions and will benefit from an assessment and then follow the recommendations. [REDACTED] also has a very limited support network and would benefit from developing positive relationships with community resources. Ms. [REDACTED] parenting skills appear to be limited as she has not been able to keep her children safe. She would benefit from attending a parenting class. She has agreed to follow the Agency's plan in the past but failed to do so subsequently resulting in the children coming into the care of the Agency since she did not make the necessary changes that would enable her to parent effectively.

Mr. McKay

Wesley appears to continue to struggle with his anger management and does not understand how domestic violence affects the children. He has been referred to attend anger management and alcohol assessments not only from this Agency but also from Probation. He has been charged on three occasions with physical assault of [REDACTED]. The most recent assault charge took place

on March 29, 1998. He was originally charged with more serious charges but plead guilty to the assault so the others were stayed. He appears to have a very limited knowledge of the needs of a child and would benefit from attending a parenting class and developing a relationship with a community resource. Mr. McKay has agreed to follow the Agency's plan in the past and the result was that he failed to make the changes needed to be able to adequately parent the children. Subsequently the children came into the care of the Agency.

#### INTERVENTIONS

- 1) Contact was made with [REDACTED], Wesley's Probation Officer and [REDACTED], Probation Officer. [REDACTED] reported that Wes was charged with a serious assault to cause bodily harm and uttering threats on April 4, 1998. Wesley had assaulted her on March 29, 1999. He had punched her numerous times in the face. [REDACTED] reported that he had assisted [REDACTED] with moving into a safe and getting on the cell phone program in the Spring of 1998. She reported that [REDACTED] was beaten to the point where she could not walk. Wesley beat her with a leg off of a sink in the bathroom. [REDACTED] continued to report that he had locked the bathroom door and beat her until some one finally called 911.
- 2) A four month order was granted on August 21, 1998 to December 21, 1998. The plan was for [REDACTED] and Wesley to complete counselling for domestic violence, parenting courses, addictions treatment and individual and couple counselling. Wesley was also in need of following through with his Probation Order which included an addictions assessment and the family violence course.
- 3) [REDACTED] took the Parenting course at MaMawi Sept. 1998.
- 4) [REDACTED] attended weekly visits with the girls only missing a few due to being ill. Wesley only attend three visits in the Agency. He claimed it was difficult to attend as he often worked out side of the city.
- 5) In Oct. 1998, [REDACTED] attended Ma Mawai open domestic violence group and was seeing Gwen for counselling

6) In Nov. 1998, [REDACTED] reported that Wesley was complying with his probation order. He was reporting on a weekly basis. She continued to report that he had not internalized his violent offending behaviour and continues to deny and minimize his lack of control. He appeared to be only complying as he feels he is being forced to do so.

7) A voluntary Placement agreement was signed on December for 2 months until Feb. 16, 1999. [REDACTED] and Wesley appeared to be committed to their children and were making progress. Wesley was scheduled to attend his Family Violence course through Probations in Feb. 1999. Wesley was attending AFM meetings with Karen Archibald. [REDACTED] still had not attended an addictions assessment

8) [REDACTED] and Wesley had moved to a new residence and home visits were started in preparation to transition the children back home. In Feb. 1999, the girls began to have overnight visits.

9) In Jan. 1999, Wesley was referred to the Better Fathering Group. He did not follow through with attending this program

10) In Feb. 16, 1999, it was confirmed that Wesley had failed to attend the Family Violence Course. He claims that he missed one session due to his work. He was driving a semi-truck and had been detained. It was also reported that Wesley had missed his last appointment with his probation officer. A letter was received from his Probation Officer stating that Wesley is high risk and numerous concerns still existed. It was also reported that Wesley had been rude and verbally abusive to workers in the Probation Office.

11) On Feb. 17, 1999 in Supervision it was determined that the parents had not complied with the plan and it was not safe for the children to return home. Visits were moved back into the office. On Feb. 22, 1999, both [REDACTED] and [REDACTED] were placed under apprehension.

12) A meeting was held in the office with Wesley and [REDACTED]. Wesley had made attempts to attend the MaMawi open group meeting. Wesley was agitated and aggressive through out all of the meeting and eventually stormed out. [REDACTED] was left in the office in tears. She stated that she wanted to end her relationship with Wesley and wanted to move to her reserve in Little Grand.

13) [REDACTED] was not able to move to Little Grand Rapid due to the housing shortage and the confirmation that her family members also struggle with addiction issues and they would not be



able to provide [REDACTED] with support.

14) On Feb. 23, 1999, [REDACTED] reported that she had left Wesley and was staying at a cousins. Arrangements were made for [REDACTED] to stay at Selkirk Women's Shelter, Nova House. [REDACTED] only remained at Nova House for a few days and then requested to come back to Winnipeg and was transferred to IKWE. She only remained at IKWE for a few days and ultimately returned to Wesley as she had no where else to go.

15) On March 11 1999, it was reported by Wesley that [REDACTED] was intoxicated. This was confirmed by Verna Keeper, who is a worker for South East Child and Family Services. [REDACTED] had made allegations that Wesley had assaulted her. Wesley turned himself in. [REDACTED] explained that they were drinking with friends and Wesley had grabbed her from behind and placed his hands on around her neck. WPS instructed her to leave the house so she went to her cousins.

16) On March 29, 1999, [REDACTED] attended Virginia fountain Memorial Treatment Facility. She completed the program on May 4, 1999. While in the treatment program [REDACTED] had two visits with the girls.

17) On March 18, 1999 in supervision it was determined that the Agency would be seeking a 4 month TO as Wesley is not involved and would not be able to sign a VPA. The plan was for [REDACTED] to obtain her own apartment, continue with after care by attending AA meetings and continuing with domestic violence counselling.

18) May 28, 1999, Wesley had been served with court papers and had failed to attend court docket. [REDACTED] was present with her Lawyer, Mike Paulck. She consented to a 4 month T.O. The order was not granted until August 20, 1999 due to a hold up with [REDACTED] obtaining counsel and not providing his lawyer with any direction. The order began on May 28, 1999 and would be expiring on Sept. 28, 1999.

19) [REDACTED] was introduced to a Family Support Worker, Vicki Heibert. A referral was made to Alpha House, Second Stage Housing. Vicki Heibert and [REDACTED] attended a tour of Alpha House. [REDACTED] appeared to be very reluctant to move in. [REDACTED] is only allowed \$270.00 a month for rent as the Agency is not able to commit to the children being returned in a 2 week time frame. This is making it very difficult for her to locate housing. [REDACTED] also does not have any furniture. Wesley has agreed to buy her furniture, but this seems to be another way for him to control her. Alpha House is completely furnished and there would not be a problem with the rent. Alpha House provides supports and counselling in regards to domestic violence and Wesley would not be allowed to enter the building. This would provide her with a safe environment with supports and counselling on domestic violence.

20) [REDACTED], who is Wesley's sister reported that both [REDACTED] and Wesley were intoxicated and Wesley was threatening and abusive. She reported that Wesley had raised his hand to hit his own mother. [REDACTED] is concerned for [REDACTED] and plans on supporting [REDACTED] to

sperate from her brother.

