

RELEASE DATE: January 16, 2003



**THE FATALITY INQUIRIES ACT
REPORT BY PROVINCIAL JUDGE ON INQUEST**

RESPECTING THE DEATH OF: PATRICK NORMAN REDHEAD

Having held an inquest respecting the said death on May 15th, 16th, 17th, 18th, 22nd, 23rd, 24th, 25th, 28th, 29th, 30th, 31st, June 1st, 11th, 12th, 13th, 14th, 2001 and January 7th, 8th, 9th, 10th, 11th, 14th, 15th, 16th, 17th, 18th, 28th, 29th, 30th, and 31st 2002 at the City of Winnipeg in Manitoba, I report as follows:

The name of the deceased is: **PATRICK NORMAN REDHEAD**

The deceased came to his death on the 26th day of August 1999 between 3:30 p.m. and 4:30 p.m. near the Village of Dugald in the Province of Manitoba.

The deceased came to his death by the following means:

Suicide by hanging.

I hereby make the recommendations as set out in the attached report.

Attached hereto and forming part of my report is a schedule of exhibits required to be filed by me.

Dated at the City of Winnipeg, in Manitoba this 13th day of January, 2003.

”Original signed by Judge L. Giesbrecht”
Linda Giesbrecht
Provincial Judge

copies to: Chief Medical Examiner (2)

Chief Judge, Manitoba Provincial Court
Ms Carla Dewar & Ms R. Malaviya for the Crown
Mr. I. D. Frost & Ms J. Mann for the Departments of
Family Services and Corrections
Mr. Michael Paluk for the Fontaine Family
Mr. Mark Newman & Ms B. Bowley for Macdonald Youth Services
Ms Kaye Dunlop Q.C. for the Awasis Agency of Northern Manitoba
Mr. Michael Thomson & Ms M. Bowman for Winnipeg Child and Family
Services

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**"My life will never be good...life is nothing
but a blank picture..."**

**Patrick Redhead
April 21, 1998**

INTRODUCTION

These words reflect the feeling of hopelessness that was so much a part of Patrick Redhead's life in the last few years before his death. While at times he appeared to be happy and looking toward the future, he was always struggling with a great deal of internal rage and pain at the circumstances of his life. In the end he lost that struggle.

Patrick Redhead was born on March 24, 1984. He was only 15 years old when he took his own life on August 26, 1999. Chaos, dysfunction, abuse and instability marked his short life. Patrick was likely damaged before his birth, due to his mother's consumption of alcohol. In his early childhood he was not given the kind of family supports and nurturing that every child requires and is entitled to. His mother was and is a chronic alcoholic who was abusive and incapable of caring for any of her children for any extended period of time. By the time Patrick became a permanent ward of Thompson Region Child and Family Services in 1996 when he was 12 years old, he was a very damaged child who had a myriad of problems and issues and a pervasive rage that made him a very difficult child to deal with.

He could be aggressive and violent to his caregivers and to other children he came into contact with. He was self-destructive and impulsive. In his later years he frequently expressed suicidal thoughts. He ran away from his placements on numerous occasions and lived on the street for periods of time. He abused alcohol and drugs. At times he was involved with street gangs. He committed criminal offences. He was volatile and flew into rages with no or minimal provocation. This made him a very difficult child to place. Many of his placements broke down because of these behaviours.

But this was not the only picture of Patrick Redhead that emerged at this inquest. Patrick was also at times a pleasant, loving, funny, engaging and likable child. He could be a good and hard worker. He was a generous person. He was a very talented artist. An example of his artwork is included at the end of this report. He could be a good kid. He was described as being a neat kid, creative and sometimes insightful. It is important in detailing the life and death of Patrick Redhead and in recounting the various difficulties that were encountered in providing appropriate care for him that we do not lose sight of this other Patrick. The real tragedy is that this Patrick's potential will never be realized.

THE CALLING OF THIS INQUEST

The circumstances of Patrick Redhead's death appeared to be an unremarkable suicide. While the death of any child in this manner is always a tragedy his death appeared otherwise to be quite unremarkable. The case was reviewed at the December

1999 meeting of the Children's Inquest Review Committee and it was determined that no inquest would be called. Subsequent events, however, resulted in a decision to review the case again.

Section 10 of *The Fatality Inquiries Act* provides that where a deceased child was in the care of a child caring agency at the time of death, the Chief Medical Examiner shall review the actions taken by the agency in relation to the child, for the purpose of assessing the quality or standard of care or service provided to the child. That section also requires that a written report in this regard, shall be submitted to the Minister of Family Services.

As required under *The Fatality Inquiries Act*, Jan Christianson-Wood, a Special Investigator with the Office of the Chief Medical Examiner, conducted an investigation into the death of Patrick Redhead, and prepared a report respecting this investigation dated January 24, 2000. This report was marked as Exhibit 18 at this inquest. Also in early 2000 Phil Goodman, then the Director of Child Welfare, commissioned a consultant, John Robson, to conduct a review and prepare a report of the circumstances surrounding the life and death of Patrick Redhead. Mr. Robson's report was completed on February 27, 2000. That report was marked as Exhibit 161 at this inquest.

For several months after Patrick Redhead's death, members of his extended family, namely Norman and Sandra Fontaine, made numerous representations to various individuals and Government departments requesting that an inquest or a public inquiry be held to look into the circumstances of Patrick's death. Norman Fontaine wrote letters to government ministers and met with and made numerous representations to the Chief Medical Examiner, to some of the members of the Child Inquest Review Committee, to the Children's Advocate, Mr. Goodman, and Mr. Robson among others.

The evidence suggests that some of the conclusions in the Robson report as well as the many representations made by the Fontaines led to a decision by the Children's Inquest Review Committee to review Patrick Redhead's case again. At the April 7, 2000 meeting of that committee the members expressed the opinion that an inquest should be called into Patrick's death. Accordingly, pursuant to section 19(2) of *The Fatality Inquiries Act* the Chief Medical Examiner directed on April 28, 2000 that an inquest be held.

In August of 2000 Mr. Fontaine organized a four-day fast held at Memorial Park near the Manitoba Legislative Buildings. The purpose of this fast according to the evidence of Mr. Fontaine was not protest, hunger strike or demonstration, but it was meant to be a healing ceremony for himself and the community, to deal with the grief, pain and anger at their loss. In his words, the ceremony was also designed to raise awareness that given the opportunity aboriginal people can and will survive. Whatever the purpose of this ceremony, no doubt it raised some public awareness as the matter was reported in the local media.

The inquest was originally scheduled to be heard during a two-week period in November of 2000. After meeting with the counsel who were appearing on behalf of various interested parties who had been granted standing at this inquest, it became obvious that two weeks would not be sufficient time for this hearing. It was also clear that additional time was required for counsel to copy and exchange relevant case files and documents and to prepare for the inquest. The inquest was rescheduled for four weeks in May and June of 2001. However the evidence could not be completed during that time. In view of the issues raised and the number of witnesses left to be called additional time was required. The inquest was adjourned and the next dates available to the court and all counsel were not until three weeks in January of 2002. The inquest was completed on January 31, 2002. During the inquest the Court heard evidence from 31 witnesses and filed 169 exhibits over a period of 31 days.

THE MANDATE OF THE INQUEST

Inquests in Manitoba are governed by *The Fatality Inquiries Act* and are presided over by judges of the Provincial Court of Manitoba. The duties and limitations of a judge presiding at an inquest are set out in section 33 of the Act. The primary role of the judge at an inquest is to determine the identity of the deceased, when, where, and by what means, the deceased person died, the cause of death, the material circumstances under which the death occurred and whether the death could have been prevented. Further, a judge may recommend changes in the programs, policies or practices of the government and relevant public agencies or institutions or in the laws of the province, where the judge is of the opinion that such changes would serve to reduce the likelihood of similar deaths in the future.

There is a statutory limitation placed on a judge presiding at an inquest in Manitoba. Section 33(2) of the Act prohibits a judge from expressing any opinion on or making a determination with respect to culpability in respect of the death that is the subject of the inquest. In other words a judge at an inquest is not permitted to make a finding or express an opinion that someone is responsible for or legally blameworthy in the death of the person that is the subject of the inquest.

The Chief Medical Examiner directed that an inquest be held into the death of Patrick Redhead for the following purposes:

1. To determine the circumstances and events leading to the death of Patrick Redhead;
2. To determine whether, given his history and difficulties, Patrick Redhead received appropriate services;
3. To determine what may be done to prevent similar deaths in the future.

The first question is relatively easy to answer. The answers to the second and third questions, however, are much more complex and wide-ranging. Many of the issues raised during the inquest in an attempt to answer these questions took us into areas that

are far beyond the ability of this court to address in any detail. Accordingly it is important to state at the outset of this report what this inquest is not about.

This is not a public inquiry into the general child welfare system in Manitoba. Nor is it an inquiry into the child caring agencies in First Nation communities in this province. It is not an inquiry into the specific amount of funding or the resources that are needed to adequately deal with child welfare issues in Manitoba. It is not an inquiry into the adequacy of the funding that is provided by the federal government to fulfill its constitutional mandate to the aboriginal peoples in this province. Many of these issues were commented on at length during this inquest. Issues of appropriate funding and the adequacy of resources were raised by many of the witnesses.

Patrick Redhead and his family were involved with various family services agencies for periods of time off and on during much of his life. It is impossible to examine the child welfare services that were received by Patrick Redhead throughout his short life without being conscious of the lack of resources that are available to deal with children that have the kind of difficulties that Patrick had. This case also highlights the even greater lack of resources that are available in northern Manitoba. At times it will be necessary to comment on the adequacy of these resources. It is not difficult to conclude that increased resources in many aspects of the child welfare system would assist. But the issue is a complex one and for the most part the evidence at this inquest does not allow me to address this other than in a general way.

The issue of the adequacy of resources in the child welfare system has been well documented in a number of reports and inquiries. Recommendations have been made in many of these reports to increase the level of funding to enable appropriate services to be provided. See for example: The Report of the Aboriginal Justice Inquiry in 1991 chapter 14; the Report of the Royal Commission on Aboriginal Peoples, Volume 3, in 1996; and "Children First Our Responsibility", the Report of the First Nation's Child and Family Task Force, Manitoba in November of 1993, to name but a few. These commissions and task forces were in a better position to make such comments and recommendations. Needless to say much of the evidence heard at this inquest supports the conclusions that have been reached in other reports over the past decade that resources are inadequate in many parts of the system.

