



Children's aid: Information for parents

A children's aid society or CAS has a legal duty to make sure that children under the age of 16 are protected from harm. They may stay involved until the child they are protecting reaches age 18. The government has given them this job.

When does a CAS check on a family?

Parents have a legal duty to keep their children safe. A CAS may check on a family if they believe that:

- parents are violent to each other,
- parents do things that could harm their children, or
- a parent does not stop their husband, wife, or other people, including other family members, from doing things that could harm their children.

Here are a few examples of acts that could lead a CAS to check on a family:

- insulting or yelling at children,
- hitting or tying up children,
- punishing children by refusing to give them food,
- touching children in a sexual way, or
- leaving children by themselves without someone who is old enough and able to take care of them.

How does a CAS hear that a child might not be safe?

If anyone has good reason to believe that a child has been harmed or might be harmed, they must tell a CAS. Even relatives, friends, and neighbours have a legal duty to report these situations.

People who work with children must report these situations to a CAS or the police can charge them with a crime. Some examples are teachers, doctors, nurses, daycare workers, family counsellors, social workers, and religious leaders.

Your lawyer does not have to report about you to a CAS.

What if a CAS worker contacts me?

Try to stay as calm as you can when you talk to a CAS worker. You should try to speak to a lawyer before you say very much. If you cannot afford a lawyer, Legal Aid Ontario may pay for one.

In most cases, a CAS must get your permission to enter your home. It is usually best to let them in or the situation can become worse. If they have to, a CAS can enter by force to protect a child. They can bring the police to help them.

If you have **any** difficulty understanding or speaking English, tell the CAS worker. Ask for an interpreter who speaks your language and English well. If the CAS does not find one, you should try to find an interpreter.

The CAS worker usually talks to the parents and children separately. They must keep notes about anything you or your children tell them. This information can be used against you in court later on.

Some acts that harm children are crimes. At any time, if you think the CAS or the police suspect you of a crime, tell them that you would like to get legal advice before you answer any more questions. Contact a lawyer right away.

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What can the CAS do?

The CAS can advise you to do many different things. They might want you to agree to do what they say.

Do not sign any papers with the CAS until you get your lawyer's advice. It is very important to get your own lawyer even if you want to make an agreement with the CAS.

In some cases, the CAS can take your child away from you.

What if the CAS takes my child away from me?

Tell the CAS if family members or other adults from your community can take care of your child. If the CAS does not take your child to stay with relatives or friends, then a community agency or a family that is paid by the government will take care of your child. Usually, you will be allowed to visit your child.

Get a lawyer right away to help you get your child back. You need to do this no matter

where the CAS takes your child to stay, even if they take your child to relatives or friends.

Will I need to go to court?

The CAS must take the case to family court if they take your child away or if they are asking the court to order you to follow CAS advice. If they take a child away, the first day in court must be within 5 days from the day they took the child.

You may have to go to court many times. Get a lawyer right away to help you in court. The lawyer should have experience with CAS cases.

If the police charge you with a crime, you have a right to a trial in criminal court. This is separate from the case in family court, even though it may be about the same situation. Get a criminal lawyer right away. **

On these pages we give only general information. You should get legal advice about your own situation.

How to get help

211 Ontario is an information and referral hotline that gives help in many languages. They take calls 24 hours a day, 7 days a week. They can tell you:

- where to get legal help, and
- how to contact a settlement agency or community agency for other kinds of help.

If there is no 211 service in your area, contact a local library or a community legal clinic.

To contact 211 Ontario:

- ☎ Phone..... **211**
- ☎ TTY..... **1-888-340-1001**
- 💻 **211Ontario.ca**

For more help:

Developed by CLEO (Community Legal Education Ontario/Éducation juridique communautaire Ontario) in collaboration with the CLEO Six Languages Advisory Group, made up of 10 member agencies.

This project was funded by the Ontario Trillium Foundation and Legal Aid Ontario.

CLEO thanks Findhelp for giving telephone help to this project.

Visit www.cleo.on.ca to download these pages and other legal information.