21) On September 28, 1999, a reconsideration was filed for a further order. [REDACTED] continued to be staying with friends and had failed to obtain her own apartment. The Agency is seeking a further 6 month temporary order in respect to [REDACTED] and [REDACTED]. The mother, Ms. [REDACTED] is in need of securing a residence in a supportive living environment where she can receive support and counselling for domestic violence. Ms. [REDACTED] needs to acquire a deeper insight into how domestic violence has affected her life and the lives of her children. Ms. [REDACTED] is also need of securing supports for her alcohol abuse. Ms. [REDACTED] will require assistance from an Agency support worker that can assist with her parenting issues. Mr. McKay has not been involved with the Agency and has not cooperated with developing a plan in regards to his issues of alcohol abuse and domestic violence. When [REDACTED] moves into Alpha, the Agency would consider signing a three month VPA and with drawing the 6 month TO.

#### CHILD PROFILES AND ASSESSMENTS

REDACTED

REDACTED

REDACTED

PRESENT PLAN FOR [REDACTED]

- 1) [REDACTED] to move into Alpha House Second Stage Housing. The contact person is Nancy and she can be reached at 982-2011.
- 2) [REDACTED] is registered for the Closed domestic Violence group at MaMawi for November 1999.
- 3) [REDACTED] is to obtain supports for her alcohol abuse through AA meetings and through a sponsor.
- 4) [REDACTED] is to work cooperatively with her support worker, Vicki Heibert.
  - a) Vicki will see [REDACTED] once a week until the children are returned and then will see her twice a week.
  - b) Vicki will assist [REDACTED] with moving into Alpha House.
  - c) Vicki will assist [REDACTED] with obtaining supports for her alcohol addiction.
  - d) Vicki will assist [REDACTED] with parenting skills once the children are returned.[REDACTED] has expressed that she struggles with using any discipline with the girls and would rather ignore their behaviour.
- 5) [REDACTED] will continue to attend her weekly visits at the office with the children. The visits are on Fridays at 1:30-3:15. Volunteer drivers provide the transportation. Mary Stuart is the driver and she can be reached at 832-8822. [REDACTED] is allowed to take the children out for visits. They usually go the park, the Shell station for treats and to visits her Aunt at [REDACTED]. [REDACTED] has left [REDACTED]'s stroller in the office for visits. [REDACTED] is often late for the visits and is 5 minutes late for returning after the visits. The importance of being on time due to the drivers tight schedule has been explained.

**PRESENT PLAN FOR WESLEY**

- 1) Wesley has not had visits since the Spring 1999. He has been uncooperative with the Agency. Visits should be encouraged if Wesley agrees to meet with the Agency and is willing to comply with the plan.
- 2) Wesley is in need of attending an anger management course.
- 3) He is to attend individual counselling for his violent offending behaviours.
- 4) Wesley is need of attend a parenting course such as the Better Fathering Course.
- 5) Attend visits with the children once he has made an effort to follow the plan.
- 6) Wesley needs to work cooperatively with the Agency.
- 7) Wesley is in need of completing his Probation Order.

**PRESENT PLAN FOR [REDACTED]**

[REDACTED] has not been involved with [REDACTED] since her birth. The Agency is in need of completing an assessment in regards to his current functioning.

**REASON FOR TRANSFER**

This worker is leaving this position and the file will be transferred to an ongoing Family Service Worker.

\_\_\_\_\_  
Kim Shier  
Family Service Worker  
Wolseley Unit

\_\_\_\_\_  
Vicki Verge  
Unit Coordinator  
Wolseley Unit

**CASE ASSESSMENT (60 DAY) AND SERVICE PLAN**

Date: June 5, 2000

File#: 174191

Family Service Worker: Guy Gaudreau

Service Unit: 720 Broadway

FPRU Assigned Worker: Michele Fairbairn

Date of Original Referral: Jan. 20, 2000

Date Assigned: Feb. 14, 2000

Family Name: [REDACTED]

Parents:

Mother: [REDACTED]  
No fixed address

Father: Wesley Carl McKay  
[REDACTED] No fixed address

[REDACTED] Father ?

Children:

[REDACTED]  
[REDACTED]  
[REDACTED]

**Presenting Issue(s):**

- children in care since June 1998.  
(CFS currently seeking a permanent order).
- Wesley Carl identified by Probation Services as an extremely high offender re: domestic assault.
- [REDACTED] taking children to see Carl on visits, despite CFS clearly indicating that he is to have no contact with the children.
- History of alcohol abuse by both parents.
- History of neglect concerns.

**Contact Summary:**

See attached casenotes.

**Family Assessment:**

**Family Preservation and Reunification Program  
/ li / File #174191 / June 5, 2000**

██████ is originally from Little Grand Rapids. Her family is still living on the reserve except for one sister who lives in Winnipeg. ██████ reports her family members are all heavily involved in alcohol abuse.

██████ indicates she resided with an auntie and uncle on the reserve as an adolescent after her mother died. ██████ was 15 years old at the time of her mother's death.

██████ is currently a single person family as both children have been in care since June 1998. Children were apprehended given concerns of neglect, alcohol abuse by both parents and Wesley's violent behavior.

Currently, ██████ has not yet secured housing. She has been moving between friends and relatives homes, frequently staying a day or two. Despite numerous attempts by CFS to assist ██████ in obtaining second stage housing through both Alpha House and Native Women's Transition Centre, ██████ has not followed through with the final steps to complete the process. ██████ verbalizes intention to move into second stage housing, however is unable or unwilling to articulate reasons for not following through.

██████ and ██████ have been in care since June 1998. Both children appear developmentally age appropriate and healthy. To date there have been no identified concerns about the children. ██████ and ██████ seem connected to their mother and enjoy weekly visits with her. Occasionally they have been tearful at the end of visits, however they are generally managing well emotionally.

Wesley Carl has not been actively involved with CFS. Probation officer ██████ indicates that Wesley is currently involved in the Intensive Supervision Program at Probation Services. Further, Wesley has not yet taken responsibility for any of his violent behavior towards ██████. Also, Wesley does not speak of ██████ but rather occasionally indicates that he can take ██████ from CFS anytime he wants, but he doesn't want to at this time. Since being referred to the Intensive Supervision Program, Wesley has begun reporting more frequently. ██████ reports that Wesley suggests he is tired of going to jail for Breaching his probation order, therefore he plans to comply with his conditions.

It is unclear if ██████ and Wesley are still identifying themselves as a couple. Although both ██████ and Wesley have verbalized to CFS and Probation that they are no longer a couple, ██████ identifies a suspicion that they are still involved because Wesley alludes to having contact with ██████. In addition, the previous Family Services Worker Carol Rampaul learned through the children that their mommy and daddy were planning to be married. ██████ also had numerous contacts with Wesley during the visitation. Visits were subsequently restricted to the CFS office.

The focus of the Preservation/Reunification Program has been to support ██████ to obtain the internal and external resources she requires to successfully parent ██████ and ██████. Given Wesley's current presentation, these services will not be extended to him at this time. Carl will not have access to the children unless he assumes responsibility for his assaultive behavior and engages in programming to create safe interactions with family members.