Finally, the inquest heard a great deal of evidence as to the past and present general structure of the child welfare system as well as the particular structure of various mandated child caring agencies in this province. This subject, however, will only be addressed to the extent that is necessary to explain the circumstances and events leading up to the death of Patrick Redhead. This is in view of the clear evidence that the child and family services system in Manitoba is presently in the process of undergoing a massive restructuring. The new proposed child and family services system will fundamentally alter the way in which these services, in particular to aboriginal people, will be delivered in the future. A more detailed explanation of this proposed new system will be provided later in this report.

In view of the proposed restructuring of the system, some recommendations that might otherwise have been made to improve the delivery of child welfare services in this province will not be necessary. It will remain to be seen whether the proposed restructured system will improve the delivery of child welfare services, particularly in the north. However, it is not the mandate of this inquest to comment on this proposed new structure.

STANDING

The Fatality Inquiries Act provides in section 28 (1) that a person who, "is substantially and directly interested in the inquest" may attend in person or by counsel and may examine or cross-examine the witnesses called. A number of parties applied for and were granted standing at this inquest on October 24, 2000.

Standing was granted to the following individuals, organizations and government departments:

1. Norman and Sandra Fontaine, members of Patrick Redhead's family;
2. Macdonald Youth Services a non-mandated service agency who was involved in providing services to Patrick Redhead during much of the last three years of his life;
3. The Awasis Agency of Northern Manitoba who is involved in providing services to a number of Patrick Redhead's siblings, and who was involved in Patrick's care from time to time in his early childhood;
4. Winnipeg Child and Family Services, participated in the inquest on a limited basis. This agency was involved in granting foster home licenses to some of the foster homes where Patrick Redhead was placed;
5. The Directorate of Child and Family Services, the Thompson Region of Child and Family Services and the Department of Corrections, were all granted standing and were all represented by counsel from Civil Legal Services.

OTHER REPORTS THAT REVIEWED THE EVENTS SURROUNDING THE DEATH OF PATRICK REDHEAD

At the outset of these proceedings it became apparent that reports had been prepared by a number of different individuals who examined and reviewed the circumstances surrounding the death of Patrick Redhead. A number of the issues to be addressed at this inquest were dealt with to some extent in these other reports. These reports are as follows:

1. The Report of Jan Christianson-Wood MSW, RSW, a Special Investigator with the Office of the Chief Medical Examiner, prepared pursuant to section 10 of *The Fatality Inquiries Act*. Exhibit 18
2. The Report of John Robson MSW, which was commissioned by the Directorate of Child and Family Services. Exhibit 161

3. The Report of Dr. Lois Edmund, Ph.D., C. Psych. which was commissioned by Macdonald Youth Services. Exhibit 136

Each of these reports contain a number of findings and recommendations. These reports are relevant to the issues to be determined by this inquest. For that reason the reports were marked as exhibits in these proceedings and the court heard testimony from two of the authors, namely John Robson and Dr. Edmund.

DISCLOSURE AND CONFIDENTIALITY

On October 30, 2000 a hearing was held into the issue of the disclosure of documents relevant to the matters to be determined at this inquest. These documents included files and records of the various child caring agencies that were involved with Patrick Redhead and his extended family, as well as Corrections files relating to Patrick Redhead's involvement with the youth justice system. In view of the confidentiality requirements of *The Child and Family Services Act* and *The Young Offenders Act* it was necessary for the court to make an order that would allow the various agencies to disclose the records in their possession. These documents needed to be disclosed not only during the course of the inquest but also in advance of the inquest to the other parties who had standing so that they could prepare for the inquest.

I granted an order pursuant to section 76 of *The Child and Family Services Act* and section 44.1(1)(k) of *The Young Offenders Act*, directing that Winnipeg Child and Family Services, the Awasis Agency of Northern Manitoba, the Directorate of Child and Family Services, Macdonald Youth Services, Thompson Region Child and Family Services, and the Department of Corrections produce all records and files in their possession relevant to Patrick Redhead and his extended family. During the course of the inquest a further order was made directing the disclosure of files related to services provided by the Awasis Agency of Northern Manitoba to Sandra Fontaine and her family. There was also an order made on May 16, 2001 to permit the disclosure of the report of the Chief Medical Examiner prepared pursuant to section 10 of *The Fatality Inquires Act*.

These disclosure orders were made subject to the following terms and conditions:

1. That the records and files produced shall not be utilized for any purpose other than in this proceeding under *The Fatality Inquiries Act*;
2. No dissemination shall be made of the records or files produced, nor of any information in the records or files, save and except that the records and files may be reviewed by representatives of the parties granted standing, and counsel to the parties may provide photocopies of certain records and documents to their respective clients;
3. Any such photocopies of records or documents provided to the parties by their counsel shall not be further photocopied, nor the information contained in those documents disseminated to any third parties, and all

such photocopies shall be returned to counsel and destroyed at the conclusion of this proceeding.

Many hundreds of pages of documents were disclosed and exchanged by counsel representing the parties who appeared at this inquest. These disclosures resulted in several volumes of documents being filed as exhibits in these proceedings. While some of the files and records relating to Patrick Redhead's involvement with the child welfare system in his infancy and early childhood could not be located, and the records dealing with this time in his life are sketchy at best, I am satisfied that every effort was made to provide all the materials that were available.

The confidentiality requirements of *The Child and Family Services Act* must be taken into account in writing this inquest report. In order to tell the whole story of Patrick's life and to determine the adequacy of the services he received it will be necessary to refer at times to the involvement of various child caring agencies with other members of Patrick's family. In particular all of his siblings have been in the care of family services agencies at various times throughout their lives. When this inquest report is released it becomes a public document. In order to protect the privacy of the children and to respect the confidentiality provisions of the legislation I will refer to Patrick's siblings and cousins by using their initials rather than their full names. No doubt those people who know this family will be able to recognize the person I am writing about. However, to the extent that is possible their privacy will be respected as the general public reading this report will not be able to identify those children.

PEOPLE AND ORGANIZATIONS INVOLVED IN THIS INQUEST AND/OR IN THE LIFE OF PATRICK REDHEAD

For the sake of convenience the following is a list and brief description of individuals and organizations who played a role in the life of Patrick Redhead, as well as those involved in this inquest. Those names with an asterisk were individuals who testified at the inquest.

THE FAMILY OF PATRICK REDHEAD

Patrick Murdo Linklater - born in 1954. The evidence suggests that he is Patrick Redhead's father although he is not registered as the father on Patrick's birth certificate. He had no involvement in Patrick's life. He is from Nelson House. He was custom adopted and raised by John and Susan Spence and one of his adopted brothers committed suicide in 1995. It is not entirely clear from the evidence when Patrick Redhead first learned that this was his father. The evidence suggests that social workers first became aware of this information in the summer of 1997.

Martina (Modena) Estella Redhead - born on November 21, 1961. She is the mother of Patrick Redhead. She had at least seven children with several different fathers. There is some evidence that she had another child born before Patrick, which would have been an eighth child. None of her children are in her care at this time nor have they been in her

care for any extended period of time in the past. The evidence suggests that she is a chronic alcoholic and that she physically abused and assaulted some of her children including Patrick. She has a lengthy criminal record including convictions for assault related offences. She was convicted of an aggravated assault in 1986 and received a one-year term of incarceration followed by probation. The evidence does not indicate whether she was ever convicted of any offences related to any assault on her children.

She was born in Shamattawa and is a member of the Shamattawa First Nation. As an adult she has not lived for any extended time in that community. She is transient and has moved back and forth over the years between Nelson House, Lynn Lake, Leaf Rapids, Thompson, Cross Lake, Shamattawa and a trap line in the bush. The evidence suggests that after Patrick's apprehension by child and family services in Lynn Lake in November of 1995, Martina Redhead had little or no involvement with him during the rest of his life.

J. Redhead - some of the evidence at this inquest suggests that Martina Redhead may have had a child named J some time before 1984. Although a number of documents refer to Patrick as having another sibling named J no witness could confirm this. Sandra Fontaine testified that she had asked Martina Redhead about a child called J and was told that it was none of her business. J Redhead was listed as a brother on Patrick's approved visitors list while at Agassiz in 1998.

H. R. Redhead - born on May 7, 1982. He is Patrick's half-brother. His father was Rudy Scatch. The evidence suggests that H R was made a permanent ward of the Awasis Agency sometime in the early 1990's. He resided in a foster home in southern Manitoba for many years and continued to do so for a time after he turned eighteen. He has had some involvement with the criminal justice system and has been diagnosed as having Fetal Alcohol Syndrome. He cannot live independently and is presently in a group placement for developmentally delayed adults.

B. V. Redhead - born on April 27, 1987. She is Patrick's half-sister. She is a permanent ward of the Awasis Agency and at the time of the inquest was in a secure facility placement in Winnipeg. Her father is Anthony Simon Linklater. She has been diagnosed as having Fetal Alcohol Syndrome. She has attempted suicide on a number of occasions in the past few years.

R. J. Redhead - born on February 1, 1989. She is Patrick's half-sister, and is under the legal guardianship of a maternal aunt living in Shamattawa. Legal guardianship was granted on May 15, 2000. Her father is Anthony Simon Linklater.

M. R. Redhead - born on December 30, 1990. She is Patrick's half-sister. Her father is believed to have been Zacheus Joseph Dumas. She was a permanent ward of Thompson Child and Family Services at one time. Legal guardianship has been granted to her former foster parents and she lives in northern Manitoba.

Z. J. Redhead - born on May 3, 1992. He is Patrick's half-brother. His father was Zacheus Joseph Dumas. He has been a permanent ward of Thompson Child and Family Services since August 1996 and lives in a foster placement in Thompson. His foster parents are in the process of finalizing adoption of this child. At the time of the inquest he had been referred to the Fetal Alcohol Syndrome Team in Thompson for assessment for FAS.

A. R. J. Redhead - born July 16, 1995. He is Patrick's half-brother. His father was Alvin Joseph Bighetty. He has been a permanent ward of Thompson Child and Family Services since August 1996 and lives with his brother Z in a foster placement in Thompson. His foster parents are in the process of finalizing adoption of this child. At the time of the inquest he had been referred to the Fetal Alcohol Syndrome Team in Thompson for assessment for FAS.

Patrick W. - born September 20, 1999. The evidence suggests that his father is Anthony Simon Linklater. He is a half-brother of two of Patrick Redhead's half-sisters, BR and RR. His mother is Marie W. He is a ward of Winnipeg Child and Family Services and was placed with Norman and Sandra Fontaine shortly after his birth and he was in their care at the time of this inquest. He has been diagnosed as having Fetal Alcohol Effects.

Sophia Redhead - 1932 - June 1999. She was Patrick's maternal grandmother. She lived in Shamattawa, and died in June of 1999 of injuries she received when someone threw boiling water on her at a party while she was severely intoxicated. Patrick was placed with her for several months in 1993 until January 1994, while he was a temporary ward of the Awasis Agency. Her husband was William Redhead who committed suicide by drowning in 1987. They had eleven children. Of those seven are dead. Except for one child who died in infancy, the other six died violently or accidentally as a result of alcohol consumption. Two died of alcohol poisoning in 1993, one drowned in 1999 and this drowning was alcohol related, one committed suicide in 1994 and two were the victims of homicide in 1984 and 1992.

Rudy Scatch - born 1960. He was the father of one of Martina Redhead's children. He is believed to have died around 1983 when he was stabbed to death with a screwdriver in Cross Lake.

Anthony Simon Linklater Jr. - born April 28, 1966. He was Martina Redhead's common-law husband for a period of time. He is the father of two of Patrick's sisters. He is also the father of Patrick W. He has two other children, who for a short time were in the care of Sandra and Norman Fontaine. Both of these children have FAS. He is the brother of Sandra Fontaine. The evidence suggests that Anthony Linklater Jr. was a sexual abuser. He has a lengthy criminal record including numerous convictions for assault -related offences and one conviction for sexual assault. While the evidence suggests that he sexually abused some of his nephews it is not clear whether he was convicted of any offences in this regard. The evidence suggests that Anthony Linklater also sexually abused Patrick Redhead when he was a child.

Zacheus Joseph Dumas - March 22, 1945 - March 17, 1992. He was Martina Redhead's common-law husband and at that time they lived in Lynn Lake. He was a councilor for the Black Sturgeon Band at Lynn Lake for five years and had been sober for about four years. While she lived with him Martina Redhead was sober as well and attending Alcoholic Anonymous. He died of a heart attack in the spring of 1992. He was the father of two of Patrick's siblings.

Alvin Joseph Bighetty - 1953 - January 11, 1995, was Martina Redhead's common-law husband. He was the father of one of Patrick's brothers. He died accidentally in January 1995. He died of hypothermia and exposure between Leaf Rapids and Granville Lake. He was with his brother at the time. Both were intoxicated.

Ella Linklater - born December 4, 1941. Her maiden name was Donkey. She is from Nelson House. Patrick lived with Ella Linklater and her husband Anthony Linklater Sr. in Nelson House on a number of different occasions and he viewed her as his grandmother. Ella and Anthony Linklater had three children: Sheila Linklater, Sandra Fontaine and Anthony Simon Linklater Jr.

Anthony Linklater Sr. - January 4, 1940 - September 1997. He was married to Ella Linklater. He was a quadriplegic and was confined to a wheelchair for about the last dozen years of his life. He received his injuries during a beating by his son in the mid - 1980's. The evidence suggests that Anthony Linklater Jr. was convicted of an assault-related offence and was sentenced to a term of incarceration respecting this incident. The evidence also suggests that Anthony Linklater Sr. was a very abusive father, in that he was physically and sexually abusive to his children. Patrick viewed him as his grandfather.

*Sandra (Linklater) Fontaine - born in 1965. She is the daughter of Ella and Anthony Linklater Sr. and was raised in Nelson House. She married Lawrence D. and had three sons with him. They are L.L. born April, 1980, D.L. born August 6, 1981 and L.D. born January 27, 1983. She met Martina Redhead in the 1980's when Martina was living for a period of time at the residence of Ella and Anthony Linklater Sr. Sandra Fontaine is the paternal aunt of two of Patrick Redhead's half-sisters, namely B and R. She married Norman Fontaine in June of 1996. Patrick regarded them as his aunt and uncle although there was no close biological relationship between them. Patrick was placed in the Fontaine home from June - August of 1997. While he was in the Mutchmor group home and at the Schneider/Andrade foster home in 1999 Patrick visited the Fontaines regularly.

*Norman Fontaine - born in 1943. He is married to Sandra Fontaine. He received his Bachelor of Social Work degree in 1987. He worked with Ma Mawi Wi Chi Itata Centre in Winnipeg from 1996 - 2001 as a support worker in the Foster Care Department and as a social worker in the Family Violence Program, Stony Mountain Project. From 1990 - 1995 he was a guidance officer at Keewatin Community College in Thompson. Before that he worked at the Nelson House Medicine Lodge as the treatment director from 1988-89, as a youth counselor at the St Norbert Foundation from 1987-88 and as a social worker for Northwest Child and Family Services. He met Sandra Fontaine in 1988 and

they married in 1996. He and Sandra moved to Thompson in 2001 and at the conclusion of this inquest he was working with Macdonald Youth Services in Thompson. Mr. Fontaine first met Patrick at the end of May of 1997. Sandra Fontaine had run into Patrick who was AWOL from his foster home at that time. She asked her husband whether he would be interested in having Patrick live with them. Mr. Fontaine later agreed to have Patrick placed in their home.

Sheila Linklater - born in 1965. She is a daughter of Ella and Anthony Linklater and the sister of Sandra Fontaine. E. Linklater, C. Linklater and G. Linklater are her children. Some of her children were placed with Norman and Sandra Fontaine at various times.

C. Linklater - born December 24, 1988. She is the daughter of Sheila Linklater and a niece of Sandra Fontaine. She was placed at the home of Norman and Sandra Fontaine for a period of time. She answered the phone on August 26, 1999 when Patrick called the Fontaine house on two occasions wanting to speak to Sandra. Both calls were disconnected after a short time.

G. Linklater - born May 7, 1990. In March of 1999 Sandra and Norman Fontaine were planning for G. to be placed in their home to join her sister C.

Arnold Donkey - is a brother of Ella Linklater and was regarded by Patrick Redhead as his uncle.

CHILD AND FAMILY SERVICES AGENCY EMPLOYEES

*William Cochrane Kenneth Cairnie - has been working in the family service field since 1961. At the time of the inquest he was the Acting Director of Service Delivery and Compliance with the Child Protection Support Services in Winnipeg and reported to the Director. In that position his primary responsibility is to address the ways agencies can be supported to ensure that *The Child and Family Services Act* and regulations are followed. He has four team leaders who report to him, three dealing with agencies and the fourth responsible for the licensing of group homes and treatment centres. He had no involvement with Patrick Redhead. He gave evidence of the general structure of the child and family services system in Manitoba and referred to the restructuring of the system that is presently underway.

*Ben Van Haute - is the team-leader of Managed Care in the Child Protection and Child Support Branch, and reports to Kenneth Cairnie. He has been involved in the family service field since 1978. The Managed Care Team is responsible for placement resources for foster care and residential placements. He had only a very limited involvement with Patrick Redhead's case. He was briefly involved in discussions about this case in January of 1999 when Patrick was about to be released from Aggasiz and a placement was being sought for him. Mr. Van Haut gave general evidence of the foster care and residential care resources that are available in the province and of the involvement of the Provincial Placement Desk in utilizing these resources on an equitable basis.

*Patricia Alphonso Cox - is employed with the Child Protection and Support Services Branch and has been so employed since 1990. She has been employed with government in the child-care field for twenty-one years. She has a Bachelor of Arts degree with sociology and psychology honours. She was a Program Consultant of Children in Care with the Child and Family Support Branch before 1999. She has been the coordinator of the Provincial Placement Desk since June of 1999. In that capacity she is responsible for matching children who require residential and group care resources to the best placements available for them. Her supervisor is Ben Van Haut. She gave evidence of the way in which the Placement Desk gets involved in finding the most appropriate placements for children in care who are referred to the Desk by a mandated child caring agency. She was personally involved with Patrick Redhead's case in 1997 and 1998 in her position as Program Consultant for Children in Care. She gave evidence of the involvement of the Placement desk with Patrick Redhead in 1998 and 1999. In 1999 she authorized the holding of a bed at Mutchmor group home for Patrick for about three months while he was in custody at the Manitoba Youth Centre and Agassiz.

*Duncan Robert Michie - has been employed with the Child Protection and Services Branch of the Department of Family and Housing for about four years. He was a member of the Placement Desk for a period of time when the Desk was involved with Patrick Redhead's case. He was the contact person or representative on the Placement Desk for regional child caring agencies such as Thompson. Prior to his employment with the Child Protection Branch he was the director of the Seven Oaks Centre for eleven years. He was involved with Patrick Redhead's case from June 1998 until January of 1999. He met Patrick at the bus depot when Patrick was released from custody at Agassiz on January 25, 1999. Later in 1999 he was again involved with Patrick's case when the placement at Mutchmor broke down and Patrick was returned to custody.

*Selena (Cullinan) Threinen - received her Bachelor of Social Work in 1990. She is presently the Family First Project Coordinator in Lynn Lake Manitoba. This is a program funded by Thompson Child and Family Services. This program works with families in need to assist them in developing plans to ensure that they can deal with various difficulties in order to try to keep families together. She was employed with Thompson Region Child and Family Services and was the only social worker in Lynn Lake from January 1994 to September 1998. She was first briefly involved with Patrick Redhead in 1994. She was Patrick's social worker from October 1995 to September 1996. She arranged the placement for Patrick with Macdonald Youth Services (MYS) in Winnipeg at the Ball/Anthony foster home.

Susan McNeil - was Patrick Redhead's social worker from approximately March - September 1997 while he was in Winnipeg at the Ball/Anthony foster home and at the home of Norman and Sandra Fontaine. She made arrangements for Patrick to return to Thompson to be placed in the MYS Northern residential program when the placement at the Fontaines ended. She was not able to testify at this inquest as she was away from work on a medical leave.