██████ has verbalized an intention to resume full time parenting responsibilities for her children. She speaks fondly of her daughters and appears gentle and affectionate with them during visits. ██████ suggests she has difficulty setting limits for the girls when they don't listen to her.

██████ is a well groomed, soft spoken young woman. She identifies herself as aboriginal and is interested in learning more about her cultural practices. ██████ indicates she enjoys reading and used to read to her children prior to their apprehension.

██████ reports attending the domestic violence program and parenting education at Ma Ma Wi. She indicates that she received certificates from these programs and plans to show them to the judge if CFS attempts to seek further orders on the children.

██████ has been able to speak about her experiences attending the programs at Ma Ma Wi, and demonstrates a beginning understanding of how the material fits into her life. ██████ has verbalized that

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**Family Preservation and Reunification Program**  
/ li / File #174191 / June 5, 2000

she believes Wesley will not change. In addition, she has recognized the sequence of Wesley's abusive and controlling behaviors as well as identified her own level of fear of Wesley when she and the children resided together.

In addition to some recognition of her experiences living with Wesley, [REDACTED] verbalizes some insight into the impact of Wesley's violence on the children. Although she reports the children saw bruises on her after the beatings, [REDACTED] tends to minimize their level of fear and suggests the children were sleeping at the time of the beatings.

[REDACTED] is also able to assume some responsibility for abusing alcohol and the children subsequently being apprehended. [REDACTED] believes both her and Wesley are responsible for the children's apprehension, citing both of their alcohol abuse and Wesley's violence towards herself as the main factors involved in the apprehension.

[REDACTED] currently suggests she is not afraid of Wesley and does not identify a need to ensure her protection from him. It is unclear at this time if [REDACTED] is minimizing the degree of risk Wesley poses to convince Child and Family Services that she can manage Wesley or if she is incorporating denial and minimization as a method of coping with ongoing fear of Wesley.

[REDACTED] suggests she is wanting to work with CFS to obtain her children back in her care, however, she rarely follows through with appointments. [REDACTED] indicated she was interested in attending a group for women whose methods of coping with trauma experiences have interfered in their desired parenting practices. [REDACTED] attended one session in which she was driven by this worker, however did not return despite being provided with transportation. [REDACTED] did not articulate a reason for not returning to group, nor did she call as agreed upon to indicate she was not returning.

Similarly, [REDACTED] has booked many meetings with this worker and not attended (see contact summary).

On a more positive note, [REDACTED] attends visits with her children one time a week. To my knowledge [REDACTED] attends these visits regularly. Subsequently, my current plan is to attempt connecting with [REDACTED] during her visits with the children.

Overall, [REDACTED] has demonstrated an interest in her children by attending regular weekly visits with them. Both mother and daughters appear to enjoy their time together. It is unclear at this time the factors contributing to [REDACTED]'s lack of follow through with housing and utilizing CFS resources more consistently. It does appear, however, that [REDACTED]'s life is highly unstructured and she struggles to understand and implement the necessary small steps to reach a goal. In addition, [REDACTED] has experienced many losses and endured significant trauma, most recently from the severe beatings from Wesley. It appears as though [REDACTED] is at a beginning stage of awareness of the impact of these experiences.

To her credit, [REDACTED] reports that she continues to abstain from alcohol use. However finds it challenging to remain in the company of non-drinkers, as many of her social and family connections are heavily involved in alcohol abuse.

#### Intervention Plan:

- Continue developing a working relationship with [REDACTED]
- Provide opportunities for [REDACTED] to strengthen the following skills:
  - establishing healthy and safe relationships (personal boundaries, reciprocity, communication, respect, safety)
  - problem solving (concrete steps to problem solving and goal attainment)
  - assertiveness - (modeling, role playing and practice)

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**Family Preservation and Reunification Program**  
/ li / File #174191 / June 5, 2000



- child development and limit setting
- obtaining resources ie. housing, education, daycare, traditional native healing methods
- reinforce positive coping strategies as an alternative to alcohol abuse.

\_\_\_\_\_  
Michele Fairbairn  
Family Preservation and Reunification  
Worker

\_\_\_\_\_  
Ray Taylor  
Supervisor

\_\_\_\_\_  
Date

\_\_\_\_\_  
**Family Preservation and Reunification Program**  
**/ II / File #174191 / June 5, 2000**

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CLOSING SUMMARY

File: 174191  
 Family Name: [REDACTED]  
 Family Service Worker: Guy Gaudreau  
 Service Unit: 720 Broadway  
 Date of Original Referral: January 20, 2000  
 Date Assigned: February 14, 2000  
 Date of Closure: August 18, 2000

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Parents:

[REDACTED] - Mother  
 No Fixed Address

Wesley Carl McKay - Father of [REDACTED]  
 No Fixed Address

Father of [REDACTED]  
 No name identified in referral information

Children:

[REDACTED]  
 DOB: [REDACTED]

[REDACTED]  
 DOB: [REDACTED]

Contact of Summary/Updated Assessment:

The last contact with [REDACTED] was on June 2, 2000. At this time Family Service Worker Guy attended a meeting with [REDACTED] and this worker. Guy informed [REDACTED] that Winnipeg Child and Family Services would be seeking a Permanent Order for [REDACTED] and [REDACTED], however encouraged [REDACTED] to continue regular visits with the children and her work with the Preservation and Reunification program. Guy further suggested to [REDACTED] that [REDACTED] and [REDACTED] could still be returned to her if she followed through with securing a safe living arrangement at second stage housing and made a commitment to

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**Family Preservation and Reunification Program**  
 / li / File#174191 / August 29, 2000

continue involvement with the Child and Family Services Agency to increase her ability to effectively parent [REDACTED] and [REDACTED].

In addition to planning for the children's future, support to operationalize the plan was offered to [REDACTED] through weekly contacts with the children and this worker.

At the time of the meeting [REDACTED] verbalized a commitment to the plan, however she discontinued her contacts with the Preservation/Reunification Program and her children to date.

[REDACTED] and [REDACTED] were made Permanent Wards on August 18, 2000. Future services will be provided by Southeast Child and Family Services.

To date [REDACTED] has not approached Winnipeg Child and Family Services for services and cannot be contacted as her whereabouts are unknown. Family services worker Guy believes that [REDACTED] has been in the company of Wesley McKay. A relative of [REDACTED] reported to Guy that [REDACTED] has been accompanying Wesley on his long distance truck driving jobs.

#### Summary of Goals:

The intervention plan identified within the 60 day summary was not implemented as there have been no contacts with [REDACTED] since this summary was written.

#### Conclusions and Recommendations:

Although [REDACTED] demonstrates a genuine caring of her children she has been unable to implement the necessary first step of establishing a home base for her and the children. Despite numerous opportunities to move into second stage housing at either Alpha House or Native Women's Transition Centre, [REDACTED] did not follow through.

During her contacts with the Preservation/Reunification Program [REDACTED] presented with parenting strengths including the ability to nurture her children through physical affection and activities such as reading. [REDACTED] clearly indicates a desire to be a loving mother.