*Klaus Buller - is a social worker with the Thompson Region Child and Family Services and has been so employed since 1973. He has a Bachelor of Arts and did a year of graduate studies. Kathy Wightman was and is his supervisor. He became involved with Patrick Redhead as his social worker in August of 1997 when the file was transferred to him from Susan McNeil in Winnipeg. Patrick at that time was already a permanent ward of Thompson Region. At this time Patrick was placed at Nekenan and Hudson House, two MYS group homes in Thompson. Mr. Buller continued to be Patrick's social worker while he was serving his custodial sentences in Agassiz in 1998 and 1999. His involvement with Patrick ended when he went on a sudden leave of absence on July 26, 1999.

The reason for this leave of absence was disclosed during a part of the inquest that was held in camera. I am satisfied that there was no alternative to a leave of absence at that time and that the reason for this leave of absence was not related in any way to Patrick Redhead's case. I am also satisfied that it is not necessary for the purpose of this inquest nor is it in the public interest to disclose the in camera evidence.

Mr. Buller also had some involvement as a social worker in the 1980s with Sandra Fontaine and her sons. He was the social worker in 1984 when Ms Fontaine's sons were in the care of Thompson Family Services while she was attending for alcohol addiction treatment.

* Mary Kathleen (Kathy) (Tessier) Wightman - has a Bachelor of Arts Interdisciplinary Social Science degree from the University of Waterloo from 1976. She is currently a supervisor with the Thompson Region Department of Family Services and Housing and has been in that position since 1988. Prior to 1988 she was a social worker employed in the field for about eleven years, in Ontario and in Thompson. She was the supervisor of a number of the social workers involved with the Patrick Redhead file. She was also involved as the supervisor of the caseworkers involved with some of Patrick's siblings. When Klaus Buller went on his sudden leave of absence on July 26, 1999 Ms Wightman took over responsibility for Patrick Redhead's file as at that time there were no other available social workers to assign to the file.

Her duties as supervisor include providing supervision to staff employed within the Child and Family Services Program as well as the Family Conciliation Program in the Thompson Region. This includes staff in the Lynn Lake office. Her role as a supervisor is to meet on a regular basis with all the social workers assigned to her unit to review their involvement with the children and families that are on their caseloads. During these meetings she reviews the case plans for the children or family as well as any funding requests for services to children and families. She is also a part of the Regional Management Team, which sets the direction for programming and services for the department in the Thompson Region. She has also been involved in developing the KaWeCiHitToWak Project in partnership with the Awasis Agency of Northern Manitoba. Through this project the two agencies have developed a closer working relationship in order to provide better services to First Nation people living off reserve. She reports to the regional manager of the Thompson region who is Patrick Cavanaugh.

* Cara Facette-Grondin - is a social worker employed with the Thompson Region Child and Family Services, stationed in Winnipeg. She started working for that agency in December 1997. She is responsible for managing the cases of permanent wards of the Thompson Region Child and Family Services Agency, who are placed in Winnipeg or the surrounding area. On average she has a caseload of 15 - 18 children. The majority of children on her caseload are high needs children in the level 4 or 5 category. A decision was made to transfer Patrick Redhead's file to her from the Thompson social worker, Klaus Buller on August 12th 1999 just prior to her going on holidays from August 16th - 22nd. She returned to work on August 23, 1999. On that date Patrick's file came into her physical possession. She did not have the opportunity to meet with Patrick prior to his suicide. She attended the Fontaine home on August 27th along with MYS personnel to advise the Fontaine family of Patrick's death.

*David Monias - is the Executive Director of the Awasis Agency of Northern Manitoba as of October 2000. He has been employed with the Awasis Agency in various capacities since 1991. He completed his Masters of Arts degree specializing in child and youth care and public administration in 1997. From 1991 - 1992 he was stationed in Thompson and was the regional worker with the Awasis Agency for the community of Shamattawa. He had no direct involvement with Patrick Redhead. He reviewed all the files and records of the Awasis Agency dealing with Patrick Redhead and his extended family. He gave evidence of the history of Patrick's family going back several generations and spoke of the many difficulties faced by First Nation communities like Shamattawa and Nelson House. He gave general evidence of the history and structure of the Awasis Agency and some of the other First Nation child caring agencies in northern Manitoba.

* Ellen Peel - has been employed with Winnipeg Child and Family Services since 1968. Over the years she has held a number of different positions with that agency but since 1997 she has been the Director of Services (now called the Program Manager) for the east area of Winnipeg Child and Family Services. One of her responsibilities is to supervise workers who are in charge of the foster care program. She also approves all homes designated as a Place of Safety, and approves and signs all foster home licenses issued in Winnipeg and all the rural municipalities east of the Red River.

She testified as to the general process involved in designating a home as a Place of Safety and the process for licensing foster parents. There are three situations where her department will issue foster home licenses: foster homes licensed for the use of Winnipeg Child and Family Services; foster homes licensed for use by other mandated Agencies; and foster homes licensed for non-mandated Agencies such as MYS. Where a foster home is to be used for exclusive use by the other agency or non-mandated agency, then all the work to have the home assessed and home study prepared is done by that agency. The documents are reviewed and the license is issued by Winnipeg Child and Family Services, but the background preparation work is all done by the other agency. One of the supervisors with Winnipeg Child and Family Services reviews all the material on the application for a foster home license in detail, and then it is reviewed to some extent by Ms Peel before she approves the license.

She approved the foster home licenses issued for Sandra and Norman Fontaine. The license issued for the Fontaine home in June 2000 was child specific for C. Linklater, Patrick W. and B. Redhead. Another license issued for the Fontaines in June 2001 was for one child, namely Patrick W. Her department also approved the license issued to the Schneider/Andrade foster home in April 1999 and in April 2000. The license for the Schneider/Andrade foster home was not child specific.

MACDONALD YOUTH SERVICES (MYS)

* Ulysses Desrochers - was the Executive Director of Macdonald Youth Services from 1980 until the end of January 2002. Prior to that he was a clinical case manager with MYS for about ten years. He has been employed with Macdonald Youth Services for 32 years. Prior to that he worked with the Children's Aid Society from 1961 - 1969 as a caseworker and case manager. He was not directly involved in the treatment of Patrick Redhead. He gave evidence of the history of the MYS agency and provided details of the various programs operated by MYS. After the death of Patrick Redhead he indicated that the MYS Board retained an outside consultant, Dr. Lois Edmund, to do a review of Patrick Redhead's care through the MYS program to determine whether anything different could or should have been done. Dr. Edmund prepared a report in this regard in December of 1999. She prepared a further report dealing more generally with work environment issues at MYS in January of 2000. Mr. Desrochers testified that changes have been made at MYS in accordance with the recommendations made in these reports.

Deb Bomek - was a social worker and a clinical case manager with the MYS Alternative Parent Home (APH) Program in 1996. She was Patrick Redhead's clinical case manager when he was at the Ball/Anthony foster home in 1996-1997. As his clinical case manager she was responsible for overall case coordination, which included liaison with his family services social worker, the school system, medical needs and therapeutic services. She provided support to the treatment foster parents as well as advocating on Patrick's behalf.

Tammy Bisschop - was the clinical case manager for the MYS northern program in Thompson when Patrick was placed at Nekenen and Hudson House in 1997 - 1998. In that capacity she attempted to provide some counseling to Patrick although with little success as he did not engage in the process.

John Anthony and Leslie Ball - were foster parents with the Alternative Parent Home program (APH) with MYS. Patrick was placed in their home for about a year from April 1996 - May 1997. Ms Ball was a teacher. Mr. Anthony was the primary caregiver in the home during the day. There were two other foster children in the home, both boys, about Patrick's age during much of the time he lived there. This home was very structured. Patrick did very well in this home for the first several months until about January 1997. The foster parents were expecting their own child in May 1997 and that plus a visit to Nelson House apparently led to increasing AWOLs and bad behaviour by Patrick and eventually led to the placement breaking down. The per diem rate paid for Patrick at this placement was from \$132.01 to \$155.48. Of that amount the foster parents received a

basic maintenance rate of \$19.74 - \$21.65 per day plus \$50.00 per day for additional care and support.

* Janet Constance Ingersoll - received her Bachelor of Social Work degree in 1972. She started to work for MYS in 1972. From 1972 - 1980 she was a youth care worker. From 1980 - 1988 she was a social worker or case manager. During this time she worked in three of the MYS residential group facilities, namely, Mutchmor, Williamson and Edgewood. From 1988 to the present she has been the residential treatment home coordinator. In that capacity she assisted in developing the northern residential program. Since then she has attended to Thompson from time to time to help support the program and to do some staff training.

She first became aware of Patrick Redhead's case when his alternative parent home (APH) placement at the home of John Anthony and Leslie Ball broke down in 1997. A suggestion was made to the guardian agency that MYS could do some work with Patrick and his family at Mutchmor to prepare them to live together successfully. However, plans to move Patrick to the Fontaine home were already underway so the offer was declined by the agency worker and there was no further involvement by MYS at that time.

Ms Ingersoll was first involved with Patrick's case in August of 1998 when he was in custody and was being referred to MYS for consideration for placement. Ms Ingersoll explained that in late 1998 Patrick was still in custody and not available to take a placement at Mutchmor. When another youth required that placement the opening was filled with this other young man. Accordingly, in January 1999 when Patrick was being released from custody there was no opening available at Mutchmor. At this time Ms Ingersoll was the MYS representative on the Placement Desk and attended some of those meetings. She was involved in the planning for a placement for Patrick after he was released from Agassiz in January 1999.

Ms Ingersoll was also involved with Patrick's case from time to time in her capacity as the residential treatment coordinator while he was at Mutchmor in February and March of 1999 until he was back in custody at the MYC and Agassiz. She reviewed incident reports and discussed his case with the program manager Wayne Barr and the clinician Karen Fast.

Ms Ingersoll was also the acting coordinator of the Specialized Individual Program (SIP) on a half-time basis in early 1999 until May 4, 1999. During that time she had some further involvement with Patrick's case as he had been referred to the SIP program for possible placement on his release from custody. She passed Patrick's file to David Sullivan who was the new acting coordinator of the SIP program. She also participated in a meeting on June 10, 1999 where it was agreed that an individualized placement would be better than a further group placement for Patrick. At this meeting the decision was made that Patrick should be discharged from Mutchmor. She had some discussions with David Sullivan and Karen Fast about the proposed placement of Patrick in the SIP program with foster parents Janice Schneider and John Andrade in mid-July

1999. Her last involvement was on July 30th when she attended a meeting with a number of other persons, the purpose of the meeting being to transfer information about Patrick's stay at Mutchmor to his new caregivers.

* Wayne Barr - completed the residential youth care worker program at Red River Community College in 1982. He worked at Knowles Centre from 1983 - 1995 as a youth care worker. Since 1995 he has been employed by MYS as the Program Manager at Mutchmor. His supervisor is Janet Ingersoll. As the Program Manager his role is to arrange for treatment direction conferences, ensure that staff is fulfilling the treatment obligations, chair intake conferences for clients, and provide supervision for staff working with the clients. He coordinates therapy whether it is internal or external and works closely with the clinician to ensure that the necessary services are provided to clients of Mutchmor. He has only limited and superficial direct involvement with the residents at Mutchmor.

He became aware of Patrick Redhead's case in August 1998 when a referral came to Mutchmor from the Placement Desk. At this time Mutchmor did not consider Patrick to be an active referral to Mutchmor. In January 1999 he became actively involved in the case shortly before Patrick's release from custody. There was no bed available at Mutchmor at that time. Mr. Barr then became involved with Janet Ingersoll in subsequent meetings in order to determine how MYS could be of any service to Patrick. He had contact with Patrick while he was at the Crisis Stabilization Unit (CSU) after his release from Agassiz in January 1999, and had some telephone contact with him while he was at the Williamson residential facility prior to going to Mutchmor.

Mr. Barr was then involved with Patrick while he was on an extended pre-placement at Mutchmor from February 6th to March 26th of 1999. During this time it was not clear whether they would be able to adequately provide the services that Patrick needed. Accordingly, Mr. Barr had arranged for the possibility that a placement in the SIP program might be needed in the event that they were not successful at Mutchmor. During Patrick's stay at Mutchmor Mr. Barr's contact with Patrick was relatively superficial.

* Karen Louise Fast - obtained her Bachelor of Social Work degree from the University of Manitoba in 1985. She obtained a Masters of Arts degree in marriage and family counseling in 1990 from the Mennonite Brethren Biblical Seminary in Fresno California. From 1985-1987 she worked for the Department of Health and Community Services as a social worker in Thompson, working primarily in the area of child abuse. From 1987 - 1990 she worked for Child and Family Services of Eastern Manitoba as a protection worker. While she was working on her Masters degree she worked as a counselor, and a social worker in two different facilities in California. From January to April 1993 she was training as a family therapy intern at a clinic in Saskatoon, Saskatchewan. Also in 1993 she worked as a counselor at the Children's Home of Winnipeg. She then worked for two years at Marymount in the children's sexual assault program.

She started working for MYS in about 1994, working for about a year on a part time basis for both the Marymount and MYS agencies. She has been employed with MYS since that time. She started with MYS as the clinician for the Mutchmor residential treatment program and has also been the clinician at the Williamson residential treatment program for about a year. She also works for 10 hours a week as the clinician in the APH program.

Her first involvement with Patrick Redhead was while he was in the APH program near the end of his placement at the home of John Anthony and Leslie Ball in 1997. He was referred to her for counseling in view of problems that had arisen at that placement. She met with him only on two or three occasions during that time, as he was frequently away from his placement without leave (AWOL) and on the run at the time of the appointments. When the Ball/Anthony placement broke down Ms Fast had indirect involvement in some planning for Patrick while he was at a MYS level 5 home on Kent Street for a short time.

She did not have any further involvement with Patrick's case until a referral was made from the Placement Desk to the Mutchmor program in 1998. While Patrick was in the extended pre-placement at Mutchmor from February to March 1999, Ms Fast had some regular involvement with him as the clinician at Mutchmor. While Patrick was at the MYC in 1999 she had weekly contact with him and she also had involvement in his case and contact with him while he was at Agassiz. She was involved in the planning meeting in June 1999 where the decision was made that Patrick would not return to Mutchmor. Her last involvement was at a transfer meeting on July 30th after Patrick was at the foster placement with Ms Schneider and Mr. Andrade.

Grant Barthelette - was Patrick Redhead's key worker while he was at Mutchmor in February - March 1999. He was a senior youth care worker at that facility. He prepared the discharge summary from Mutchmor for Patrick.

Marion Marr - was the supervisor of the SIP and the Proctor Home Program with MYS in the summer of 1999. She prepared the proposal for Patrick Redhead to be placed in the rural proctor home of Janice Schneider and John Andrade on his release from Agassiz in July 1999. She was the only person with MYS who was familiar with the Schneider/Andrade foster home. She went on an emergency medical leave around the time that Patrick was scheduled to be released to go to the Schneider/Andrade foster home. As a result of her absence George Reis was hired to supervise the foster home and to case manage and provide support for ten hours a week for Patrick and the foster parents.

* David Joseph Sullivan - is presently employed as the Executive Director of Marymount, which is a non-mandated service providing agency similar to MYS. He has been so employed since June of 2001. Prior to that time he was with MYS since September 1998. He started with MYS as the clinical supervisor of the mobile crisis team and then was a clinical follow-up facilitator with the Youth Emergency Crisis Stabilization Service (YECSS) program. In the fall of 2000 he became the coordinator of

the YECSS program. From June 1997 - September 1998 he was employed at the Manitoba Adolescent Treatment Centre. From 1990 - 1997 he was employed in various positions at MYS including as a supervisor and clinician for a level five group home. Prior to 1990 he was at Marymount. He has Bachelor of Arts and Social Work and Masters of Social Work degrees.

Mr. Sullivan was the Acting Coordinator of the SIP program with MYS as of May of 1999 and became involved with Patrick Redhead's case in that capacity. As the Acting Coordinator his role was to supervise the staff, oversee the placements, and oversee the development of placement proposals. There had previously been a referral for placement for Patrick in the SIP program. Mr. Sullivan testified that he first became aware of the need for a placement for Patrick in June 1999 from an e-mail from Janet Ingersoll. He then assigned Marion Marr, the supervisor of the Proctor Program, to develop a proposal for Patrick and he reviewed the plan that was prepared by Ms Marr for Patrick's placement at the Schneider /Andrade foster home. That placement proposal was then forwarded to the guardian agency for approval.

When Marion Marr went on an emergency medical leave, Mr. Sullivan hired George Reis to supervise the placement and to provide support services to the foster parents and Patrick Redhead. He participated in the meeting on July 30th along with a number of other individuals, the purpose of the meeting being to review Patrick's past placements and to find out how the present placement was working out and what could be done to support the placement. He went on holidays shortly after that meeting and was away during the month of August. Janice Murphy replaced him as the Acting Coordinator of SIP while he was away until Louise Newans became the Coordinator of SIP in the third week of August 1999.

* George Reis - has a Bachelor of Arts degree with a major in psychology and a minor in sociology from the University of Manitoba obtained in 1996. He has a Bachelor of Social Work degree from the University of Manitoba obtained in May 1999. He worked as a youth care worker at Marymount from May 1994 until November 1999. His duties were to supervise residents at that facility and to do crisis intervention for the residents.

In 1995 he took a two-day suicide intervention course as part of the student government at the University of Manitoba. From September 1998 to April 1999 he worked at Klinik on the suicide crisis line. From September to November 1998 he took the necessary training offered at Klinik and then from November 1998 until April 1999 he was on the phone lines.

During the summer months and Christmas holidays in 1997- 1998 he worked for MYS as a youth care worker in their northern program, at all of the residential facilities in Thompson. While there he met Patrick Redhead on a few occasions. In the summer of 1999 he did some relief work as a youth care worker for MYS at a residential facility on Banning Street.

In July 1999 he was asked by David Sullivan to be a case manager and provide some support services for ten hours a week for Patrick Redhead and his foster parents. He was provided with a cell phone. The idea was that he would be available to Patrick and the foster parents for support 24 hours a day seven days a week. He and another worker met Patrick upon his release from custody on July 18, 1999 and drove him to the home of Janice Schneider and John Andrade. His role was to provide support for the foster parents and Patrick to try to meet their needs, to get Patrick involved in school and to manage the case for MYS. He was involved as the case manager for Patrick until Patrick's death on August 26th. During this almost six week period he met with Patrick on three occasions and spoke to him on the phone several times. During this time he was also working at Marymount on a casual basis but those hours generally added up to a full work week. In addition he was also still doing some relief work for MYS at the group home on Banning. On August 26th he was dealing with a crisis at Marymount and was not aware of Patrick's suicide until later that evening.

* Paula Moynihan - has a Bachelor of Arts degree and has worked in the social work field since 1984. She spent a number of years employed at Marymount in a number of positions including senior youth care worker and unit supervisor at a level four facility. From 1998 until 2001 she was employed with MYS at the Crisis Stabilization Unit (CSU) as a clinical follow-up facilitator. She is now back at Marymount. She was involved with Patrick Redhead's file when he was admitted to the CSU in August 1999. He was admitted on Saturday, August 21st and Ms Moynihan became aware of that when she came back to work on Monday, August 23rd. When she returned to work she would review the files left for her of the youths admitted to the CSU over the weekend. Her role at the CSU, along with the youth care workers employed there, was to determine whether the child is ready to leave the CSU and to ensure that there are safe plans for that child when they do leave the unit. She spoke to Patrick while he was at the CSU and participated in a discharge conference with Patrick, Janice Schneider and George Reis and some other CSU workers on August 25th when Patrick was discharged.

* Janice Karen Schneider - along with her common-law spouse John Andrade were Patrick Redhead's foster parents from July 18, 1999 until his death on August 26, 1999. At that time she was 40 years of age and the mother of two children from a prior marriage who were aged 15 and 17 at that time. Her two children were not living with her at that time. In 1999 Ms Schneider had recently learned of her own Metis status and was at that time involved in exploring her culture. She and Mr. Andrade were licensed as a foster home in April 1999, by Winnipeg Child and Family Services. Prior to that time Ms Schneider had worked as a counselor for about two and a half years at Nova House, a shelter for abused women and children. While in that position she had some experience working on a crisis line. She has also taken some courses at the University of Manitoba related to an Applied Counseling certificate although that certificate has not yet been completed.