[REDACTED] suggested she struggled to set limits with her daughters.

It is my recommendations that ongoing contact between [REDACTED] and the children be encouraged, despite a Permanent Order being secured. [REDACTED] has made some remarkable growth since the children first entered care in June 1998. Most noteworthy has been [REDACTED]'s commitment to maintain sobriety. Given her young age of twenty-five years [REDACTED] has much time for further growth and maturity, thereby she has potential to provide her children with stability in the future. Currently, [REDACTED] is able to provide some nurturing. My suggestion that ongoing contact be encouraged while a permanent

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**Family Preservation and Reunification Program**  
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plan be made for the children's care may also assist the children to manage the reality of their mother's current parenting limitations without completely severing a highly significant family relationship.

Preservation/Reunification file is to be closed effective August 18, 2000 when children were made permanent wards of Southeast Child and Family Services.

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Michele Fairbairn, BSW  
Social Worker  
Family Preservation and Reunification Program

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Ray Taylor,  
Supervisor

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**Family Preservation and Reunification Program**  
**/ li / File#174191 / August 29, 2000**

2-7

CLOSING SUMMARY

File Number: 174191 File Reference Name: [REDACTED] McKay

Demographic Info:Mother:

[REDACTED]  
DOB: [REDACTED]  
Treaty Status: [REDACTED]  
Southeast Child and Family Services  
Present Address: Unknown Telephone Number: Unknown

Father(s):

Wesley Carl McKay [REDACTED]  
DOB: 28/03/62 (Swan River)  
Treaty Status: [REDACTED]  
West Region Child and Family Services  
Present Address: Unknown Telephone Number: Unknown

[REDACTED]  
DOB: [REDACTED]  
Treaty Status: [REDACTED]  
Present Address: [REDACTED]Children:

[REDACTED]  
Treaty Status: [REDACTED]  
Present Address: [REDACTED] Telephone Number: [REDACTED]  
SAHS#: [REDACTED] MHSC#: [REDACTED] PHIN#: [REDACTED]  
Legal Status: Permanent Wardship granted on August 18, 2000 in the name of  
Southeast Child and Family Services.

[REDACTED]  
DOB: 24/11/96  
Treaty Status: [REDACTED]  
Present Address: [REDACTED] Telephone Number: [REDACTED]  
SAHS#: [REDACTED] MHSC#: [REDACTED] PHIN#: [REDACTED]  
Legal Status: Permanent Wardship granted on August 18, 2000 in the name of  
Southeast Child and Family Services.

Significant Others:

- [REDACTED] (paternal aunt) Telephone: [REDACTED]

**Previous Child Welfare Involvement:**

The agency file goes back to March of 1996 during which time After Hours Staff reports indicate evidence of domestic violence and that not only was Carl Wesley McKay physically abusive towards his partner, [REDACTED] but it is also believed that he was abusive towards his daughter, [REDACTED] as there were occasions in which suspicious bruises were found on her. Abuse was not substantiated at that time and the file was closed.

On June 9, 1996 a report was received by After Hours stating once again that bruises were found on [REDACTED] and the source of information further indicated that Mr. McKay was known to be beating up his partner, [REDACTED]. The file was closed at Intake, as the family was not prepared to work with voluntary services.

On October 25, 1997 an After Hours report was received indicating that there had been a drinking party at the residence of [REDACTED]. Upon attending to this residence along with the police, the workers discovered a number of intoxicated individuals including [REDACTED] and the children were apprehended only to be returned on November 6, 1997. The children being returned was contingent upon [REDACTED] and Mr. McKay's following through on the agency's recommendations for the pair to participate in an assessment and treatment as directed by the Addictions Foundation of Manitoba. Furthermore, Mr. McKay was to undergo anger management counseling with the MaMawi Center.

On April 29, 1998 an After Hours report was received indicating that there were further incidents of domestic violence between Mr. McKay and Ms. [REDACTED] including him Carl breaking [REDACTED]'s nose. During the investigation, it was felt that neither parent presented as having any insight into the impact this was having on the two children and the potential risk to them. Both were once again referred to counseling and treatment programs relating to this area. Probation Services later advised of the severity of the assaults on [REDACTED] by Carl McKay. These included him having taken the supporting leg off of the bathroom sink and beating her with it.

On June 5, 1998 Winnipeg City Police brought [REDACTED] to the After Hours Office after she was discovered on the corner of William Avenue and Isabel Street in the company of an intoxicated adult male and dressed only in a diaper. She was immediately apprehended.

On June 6, 1998 [REDACTED] contacted the agency inquiring about the whereabouts of her daughter, [REDACTED] following which the agency workers attending to her residence and also apprehended [REDACTED]. [REDACTED] admitted to going out drinking and leaving her children in the care of others whom she believed were reliable.

On August 21, 1998 a 4-month Temporary Order was granted on [REDACTED] and [REDACTED] which was to go to December 21, 1998. During this interim period, [REDACTED] and Carl McKay were to participate in counseling pertaining to alcohol abuse, domestic violence, parenting courses as well as individual and couples counseling. Carl McKay was further ordered by his Probation Order to participate in programming pertaining to addictions as well as anger management.

A Voluntary Placement Agreement was signed on December 21, 1998 to February 16, 1999 in light of some progress being made with [REDACTED] and Carl McKay. For example, [REDACTED] participated in a domestic violence group through Ma Mawi in October of 1998 and further was engaged in individual counseling. As for Carl McKay, he had been participating in individual counseling with Karen Archibald with the Addictions Foundation of Manitoba. He had been scheduled to begin a family violence course through Probation Services in February of 1999 as

well as being referred to a Better Fathering Group in January of 1999 but failed to follow through on it. According to his Probation Officer at the time, [REDACTED] stated that he failed to internalize his violent offending behavior and had persisted in denying and/or minimizing the problem. It was apparent to Probation Services that Carl was only complying with the Order minimally because he felt forced to do so.

It should be noted that there was weekly access between [REDACTED] and the children during this period by means of visits. However, there were problems with [REDACTED] taking the children out of the office during visits and not returning at the time agreed upon. Furthermore, given agency concerns about violence, there was no contact between the children and Carl McKay. Visits between [REDACTED] and the children was generally positive although it was apparent from workers' observations of same that she struggled with setting limits with them and subsequently, they tended to be difficult for her to manage. [REDACTED]'s response often was to indulge the pair by providing them with snacks as well as gifts but this only served to expect this from her at each visit. [REDACTED] and [REDACTED] further came to learn that if they cried and sulked that eventually their mother would break down and give them whatever they wanted. Nevertheless, it was apparent that there was a bond between the mother and the children.

On February 17, 1999 a decision was made by the agency in light of the lack of progress that it was not safe to return the children home and on February 22, 1999 the children were placed under apprehension.

On February 23, 1999 arrangements were made for [REDACTED] to enter Selkirk Women's Shelter (Nova House) in light of ongoing domestic violence issues between [REDACTED] and Carl McKay. However, she remained at this facility for only a few days and then requested to be returned to Winnipeg where she entered IKWE, another shelter. Once again, [REDACTED] lasted only a few days there before returning to Carl McKay. It was her contention that the reason she reconciled with him was that she had nowhere else to go.

On March 11, 1999, a report came in through Southeast Child and Family Services that [REDACTED] was once again drinking and had been assaulted by Carl McKay. She had been directed by Winnipeg Police Services to leave and she did eventually comply and move in with relatives.

On March 18, 1999 a decision was made by the agency to seek a 4 month Temporary Order with the conditions that [REDACTED] secure an appropriate and safe residence, continue after care by attending AA meetings as well as participate in counseling for domestic violence.

On March 29, 1999 [REDACTED] entered the Virginia Fontaine Memorial Treatment Center and completed the substance abuse treatment program on May 4, 1999. During this time, she was granted 2 visits with the children.

[REDACTED] consented to the 4 month Temporary Order but this was not formally granted until August 20, 1999 as there were a number of adjournments in order to serve both Carl McKay as well as [REDACTED] who is [REDACTED] biological father. To note, the Order was granted retroactive to May 28, 1999.

On September 28, 1999 a reconsideration was filed for a further order in light of [REDACTED]'s failure to follow through on agency recommendations for her to enter second stage housing with Alpha House which would provide her with a safe residence during which time she could continue to participate in counseling pertaining to domestic abuse. Initially, she claimed that her apprehension about the program were not culturally specific yet when such programming was

offered through the Native Women's Transition Center, she once again came up with excuses for not making the commitment.

During this period, the agency attained a support worker for [REDACTED] through the Family Preservation/Reunification Unit. The purpose/role of this worker (Michelle Fairbairn) was to assist [REDACTED] in accessing appropriate community resources as well as work on issues, which would better enable her to parent her children. Unfortunately, [REDACTED]'s passivity impeded progress and there has been evidence throughout the past year that she was continuing to maintain contact with Carl McKay. It was discovered that she was actually taking the children out of the office during her scheduled visits and arranging to meet up with Mr. McKay in the community. When confronted about this matter, [REDACTED] would defend that her encounters with Mr. McKay was purely a coincidence and not planned at all.

Our last contact with [REDACTED] occurred on June 9, 2000 when she left a voice mail message stating that she would not be attending the visit on that date.

On June 22, 2000 I received a telephone call from Carl Wesley McKay's sister, [REDACTED] who stated that the reason why we haven't heard from [REDACTED] in such a long time was because she had reconciled with Carl and was now travelling with him. To note, Mr. McKay is a long distance truck driver. The agency had already committed to applying for Permanent Orders on the two children well before being advised of this information.

#### Identified Problems: (parents and children)

1. [REDACTED]'s inability to withdraw from an abusive and extremely unhealthy relationship.
2. [REDACTED]'s priorities are quite distorted with her placing her own needs ahead of her children.
3. Carl Wesley McKay poses a threat to the children both directly and indirectly in terms of his propensity for violence.
4. [REDACTED] nor Carl have much if any insight into the impact their respective lifestyles have had on the two children.
5. There is some indication in delays in speech and language with both children which needs to be explored more thoroughly.

#### Interventions:

The file was assigned to this writer on May 1, 2000. As mentioned earlier, both [REDACTED] and Carl Wesley McKay were directed to participate in programming to address addictions issues, domestic violence, anger management, issues of victimization only to be met with failure. Particularly disconcerting was [REDACTED]'s resistance to entering Alpha House, a second stage housing initiative which works with women who are victims of domestic violence and empowers them to make healthier choices with respect to all areas of their lives including falling back into cycles of abuse such as what has taken place in her ongoing relationship with Carl Wesley McKay. [REDACTED] persisted in making excuses in why she hesitated in entering this program in spite of assurances from the agency that she would have our support and further that this would play a significant role in determining whether or not the children would be returned to her. It had



been hoped that once she entered Alpha House which is a 9 month program that we would have transitioned [REDACTED] and [REDACTED] into this facility with her and that the Alpha House staff as well as the Family Preservation/Reunification Worker, Michelle Fairbairn would work with her on her parenting skills.

This plan had been considered back in the Fall of 1999 and never materialized in spite of the fact that a space was made available to [REDACTED] on numerous occasions. Interestingly, her insistence that she would be more comfortable in a culturally specific program such as the Native Women's Transition Center was also encouraged yet in this case as well; she managed to find a way of avoiding this as well.

As for contact with her children, the agency attempted to accommodate weekly visits but there were a number of problems with this such as her arranging meetings with her abusive partner (Mr. McKay) when she was permitted to take [REDACTED] and [REDACTED] out in the community. When this was discovered, visits became restricted to the offices at 720 Broadway and yet even here she would step out of the visiting room and telephone Mr. McKay in the lobby and allow her children to speak to him. When confronted about this, she would insist that she was simply calling his mother and by some coincidence, he just so happened to be visiting at the time. During late May and most of June, [REDACTED]'s contact with her children became increasingly more sporadic whereby she would leave a message that she wasn't coming in for a visit yet provided no explanation for same. Eventually, by the end of June we had no further contact with [REDACTED] only to learn from Carl Wesley McKay's relatives that she had reunited with him and had begun traveling across Canada and the United States with him. It was at this point that the agency resigned itself to pursuing Permanent Orders on the children although this was already a direction we were headed in several months ago with [REDACTED]'s persistent failures to follow through on recommendations made by the agency.

My own contact with Mr. McKay has been non-existent in spite of several attempts. On several occasions, I attended to his residence at 330 Blake Street in order to serve him with court documents but without any success. In cooperation with Probation Services, I attended to the Law Courts building on the date of one of his court appearances for Breach of Probation. However, he failed to appear in court.

In discussing the agency's decision to apply for Permanent Orders on her two children, [REDACTED]'s response was non-committal even after it was explained to her that I would have preferred to have considered a Supervision Order if she would have followed through on the agency's recommendations to enter Alpha House to address abuse issues. There were a number of occasions in which I sat down with [REDACTED] and spoke candidly with her about how we might manage to avert having to apply for Permanent Orders on [REDACTED] and [REDACTED] but this had little impact on [REDACTED]. She would procrastinate about contacting Alpha House which was quite frustrating for both myself as well as Nancy Braun from Alpha House who was trying to give priority to [REDACTED] in the program in spite of a lengthy waiting list. Eventually, the spots held open to [REDACTED] had to be granted to other women who were more committed to change.

In court on August 18, 2000 Southeast Child and Family Services was represented by Ted Gilson (lawyer) as well as Robert Vincent, a social worker with Southeast Child and Family Services. Representing Winnipeg Child and Family Services was Myfanwy Bowman of Scurfield, Tapper and Cuddy and this writer. Southeast Child and Family Services presented no firm plan other than a commitment to place the two children together in an Aboriginal foster home.

Mr. Vincent also advised the court that Southeast Child and Family Services would not be placing the children for Adoption asserting that their organization has experienced more successful placement with children in long term foster care due to financial considerations of many Aboriginal people. He further noted that this also enables their agency to remain involved with these children over a number of years to monitor the children's development and intervene as necessary. Mr. Vincent stated that at this time, there were no prospective foster homes but qualified this by reporting that the case has just recently been brought to Southeast Child and Family Services' attention.