She and Mr. Andrade lived near the Jessie James Boys and Girls Ranch, which is a facility associated with MYS and through their friendship with the owners of that facility and her background in counseling she became interested in fostering. They were

contacted in early July 1999 by Marion Marr of MYS, about taking on the role of being Patrick Redhead's foster parents. They had not fostered any other children prior to that time. While Patrick was living with them Ms Schnieder was at home all day. She was present in the home on August 26th when Patrick committed suicide in a barn on their property. After Patrick died they fostered two other children for MYS. Her relationship with John Andrade has since ended.

*John (Joao Jose) Andrade - born in 1964. He has no children of his own. He testified that in the fall of 1998 he and Janice Schneider decided to apply to foster children. His reason for doing so was because he loved being with kids and thought he could make a difference for some kids who did not have a role model. Patrick came to stay with them in July of 1999. While Patrick lived with them Mr. Andrade was away from home during the day working. He worked in construction and was usually away from home until 5 or 5:30 p.m. He was at work on the day Patrick died and was called by Janice Schneider at about 3:30 p.m. because Patrick was being aggressive and was threatening her. He came home and they looked for Patrick and found him hanging in the barn.

Andrea James - operates the Jesse James ranch along with her husband. They were neighbours of Janice Schneider and John Andrade. Patrick spent some time at the ranch with other children that were placed there. Patrick called the ranch at around 3 o'clock on the afternoon of August 26th and spoke to Ms James. He asked if he could come over to see her foster son Terry. She told Patrick that Terry was at the beach and as there was a group coming out to the ranch that evening her son had to help and so it was not a good day to come over. Terry was a boy that Patrick had known up in Thompson but they were not close friends.

* Dr. Lois Joanne Edmund - is a clinical psychologist and has been registered to practice in Manitoba since 1980. She has Bachelor of Science and Master of Arts degrees and a Ph.D. in counseling psychology. She has worked in the child welfare system since 1980. She does private counseling, therapy with children and consulting to various agencies. She worked as an external consultant with Marymount from 1980 - 1995. She is in private practice and in that context has worked with Knowles Centre, Child and Family Services, and Macdonald Youth Services. In March 2000 she was engaged by MYS as the clinical consultant for the SIP program. This is an external contracted position.

She had no involvement with Patrick Redhead. After his death she was asked by MYS in September 1999 to do a review of the circumstances of his death. She reviewed the MYS files related to Patrick, and met with employees of MYS who had been involved with him. She did not speak to anyone from any of the other agencies that were involved with Patrick nor did she review any files other than those provided to her by MYS. She prepared a report dated December 1999 dealing with Patrick Redhead's case. She prepared a second report dated January 2000 addressing issues that were more generic to the MYS agency that dealt with work environment issues and were not necessarily related to Patrick Redhead. The focus of the first report was a review of Patrick's involvement in the MYS programs. The focus of the second report was the improvement

of the working relationships and environment at MYS. Both of these reports were filed as Exhibit 136 at this inquest.

CORRECTIONS

Wendy Gowan - was Patrick Redhead's probation officer while he was on probation in Thompson. She prepared Pre-Disposition Reports on Patrick for the court on February 12, 1998 and May 22, 1998.

Larry Rumancik - is employed at the Agassiz Youth Centre. He was the group leader in Patrick Redhead's cottage while he was in custody there in 1998.

* Kevin Wishart - is employed at the Agassiz Youth Centre as a Juvenile Councilor 1 and has been so employed for over 5 years. His duties are to ensure the safety and security of all the residents and to make sure that all the rules are followed. He also assists the positive peer culture groups to help them in working through and resolving the problems of the residents. He was involved with Patrick Redhead in June and July of 1999 when Patrick was a resident of Echo cottage in Agassiz. There are two groups of 12 residents in each cottage for a total of 24 residents. Mr. Wishart was responsible at times for working with one of these groups and Patrick Redhead was one of the residents in his group. He was present on July 11, 1999 when Patrick disclosed to his group that when he got out of Agassiz he would hang himself.

* Wayne Daniel Rudderham - is employed as a Probation Officer with the Community and Youth Corrections Branch of the Manitoba Department of Justice and has been so employed for about three years. Prior to that time since 1993 he worked as a juvenile councilor at all three youth custody facilities in Manitoba, namely, the Manitoba Youth Centre, Agassiz Youth Centre and Ridge Point. Before that he worked as a crisis intervention and suicide prevention counselor at KLINIC for about three years. As a probation officer he works in the Custody Support Unit where he is involved in transitioning youths from custody into the community. All his clients are on the Intensive Support and Supervision Program (ISSP). He was Patrick Redhead's probation officer from January 21, 1999 until July 1999. He met with Patrick approximately twice after his release from Agassiz in January before he re-offended in March. He completed a Pre-Disposition report on Patrick for the court on May 12, 1999.

*Cynthia Rose Marie Reid - is a Probation Officer employed with the Community and Youth Corrections Branch of the Manitoba Department of Justice. She works out of the Steinbach/Eastman office. She has been a probation officer for about four years. She previously worked as a juvenile councilor at the Manitoba Youth Centre starting in 1995. Her responsibility as a probation officer is to be the case manager of a file that is assigned to her. When she receives a file she will develop an intervention plan to work with the offender based on the Probation Order and the conditions imposed by the court. She became Patrick Redhead's probation officer in July 1999 when he was released from Agassiz. The file was transferred to her from Wayne Rudderham because Patrick had

been placed in the Dugald area, which was under the jurisdiction of the Steinbach Probation office. Patrick was in the ISSP program. This program provides additional supports for young offenders on probation, who require more support and monitoring. Ms Reid met in person with Patrick on two occasions on July 26 and August 11, 1999. Another appointment was set for August 27, 1999.

Kim Seneshen - was Patrick's reintegration worker with the Intensive Support and Supervision Program (ISSP) while Patrick was on Probation following his release from Agassiz in January 1999 until he was back in custody in March 1999. Patrick reported to her on numerous occasions and they had a good relationship.

Cheryl Wong - was Patrick's reintegration worker with ISSP when he was on probation after his release from Agassiz in July of 1999. The file was assigned to her on July 24th. She did one curfew check in July and six curfew checks in August. She also had a conversation with Patrick on August 12, 1999. At that time Patrick reported to her that everything was going well.

* Dr. Garry William Fisher - is a clinical psychologist registered to practice in Manitoba. He received his Bachelor of Arts with an honours degree from McGill University in 1982. He received a Master of Arts degree with a specialty in clinical psychology from the University of Windsor in 1984. He received a Doctorate of philosophy with a specialty in clinical psychology from the University of Windsor in 1988.

He is currently employed as the senior psychologist at the Manitoba Adolescent Treatment Centre in Youth Forensic Services. The M.A.T.C. falls under the Winnipeg Regional Health Authority umbrella. He has been employed in that position since 1996. His duties in this position are as follows: the completion of court-ordered psychological assessments for young offenders; counseling youths who are in custody and those subject to community probation supervision; providing assessments and intervention for other adolescents with behavioural problems who are not involved in the criminal justice system; supervising interns and placement students; and providing consultation to front line staff at the Manitoba Youth Centre.

He is also in private practice and has been since 1988. In addition he is a psychologist with Correctional Services Canada and has been employed at Stony Mountain Institution since 1991. He was also a consulting psychologist with the Ontario Ministry of Correctional Services from approximately 1989 - 1999. From 1977 - 1982 he was a childcare worker and house manager for a treatment home for emotionally disturbed children and adolescents in Ontario.

Dr. Fisher became involved with Patrick Redhead as a result of a referral made on January 23, 1998 while Patrick was in custody at the MYC. He met with Patrick on two occasions, on January 26 and on May 23, 1998 after another referral from MYC.

* Dr. James Skinner - is a psychiatrist at the Manitoba Adolescent Treatment Centre. He graduated from Medical School, University of Manitoba in 1986. He completed Fellow

of the Royal College of Physicians and Surgeons of Canada (FRCPC), Specialist Certification in Psychiatry in 1990. He is currently the Director of Youth Forensic Services with the M.A.T.C. and has been in that position since 1996. He has been involved with the M.A.T.C. since 1991, initially at the CORE Program based at the Health Sciences Centre Hospital site, and he has maintained some involvement there till the present. He maintains a private practice and has done so since 1990. He is a consultant to Integrated Services for Northern Children based out of Kenora Ontario, and has been in that position since 1990. He is also an Assistant Professor Department of Psychiatry, Faculty of Medicine at the University of Manitoba and has been since 1990.

Dr. Skinner spends half his day at the MYC and half at the Community Services Program. He deals with any referrals that are made involving youths in custody at Agassiz. As a psychiatrist he can prescribe medication which Dr. Fisher as a psychologist is not permitted to do.

Dr. Skinner became involved with Patrick Redhead on June 5, 1998 while Patrick was serving his first custodial sentence at Agassiz. Patrick was referred to Dr. Skinner as he had been placed on a medium suicide risk. Patrick was again seen on December 14, 1998. He also met with Patrick at the latter's request on January 5, 1999. When Patrick was returned to custody later in 1999, Dr. Skinner again met with him on May 3, July 5 and July 13, 1999. Dr. Skinner prepared a consultation assessment regarding Patrick on July 5th. On that date he also prescribed some medication for Patrick. He also saw Patrick after his release from Agassiz on July 28 and August 11, 1999 while he was living at the Schneider/ Andrade foster home.

POLICE

*Constable Denise Paula Keatley - She is a member of the RCMP and in August 1999 was stationed in Oakbank. She attended the Schneider/Andrade residence on August 26, 1999 at 5:05 p.m. The ambulance was present at that time and attempts were being made to revive Patrick Redhead. She was the officer assigned to investigate Patrick Redhead's suicide. She took photographs of the scene (Exhibit 7) and seized the rope from the barn. She also took several witness statements, namely, John Andrade (Exhibit 8) Chita Linklater (Exhibit 9) and Andrea James (Exhibit 10).