I did meet with Mr. Vincent prior to court and advise him of the children's relationship with their paternal aunt, [REDACTED] who had also expressed an interest in fostering but he did not make any commitment to consider this option until such time as he had carefully reviewed the file.

Child's Profile:

REDACTED

Temporary Order was

REDACTED

~~REDACTED~~

Relevant Reports:

- 1) Particulars by Guy Gaudreau (21/06/00)

- 2) Transfer Summary/Family Assessment by Carol Rampaul (19/04/00)
- 3) Letter from [REDACTED] of Probation Services (18/02/99)

Unresolved Problems and Recommendations for Future Involvement:

[REDACTED]

The primary concern which our agency has in closing this file is that Southeast Child and Family Services do not consider returning the children to their mother as her willingness to resume a relationship with Carl Wesley McKay speaks volumes about where her priorities lie and they are certainly not consistent with the agency and the need for the children to be protected. These concerns have been communicated to Southeast Child and Family Services in writing as well as in various conversations with Robert Vincent, a Social Worker with this organization.

[REDACTED]

[REDACTED]

**Reason for Closing:**

These files are being closed with Winnipeg Child and Family Services as a result of the children being made Permanent Wards on August 18, 2000. Justice Goldberg made the Orders in the name of Southeast Child and Family Services.

In light of this, Winnipeg Child and Family Services no longer have any jurisdiction in this matter.

**Signatures:**

Guy Gaudreau  
Social Worker  
Wolseley Unit  
Services for Children and Families

Vicki Verge  
Supervisor  
Wolseley Unit  
Services for Children and Families

Date submitted: September 18, 2000

5-1

### Intake Recording

Comment [Comment1]: Regarding Title  
Intake: Opening/Closing

Intake Worker: Nancy Colton  
Supervisor: Doug Johnson

Family Name: Wilson  
File Number: 1/443  
Date Opened: January 29, 1997  
Date Closed: February 11, 1997

Presenting Problem - Custody issues - non abuse allegations

History - Reviews WW history.

Comments & Recommendations [redacted] is on Probation at January 29, 1997. The client is [redacted] was living common law with Karl McKay but was recently separated from Karl approximately two months ago [redacted] just had her second baby ([redacted]) on November 24, 1996. Karl McKay is the bio father and also legally has the child. It appears to be an agreement between Karl and [redacted] Karl is going for custody but [redacted] has open access with child. Probation had some concerns because Karl is on probation for a domestic violence charge against a woman, further plus a prior assault charge in 1991. It seems Karl's sister ([redacted]) took [redacted] first child ([redacted]) in Pine Falls in October 1996 and gave her to her natural dad, [redacted]. There is a custody dispute with her now ended in February 1997 whereas a judge gave [redacted] full custody of [redacted]. It also appears that [redacted] [redacted] was made physical abuse allegations against her brother (3 times) from March, April and June 1996. All allegations claim Karl beats [redacted] and the baby [redacted]. CJS have investigated all allegations and found them unfounded.

Worker visited Karl on February 5, 1997. He states his sister has made a lot of trouble for him and he states he is going to custody of [redacted] no lawyer & no court order. Karl says he and [redacted] are on good terms but [redacted] is presently under a lot of stress fighting for custody of [redacted] Karl is presently an important welfare and he has a lot of support from family and friends. Karl was very co-operative with worker and all appeared fine. Karl says Dr. Iseli (788-3742) is [redacted] doctor. Worker contacts Dr. Iseli's office and all message with the nurse is have the doctor contact GFS if he ever has any concerns. Worker also will refer with Pink Cheryl Goodrich (386-4625) to check and monitor [redacted]

On February 16, 1997, [redacted] from [redacted] (b)(6). She said over the weekend they received a call with abuse allegations against Rod McKay from [redacted] and [redacted]. It seems [redacted] is mother to the girlfriend that lives with [redacted]. A judge has awarded custody of [redacted] her son [redacted] and family is trying to raise old unfounded concerns again [redacted] as [redacted] and West PMS agree to apprehend child and give her to her mother [redacted]. West Region also states the order have no concern about either [redacted] or [redacted] having the child with them. As there are no child protection concerns at this time, worker must needs file to closed on intake.

1000000 - February 19, 1997 - [redacted] also. They are waiting for the first flight from West Coast. [redacted] subject [redacted] has a good chance of being able to [redacted] on the 19th of February 21, 1997. [redacted] [redacted]

plans to seek custody again even though a judge has just awarded him full custody. No doubt more will be  
more placed in more by [REDACTED] and [REDACTED] during this custody battle. [REDACTED]  
[REDACTED] lives in [REDACTED]

/s/

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# INTAKE OPENING SUMMARY

Comment (Comment 1): Recording title:  
Intake Opening/Closing

File Name: McKay  
File Number: 174191  
Date Opened: April 23, 1997  
Intake Worker: Christine Schneider

## Source of Referral

## Other Agencies Involved

## Presenting Problem

Concerns around Karl's ability to parent [REDACTED] (5 months).

## History

Previous CFS NW file indicates file was closed February 1997. Custody - access dispute and unfounded allegations of physical abuse.

## Comments & Recommendations

On April 23, 1997 Intake received a letter from [REDACTED] who raised concerns around Karl's ability to raise [REDACTED] as he has been charged with assault on [REDACTED] on April 4, 1997. As there are past allegations of child abuse and domestic violence, [REDACTED] felt the agency should be informed of the latest charges.

Follow-up with PHN Cheryl Podolchuk and Dr. Tchai's office [REDACTED] did not reveal any concerns around Karl's care of [REDACTED].

The writer attended the home on May 22nd (May 9th & 20th no answer) to meet with Karl and [REDACTED]. Karl presented as mature and articulate. He recently obtained full custody of [REDACTED]. [REDACTED] did not object. The home was clean and neat with plenty of formula, food, clothing and diapers. [REDACTED] presented as clean, appropriately dressed, alert and well-cared for. Karl appeared to be well aware of his daughter's needs and is planning to take a parenting course in the near future. According to Karl, [REDACTED] sleeps and eats well. He claimed [REDACTED] still visits and that the latest assault charges will be dropped.

Karl has family members in the same building and in the neighbourhood that help him



with [REDACTED] and provide respite. He stated that [REDACTED] is an easy baby to care for and Cheryl Podolchuk will be attending the home this week as well.

As Karl appears to be managing well with [REDACTED] and there are no child protection concerns, the writer recommends the file be closed on intake.

/kb

**CASE CLOSED ON INTAKE, WINNIPEG CHILD & FAMILY SERVICES, NW AREA  
SALTER TEAM - INTAKE UNIT, DOUG INGRAM SUPERVISOR**

### CLOSING SUMMARY

File Number: 174191 File Reference Name: [REDACTED] McKay

**Demographic Info:**

Mother: [REDACTED]  
DOB: [REDACTED]  
Treaty Status: [REDACTED]  
Southeast Child and Family Services  
Present Address: Unknown Telephone Number: Unknown

**Father(s):** Wesley Carl McKay (██████████)  
**DOB:** 28/03/62 (Swan River)  
**Treaty Status:** ██████████  
**West Region Child and Family Services**  
**Present Address:** Unknown      **Telephone Number:** Unknown

DOB: [REDACTED]  
Treaty Status: Unknown  
Present Address: [REDACTED]

**Children:**

**Significant Others:**

- [REDACTED] (paternal aunt) Telephone: [REDACTED]

**Previous Child Welfare Involvement:**

The agency file goes back to March of 1996 during which time After Hours Staff reports indicate evidence of domestic violence and that not only was Carl Wesley McKay physically abusive towards his partner, [REDACTED] but it is also believed that he was abusive towards his daughter. [REDACTED] as there were occasions in which suspicious bruises were found on her. Abuse was not substantiated at that time and the file was closed.

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well as being referred to a Better Fathering Group in January of 1999 but failed to follow through on it. According to [REDACTED] at the time, [REDACTED] stated that he failed to internalize his violent offending behavior and had persisted in denying and/or minimizing the problem. It was apparent to Probation Services that Carl was only complying with the Order minimally because he felt forced to do so.

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On September 28, 1999 a reconsideration was filed for a further order in light of [REDACTED] failure to follow through on agency recommendations for her to enter second stage housing with Alpha House which would provide her with a safe residence during which time she could continue to participate in counseling pertaining to domestic abuse. Initially, she claimed that her apprehension about the program were not culturally specific yet when such programming was

offered through the Native Women's Transition Center, she once again came up with excuses for not making the commitment.

During this period, the agency attained a support worker for [REDACTED] through the Family Preservation/Reunification Unit. The purpose/role of this worker (Michelle Fairbairn) was to assist [REDACTED] in accessing appropriate community resources as well as work on issues, which would better enable her to parent her children. Unfortunately, [REDACTED] passivity impeded progress and there has been evidence throughout the past year that she was continuing to maintain contact with Carl McKay. It was discovered that she was actually taking the children out of the office during her scheduled visits and arranging to meet up with Mr. McKay in the community. When confronted about this matter, [REDACTED] would defend that her encounters with Mr. McKay was purely a coincidence and not planned at all.

Our last contact with [REDACTED] occurred on June 9, 2000 when she left a voice mail message stating that she would not be attending the visit on that date.

On June 22, 2000 I received a telephone call from Carl Wesley McKay's [REDACTED] who stated that the reason why we haven't heard from [REDACTED] in such a long time was because she had reconciled with Carl and was now travelling with him. To note, Mr. McKay is a long distance truck driver. The agency had already committed to applying for Permanent Orders on the two children well before being advised of this information.

**Identified Problems:** (parents and children)

1. [REDACTED] inability to withdraw from an abusive and extremely unhealthy relationship.
2. [REDACTED] priorities are quite distorted with her placing her own needs ahead of her children.
3. Carl Wesley McKay poses a threat to the children both directly and indirectly in terms of his propensity for violence.
4. [REDACTED] nor Carl have much if any insight into the impact their respective lifestyles have had on the two children.
5. There is some indication in delays in speech and language with both children which needs to be explored more thoroughly.

**Interventions:**

The file was assigned to this writer on May 1, 2000. As mentioned earlier, both [REDACTED] and Carl Wesley McKay were directed to participate in programming to address addictions issues, domestic violence, anger management. Issues of victimization only to be met with failure. Particularly disconcerting was [REDACTED] resistance to entering Alpha House, a second stage housing initiative which works with women who are victims of domestic violence and empowers them to make healthier choices with respect to all areas of their lives including falling back into cycles of abuse such as what has taken place in her ongoing relationship with Carl Wesley McKay. [REDACTED] persisted in making excuses in why she hesitated in entering this program in spite of assurances from the agency that she would have our support and further that this would play a significant role in determining whether or not the children would be returned to her. It had

been hoped that once she entered Alpha House which is a 9 month program that we would have transitioned [REDACTED] and [REDACTED] into this facility with her and that the Alpha House staff as well as the Family Preservation/Reunification Worker, Michelle Fairbairn would work with her on her parenting skills.

This plan had been considered back in the Fall of 1999 and never materialized in spite of the fact that a space was made available to [REDACTED] on numerous occasions. Interestingly, her insistence that she would be more comfortable in a culturally specific program such as the Native Women's Transition Center was also encouraged yet in this case as well: she managed to find a way of avoiding this as well.

As for contact with her children, the agency attempted to accommodate weekly visits but there were a number of problems with this such as her arranging meetings with her abusive partner (Mr. McKay) when she was permitted to take [REDACTED] and [REDACTED] out in the community. When this was discovered, visits became restricted to the offices at 720 Broadway and yet even here she would step out of the visiting room and telephone Mr. McKay in the lobby and allow her children to speak to him. When confronted about this, she would insist that she was simply calling his mother and by some coincidence, he just so happened to be visiting at the time. During late May and most of June, [REDACTED] contact with her children became increasingly more sporadic whereby she would leave a message that she wasn't coming in for a visit yet provided no explanation for same. Eventually, by the end of June we had no further contact with [REDACTED] only to learn from Carl Wesley McKay's relatives that she had reunited with him and had begun traveling across Canada and the United States with him. It was at this point that the agency resigned itself to pursuing Permanent Orders on the children although this was already a direction we were headed in several months ago with [REDACTED] persistent failures to follow through on recommendations made by the agency.

My own contact with Mr. McKay has been non-existent in spite of several attempts. On several occasions, I attended to his residence at [REDACTED] in order to serve him with court documents but without any success. In cooperation with Probation Services, I attended to the Law Courts building on the date of one of his court appearances for Breach of Probation. However, he failed to appear in court.

In discussing the agency's decision to apply for Permanent Orders on her two children, [REDACTED] response was non-committal even after it was explained to her that I would have preferred to have considered a Supervision Order if she would have followed through on the agency's recommendations to enter Alpha House to address abuse issues. There were a number of occasions in which I sat down with [REDACTED] and spoke candidly with her about how we might manage to avert having to apply for Permanent Orders on [REDACTED] and [REDACTED] but this had little impact on [REDACTED]. She would procrastinate about contacting Alpha House which was quite frustrating for both myself as well as Nancy Braun from Alpha House who was trying to give priority to [REDACTED] in the program in spite of a lengthy waiting list. Eventually, the spots held open to [REDACTED] had to be granted to other women who were more committed to change.

In court on August 18, 2000 Southeast Child and Family Services was represented by Ted Gilson (lawyer) as well as Robert Vincent, a social worker with Southeast Child and Family Services. Representing Winnipeg Child and Family Services was Myfanwy Bowman of Scurfield, Tapper and Cuddy and this writer. Southeast Child and Family Services presented no firm plan other than a commitment to place the two children together in an Aboriginal foster home.

Mr. Vincent also advised the court that Southeast Child and Family Services would not be placing the children for Adoption asserting that their organization has experienced more successful placement with children in long term foster care due to financial considerations of many Aboriginal people. He further noted that this also enables their agency to remain involved with these children over a number of years to monitor the children's development and intervene as necessary. Mr. Vincent stated that at this time, there were no prospective foster homes but qualified this by reporting that the case has just recently been brought to Southeast Child and Family Services' attention.