*Joelle Celine Marie Normandin - She was a summer student with the Oakbank RCMP in 1999. She received the call to attend the Schneider/Andrade residence on August 26, 1999 in response to Patrick Redhead's suicide. She received the call at approximately 4:45 p.m. She attended the scene with Constable Keatley. She took a statement from Janice Schneider. (Exhibit 1)

CHILDREN'S ADVOCATE

* Janet Mirwaldt - was appointed as the Manitoba Children's Advocate in March of 1999 for a three-year term. As the Children's Advocate she is an independent officer of the Legislative Assembly responsible for the delivery of advocacy services for children and

youth under *The Child and Family Services Act* and *The Adoption Act*. In this position she reviews, investigates and reports on complaints relating to the services provided under those Acts, and to the children affected by the decisions made under those Acts. She represents the rights, viewpoints, and interests of the children and youth who are entitled to receive services under those Acts. She provides an annual report to the Legislative Assembly. She is also a field instructor, for the Faculty of Social Work, at the University of Manitoba providing field and mentoring experience for social work students.

Ms Mirwaldt is a member of the Children's Inquest Review Committee and has been since 1999. She obtained a Bachelor of Social Work degree from the University of Manitoba in 1982 and a Masters of Social Work from the same university in 1995. From 1992 - 1999 she was a supervisor with the Winnipeg Child and Family Services Agency. In that position she provided coordination of child and family services in the inner city of Winnipeg, supervised staff, was responsible for program development and evaluation, and took a lead role in agency strategic planning and public education.

She was the Child Abuse Coordinator with Child and Family Services, Central Winnipeg, from 1989 - 1992. In that position she provided supervisory and clinical consultation to the agency's professional staff on all cases of child mistreatment and domestic violence. She also administered the agency's child abuse program and the psychological services provided by the community to the agency. She was responsible for providing training in the field of child abuse to agency staff and professional community collaterals.

From 1988-1989 she was the Child Abuse Specialist with Manitoba Community Services in Thompson, Manitoba. In this position she coordinated, assessed and investigated child abuse throughout the Thompson region, including the communities of Norway House, Cross Lake, Leaf Rapids, Lynn Lake, Wabowden, God's Lake and Thompson.

She was the administrator of a shelter for abused women and their children in Thompson from 1987 - 1988. She was a social worker with Manitoba Health and Family Services in Thompson from 1982 - 1987. In that position she provided child and family services in the communities of Thompson, Cross Lake and Norway House.

As one of the members of the Children's Inquest Review Committee she participated in the review of the death of Patrick Redhead in December of 1999 and again in April 2000 when the recommendation was made that an inquest should be called in this case. She testified that she was in favour of an inquest in this case, for the following reasons: there were a number of public education issues surrounding how Patrick was placed through the Provincial Placement Desk; the fact that Patrick was a First Nations young man who committed suicide and the high rates of suicide in those communities; and the question of whether Patrick's voice was heard in the planning process.

CONSULTANT

* John Ruttan Robson - has Bachelor of Social Work and Masters of Social Work degrees. He last worked as a front-line social worker in The Pas as a child welfare worker from 1966- 1969. From 1969 - 1985 he was the Regional Director of Health and Community Services in Portage la Prairie, Manitoba. That department had responsibility for a range of health and community services during some of that time, namely, child welfare, public health, mental health, probation services, and social services among others. From 1986 - 1988 he was the Executive Director of Winnipeg Health and Family Services. He served on the Children's Inquest Review Committee from 1992 - 1993 while he was a health advisor to the Assembly of Manitoba Chiefs.

In 1991 he and his wife established a consulting firm, Robson Rural and Community Health Partners, and he has worked in that field since that time. The majority of the time he works for and with First Nations and their organizations. His work includes management and health planning consultation, running workshops on creative facilitation on planning issues, and running planning sessions using P.A.T.H. (Planning Alternative Tomorrows with Hope) methodology.

On January 19, 2000 Phil Goodman, then the Director of Child and Family Services, asked Mr. Robson whether he had the time and interest to conduct a review of the circumstances surrounding the life and death of Patrick Redhead. He was subsequently retained to conduct such a review and prepare a report of his findings. His mandate was to describe and examine the activities of agencies involved with and responsible for planning, delivering and managing the services provided to Patrick Redhead and his family. He was also to describe and examine the concerns raised by Norman and Sandra Fontaine, relating to their lack of involvement in the planning process for Patrick, particularly in the last six months of his life. Finally, he was to look into concerns raised by the family as to why no inquest had been called. Based on his review he was asked to develop conclusions and recommendations.

Mr. Robson attended the February 4, 2000 meeting of the Children's Inquest Review Committee. He reviewed reports from the Medical Examiner's Office, from Thompson Child and Family Services as well as Macdonald Youth Services. He also reviewed some file notes that he received from Child and Family Services, although he did not see their complete file. He interviewed the following individuals: Patrick Cavanaugh, Kathy Wightman and Cara Facette-Grondin from the Thompson Child and Family Services; the Chief Medical Examiner, Dr. Balachandra, and his investigator Jan Christianson-Wood; Phil Goodman and his assistant Richard Voss from the Child, Family and Community Development Office and Ulysses Desrocher from MYS. He also met with Sandra and Norman Fontaine on several occasions. The focus of his report was to a large extent the concerns that Sandra and Norman Fontaine had with the way the child welfare system dealt with Patrick and themselves.

The report was completed on February 27, 2000. That report was filed as Exhibit 161 at this inquest.

COMMUNITIES WHERE PATRICK REDHEAD LIVED

Shamattawa - is a First Nation reserve community located approximately 150 miles east of Thompson, Manitoba. It is a community that is accessible only by air for the majority of the year, and by a winter road that is usually open for only a short time around January to March depending on the winter. The population of this reserve community was about 600 people in the early 1990's and is now approximately 1000. At least half of the population is children. According to 1999 federal statistics there were 500 children in the community at that time. According to the evidence of David Monias, at the present time the number of children in Shamattawa could be as high as 700. About 64 % of the population are under 18 and about 48 % are under 12. This was and remains a very troubled community with a great deal of alcohol and solvent abuse, sexual abuse, family neglect and violence, family breakdown and dysfunction. In particular it is a community where there was and is still a great deal of sniffing of solvents by many people, including very young children. There is also a high rate of suicide and attempted suicide in this community. At some points in the early 1990's approximately two thirds of the children in this community were in care. Most of those children had to be placed outside of their community as there were very few healthy homes in Shamattawa. Patrick Redhead was a member of the Shamattawa First Nation as is his mother.

Nelson House - is a First Nation reserve community located approximately 79 kilometres from Thompson. It is accessible by road. In the early 1990's the population was approximately 2500. The population at the present time is about 5000 people. There were about 80 - 90 children in care from that community in the early 1990's. At the present time there are about 48 children in care. This community also has problems with alcohol abuse, sexual abuse and family neglect and violence but not to the same degree as Shamattawa. Patrick Redhead spent much of his early childhood in this community.

Lynn Lake - is a community located approximately 314 kilometres northwest of Thompson. It is accessible by road. It has a population of about 600 people at the present time and a population of about 800 people at the time when Patrick Redhead was residing there. Selena Threinen described it, as a very high needs community with a high rate of alcohol abuse, drug use and sniffing. There were and are a lot of social problems in the community. There was and is a very high rate of unemployment in the community. There is literally no employment there and most of the population is on social assistance. It was described as a community that doesn't have much hope. Patrick lived in that community off and on with his mother and in foster care from about 1991 - 1995.

Thompson - is a city located about 739 kilometres north of Winnipeg. It is accessible by highway about an eight-hour drive one way from Winnipeg. It is serviced by a major airline and the cost of a return airline ticket to Winnipeg can be as high as \$1000. Patrick Redhead lived in Thompson in group placements in 1996 and from 1997 - 1998.

INSTITUTIONS REFERRED TO DURING THIS INQUEST

Agassiz Youth Centre - is both a secure and open custody facility for young offenders and is located in Portage la Prairie Manitoba. There are approximately 80 - 86 residents on average at that facility at any time and there have been as many as 120 residents. Residents are placed in groups of 12 and there are two groups in each cottage. This institution uses a positive peer culture model of treatment. There is one staff person for each 12-resident group and the group is empowered to help each other with any problems. Each cottage is largely a self-contained unit where residents eat sleep and meet in their groups. An individual file is kept respecting each resident and staff make notations in these files on a daily basis indicating what is happening in relation to this resident. Every resident has a case manager and the counselors in the cottage report to these managers. Each case manager has 12 residents on his or her caseload. Patrick Redhead was at Agassiz on two occasions, from May 1998 to January 1999 and again from June to July of 1999.

Manitoba Youth Centre (MYC) - is a youth custody facility for both open and secure custody as well as a youth remand facility. It is located in Winnipeg. Generally youths from Winnipeg will serve their custody sentences in this facility. Patrick Redhead was in custody at the MYC on several occasions in 1998 and 1999 both while on remand and while serving his sentences.

Manitoba Adolescent Treatment Centre (M.A.T.C.) - opened in 1985 as a residential psychiatric hospital for youths. The core facility is located beside the Health Sciences Centre Hospital but is not part of that complex. Since 1985 the program has expanded to have a community services program as well. In 1995 the M.A.T.C. assumed responsibility for delivering mental health services to Corrections. There is an office in the MYC building which provides services to youths who are in custody at the MYC and Agassiz as well as youths who are on probation in the community. Patrick saw both Dr. Fisher and Dr. Skinner from the MATC while he was in custody at the MYC and Agassiz.

Knowles Centre Residential Program - is a high-level treatment facility for troubled youth located in Winnipeg and is run by a private service provider. This facility offers the option of a locked facility if required. Patrick Redhead was referred to Knowles Centre in 1997 and at one time was on a waiting list there. At that time Patrick chose to remain in Thompson and go to Hudson House instead. He remained on the waiting list at Knowles, however, for some time in the event that the placement at Hudson House did not succeed. When Patrick was in custody in April 1998 he was granted bail subject to the condition that he could be released to Knowles Centre staff if a bed became available. He was again referred to Knowles Centre at that time.

By letter dated May 20, 1998 Dr. Michael Burdz of Knowles Centre advised Klaus Buller, Patrick's social worker, that after a review of the referral material and meeting with Patrick at the MYC they had decided that the Knowles Centre Residential Program was not an appropriate placement for Patrick. The reasons cited for this decision

were Patrick's history of AWOL behaviour while in Winnipeg, the diagnosis of FAE and his functioning in the mild mentally deficient to borderline range, repeated placements at the MYC and his history of extreme aggression and anger. Accordingly Patrick in fact never spent any time at Knowles Centre.