I did meet with Mr. Vincent prior to court and advise him of the children's relationship with their paternal aunt, [REDACTED] who had also expressed an interest in fostering but he did not make any commitment to consider this option until such time as he had carefully reviewed the file.

Child's Profile

REDACTED

REDACTED

Relevant Reports:

- 1) Particulars by Guy Gaudreau (21/06/00)



- 2) Transfer Summary/Family Assessment by Carol Rampaul (19/04/00)
- 3) Letter from [REDACTED] (18/02/99)

Unresolved Problems and Recommendations for Future Involvement:

[REDACTED]

The primary concern which our agency has in closing this file is that Southeast Child and Family Services do not consider returning the children to their mother as her willingness to resume a relationship with Carl Wesley McKay speaks volumes about where her priorities lie and they are certainly not consistent with the agency and the need for the children to be protected. These concerns have been communicated to Southeast Child and Family Services in writing as well as in various conversations with Robert Vincent, a Social Worker with this organization.

[REDACTED]

[REDACTED]

**Reason for Closing:**

These files are being closed with Winnipeg Child and Family Services as a result of the children being made Permanent Wards on August 18, 2000. Justice Goldberg made the Orders in the name of Southeast Child and Family Services.

In light of this, Winnipeg Child and Family Services no longer have any jurisdiction in this matter.

**Signatures:**

Guy Gaudreau  
Social Worker  
Wolseley Unit  
Services for Children and Families

Vicki Verge  
Supervisor  
Wolseley Unit  
Services for Children and Families

Date submitted: September 18, 2000



Justice

Community and  
Youth Corrections  
Central Winnipeg201-470 Notre Dame  
Winnipeg, Manitoba  
R3B 1R5(204) 945-3213  
FAX (204) 945-1227

February 18, 1999

Kim Shier  
Child and Family Services  
101-720 Broadway  
Winnipeg, MB  
R3g 0X1

RE: Karl Wesley McKay DOB: March 28, 1962

Dear Kim:

As the Probation Officer supervising the above named offender, I am writing to express my concerns about Mr. McKay's poor response to supervised probation and more importantly, the high risk to become reinvolved in violent offences he continues to represent in the community.

Mr. McKay is presently on Probation until June 17, 2000 as a result of an assault on April 4, 1998 against [REDACTED]. As you know, this is not his first violent offence against her and he has a prior assault conviction against another female victim. Mr. McKay began this period of probation in July, 1998 by failing to report to his Probation Office for a two and a half month period, despite repeated promises to do so. This resulted in a breach of probation charge being laid against him.

Recently, he missed an appointment on February 9, 1999 and did not phone or provide an explanation, which is also a breachable offence. Furthermore, on Sunday, February 14, 1999, Mr. McKay missed the second day of a five day mandated domestic violence program he was required to take as part of his probation order. Although he has provided the explanation that he was unavoidably delayed out of town, it is important to note that Mr. McKay knew that his completion of the program was an important part in the process of having his children returned to him. He also knew that failing to complete the group would result in yet another breach charge. Furthermore, it is important to note that we view completion of the 5 day Partner Abuse Short Term Educational Program as only a beginning in the process necessary to change attitudes which support violent behavior.

Most recently, Mr. McKay again demonstrated his negative attitude when on February 16, 1999, he offended a member of the Probation staff during one of his regular reporting sessions. He was rude and unwilling to discuss the situation reasonably.

Mr. McKay has been assessed as high risk to re-offend in a violent fashion. We are aware that [REDACTED] has been unable to protect herself against his violence in the past and believe that she would be equally unable to protect her children. The children have been present at the times when Mr. McKay has behaved violently. Additionally, [REDACTED] has attempted to protect Mr. McKay in the past (on many occasions) by denying the abuse she has suffered at his hands. Probation Officer Barb Gislason has seen [REDACTED] severely bruised and injured; at times she would make up stories about how the injuries occurred and later would admit that Karl was beating her. These injuries have been well documented by [REDACTED], [REDACTED]'s physician.

In light of the above information, we have serious concerns for the safety of [REDACTED] and her children and believe that they are at risk due to Mr. McKay's presence in the home. If you wish to discuss the matter further, please don't hesitate to contact me at 945-3215.

Yours truly,

[REDACTED]

Area Director, Wpg. Probation Services

[REDACTED]

[REDACTED] Probation Officer

# Manitoba



Justice

Community and  
Youth Corrections  
Central Winnipeg201-470 Notre Dame Avenue  
Winnipeg, Manitoba  
R3B 1R5

(204) 945-3213

FAX: (204) 945-1227

April 22, 1997

06

Child and Family Services - Northwest  
80 Salter Street  
Winnipeg, Manitoba  
R2W 4J6**RECEIVED**

APR 23 1997

Ans'd .....

**Attention: Intake Worker**

Dear Sir/Madam:

Re: McKAY, Karl Leslie

Date of Birth: March 28, 1962  
[REDACTED]

You will recall that I wrote to you on January 29, 1997, to express concerns regarding the above-named person. Mr. McKay is caring for an infant child, [REDACTED], born November 24, 1996.

Since I corresponded with you on January 29, 1997, I have additional concerns to relay to you. On March 28, 1997, [REDACTED] appeared in my office. At that time she had extensive bruising over her right eye plus a cut which was covered by a bandage. At that time she advised that Karl McKay had beaten her up. She had not laid charges as she indicated to this writer that she was afraid of Karl and was afraid to charge him because of this fear. On April 21, 1997, [REDACTED] appeared in my office again. At this point in time she indicated that there had been a further incident of assault, dated April 4, 1997. She advises that at this time, Mr. McKay was in fact charged with assaulting her.

The police narrative related to that incident indicates that Mr. McKay is presently on charge for assaulting her, which would indicate an even further assault.

One of the conditions of Mr. McKay's recognizance is that he is to have no contact or communication with the complainant.

[REDACTED], the complainant, is the mother of the infant, and she has been visiting with her child on a regular basis. Due to the no contact or communication clause, [REDACTED] will be advised that she can no longer do so.

April 22, 1997  
Re: McKAY, Karl Leslie  
Page 2

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Dept. Prod. #208

We are therefore referring this case to you once again for whatever action you deem necessary. Our concerns continue to be past allegations of child abuse, Mr. Kay's record of violence, [REDACTED]'s comments to me regarding his treatment of her and her fear of him, and the allegations and charges that are before the Court.

If you wish to discuss the matter further with me, please do not hesitate to call me at 945-3221.

Yours truly,

[REDACTED]

[REDACTED]  
Probation Officer

[REDACTED]mcw



201-470 Notre Dame Avenue  
Winnipeg, Manitoba  
R3B 1R5

January 29, 1997

Dear Sir/Madam:

Re: McKay, Karl Wesley  
BD: March 28, 1962

Karl is known to Probation Services. He is currently on an unsupervised Probation Order (supervision period has terminated) on a Domestic Violence charge against a previous partner. He also has a prior assault charge dating back to 1991. He was assessed in July, 1996 as having made a poor response to Probation Supervision.