Seven Oakes - was a provincially run short-term emergency reception facility for children. It was closed in January of 1998. This facility was used for the placement of boys and girls who were experiencing crisis or were between placements. Children often stayed there for an unacceptable length of time. This was seen as being inappropriate so the facility was closed and the shift was made to crisis stabilization.

Macdonald Youth Services (MYS) - is a privately run service provider that has been in the child caring field for over 73 years. This is a non-mandated agency and a non-profit agency that is registered as a charitable organization. The annual budget of this agency is approximately \$13 million. The agency was organized following the death of Hugh John Macdonald based on a gift from his estate. It was based on the beliefs he advocated about youths in difficulty.

In the first twenty years the agency had one group facility for adolescent boys. In the 1950's and 1960's the agency expanded into more of an institutional model still dealing with adolescent boys with a large number of youth in one facility. Changes began in the 1980's with more emphasis on community-based facilities and a movement away from the institutional model of care. In the year 2001 MYS had 4000 clients in all their programs and only 10% were in residential care programs. In the year 1999-2000 there were a total of 197 clients in residential care with MYS, with about 125 in residential care at any one particular time. MYS has 250 full-time employees and approximately 200 - 250 part-time staff and family staff.

MYS now has a number of different programs including specialized foster care placements as well as shift staffed small residential facilities. Most of the facilities are in Winnipeg with one unit in St. Pierre, Manitoba and the separate program in Thompson. Mandated child caring agencies purchase services from MYS for the children in their care. None of the MYS facilities are locked. In the last twenty years the agency has developed a treatment philosophy and belief that children and youth can be cared for in a facility that is not locked.

Department of Family Services and Housing Thompson Region - is a mandated agency under *The Child and Family Services Act* that is mandated to provide services to children and families. The agency has responsibility for assessing and protecting children in need of protection and providing support services on a voluntary and involuntary basis to families who are in need of such services. The Thompson Region provides these services to all non-reserve communities except Churchill, in the geographical area from Brochet in the northwest to Island Lake in the south, Snow Lake in the west and the Ontario border to the east. This area encompasses approximately half of the province of Manitoba. (Exhibit 4) This includes the non-reserve areas of Brochet, Lynn Lake, Leaf Rapids, South Indian Lake, the non-reserve communities in Norway House, Cross Lake,

Nelson House, and God's Lake and other communities where there is a Metis settlement attached to a reserve. In many of these communities services are provided on an as needed basis. There is regular service provided to Norway House, Cross Lake and South Indian Lake, and workers travel to those communities on a weekly basis spending anywhere from one to three days a week in those communities. There are sub-offices in Leaf Rapids and Lynn Lake with a social worker living in those communities. Patrick Redhead was a permanent ward of the Thompson Region Child and Family Services Agency at the time of his death.

Awasis Agency of Northern Manitoba - is a mandated agency under the Child and Family Services Act. It was established in 1983 and at that time served 25 reserve communities in northern Manitoba. A number of those First Nations have since established agencies of their own and now there are 12 First Nation communities under the care of the Awasis Agency. Shamattawa is within the jurisdiction of the Awasis Agency. At the time that Patrick Redhead lived in Nelson House it was also under the jurisdiction of this agency. The Awasis Agency was involved with many of the members of Martina Redhead's family, and had involvement with Patrick Redhead in 1984 and 1985, as well from 1991-1994.

Nekenan - is a residential group facility for boys which is operated by Macdonald Youth Services in Thompson. This is a six-bed unit. It is staffed by staff working in shifts rather than someone living in the unit. It is intended to provide a variety of services such as the assessment of children and is intended to be a short-term placement facility. It is intended to be used for only about a month. It is used for children with high needs, usually level four or higher. It is sometimes used as a receiving home for lower level boys. The per diem rate at this facility is \$200. Patrick Redhead was placed in this facility from August 15 - September 11, 1987.

Hudson House - is a level four residential group facility for boys, which is operated by MYS in Thompson. It is shift-staffed 24 hours a day. The per diem rate at this facility is \$211.93. Patrick Redhead was placed in this facility from September 11, 1987 until his discharge on April 23, 1998.

Mutchmor - is a residential care shift-staffed six-bed unit operated by Macdonald Youth Services in Winnipeg. This facility specializes in and focuses primarily on the treatment of male adolescents that have aggressive or assaultive behaviour issues. The youths in this program usually have a history of aggressive behaviour and involvement with the criminal justice system. The program attempts to engage the youth in treatment where they will learn alternatives to the assaultive behaviour that has generally led them to involvement with the youth justice system and has led to the breakdown of previous placements. Youths in the program are taught to have a better and legitimate control over their own lives rather than resorting to power based assault and aggression. This process starts at the outset of a placement at Mutchmor when an assessment is made as to whether this is the appropriate placement for the individual. The program tries to get some kind of commitment from the youth - some kind of willingness to be involved in the program.

Part of the criteria for the Mutchmor program is that the youth wants to change his behaviour and is willing to accept being there.

Staffing at Mutchmor consists of the program manager, a clinician and a number of youth care workers. Mutchmor is not a locked facility. The per diem cost at this facility is \$191.07. A similar cost is involved at the other six-bed units in Winnipeg, namely Edgewood and Polson.

Patrick Redhead went into the Mutchmor facility for an extended pre-placement stay on February 6, 1999. The purpose of this pre-placement stay was to see if he would be prepared to buy into the treatment program at that facility. The intention was for him to be in this pre-placement for three months, to determine if the program could adequately provide the service that Patrick needed and whether he would ultimately be placed there long term. The six-bed facility was full at this time but Patrick was taken in as seventh resident during this time. This kind of extended pre-placement was unique to Patrick's case.

As a result of an incident on March 26, 1999 where Patrick assaulted the staff at Mutchmor he was taken into custody and charged. He was in custody until July 1999 and was officially discharged from Mutchmor in June 1999.

Williamson - is a level four eight-bed residential care unit in Winnipeg that is shift-staffed and is operated by Macdonald Youth Services. The per diem rate at this facility is \$149.12. Patrick Redhead was in this facility for about a week in early 1999, while he was waiting for a bed at Mutchmor.

PROGRAMS OPERATED BY MACDONALD YOUTH SERVICES

Alternative Parent Home Program (APH) - located in both Winnipeg and in Thompson. This is a treatment foster home program administered by MYS where the foster parents are a part of the treatment team along with the case-workers. Therapeutic foster care provides treatment for children and adolescents within the home of trained foster families. It is expected that one of the foster parents will be at home full-time. This program is designed to be a long-term or even a permanent placement with a family in a normative family environment. The program combines the normalizing influence of foster family-based care with specialized treatment interventions thereby creating a therapeutic environment in the context of a nurturing home.

The youth is integrated with the family and is expected to participate fully in the activities of the family. The children and youth that are referred to the APH Program are generally between the ages of six and seventeen and exhibit a high level of behavioural and emotional difficulties. These difficulties may include multiple placements, destructive and/or aggressive behaviours, educational and/or social difficulties and a history of severe sexual and/or emotional abuse. The APH Program is an alternative to more restrictive placements such as residential or institutional care.

Alternative parents are selected based on their skills and motivation to handle challenges posed by severely disturbed children. These parents are seen as co-professionals on a treatment team, comprised of the placing agency social worker, the APH Clinical Case Manager, the APH parent, the Respite/Child care Support worker, the child and his or her parents and other relevant collaterals. Ongoing support is provided to the parents by the APH Clinical Case Manager who is available by pager on a 24 hour basis. Respite and childcare support is provided to offset burnout. MYS offers ongoing training for APH parents and a minimum of twenty hours of in-service training must be completed annually.

Payment of alternative parents reflects their status as professional parents. They are reimbursed at a rate significantly higher than that of regular foster parents in recognition of the high level of skills and commitment demanded by the job. The per diem rates in APH placements vary from \$102 to \$198 depending on the additional supports that are required. Patrick Redhead was in an APH foster placement with John Anthony and Leslie Ball from April 1 1996 - May 24, 1997. The per diem rate for Patrick was \$132.01 to \$155.65 while he was in this home.

Specialized Individual Placements Program (SIP) - is a program where a special individualized plan is formulated for the particular needs of an individual youth. The philosophy is that whatever treatment plan a child or youth needs should be available and should be developed. This is a program used for youth that have not been successful in a range of other programs. These youths are generally very high needs and are resistant to relationships and difficult to engage in other treatment programs. This program was developed by MYS to stop the revolving door of placements. This program provides the opportunity for treatment or engagement but it is not a failure if there is no engagement. This program attempts to design a specific plan to address the needs of the youths and to stabilize them. It is in effect a program tailored for the specific youth and his or her needs, as opposed to the youth being required to fit into a specific program. It is not necessary for the youth to be committed to engage in treatment but he or she can be safe and cared for and to build on that.

While these programs involve living with a family there is no expectation that the youth will be a part of the family on a long-term basis or that he will participate fully in the family. The opportunity is there if the youth wishes this but it is not an expectation. Patrick Redhead was in this kind of foster placement with Janice Schneider and John Andrade from July 18, 1999 until August 26, 1999 when he committed suicide.

The SIP program also has four two-bed units that are staffed with two staff teams. The units are located in a duplex with two units in each duplex. SIP placements are considerably more expensive than other kinds of foster placements because of the high level of staff needed to provide the level of care and supervision that is needed. The youth in these programs are usually level four or five. SIP clients are some of the most volatile and potentially dangerous clients in the MYS system. Per diem rates range from a low of \$79.59 to a high of \$707 per day in these placements. The low end might involve a youth in an individual living program with a low level of support hours. The high-end

rate involves a youth in a shift-staffed facility with a high staffing complement 24 hours per day.

Crisis Stabilization Unit (CSU) - is a locked facility located on Mayfair in Winnipeg that until April 1, 2001 was operated jointly by Macdonald Youth Services and Project Neecheewam. The program now continues to operate under Project Neecheewam. This is an emergency crisis facility for short-term stays until the crisis is resolved and the child is stabilized. This provides a safe environment where youths can be closely monitored for their safety and provides an opportunity to remove them from the crisis situation for a short period of time. Patrick Redhead was a resident of the CSU on two separate occasions. He was placed there for a few days in January 1999 upon his release from Agassiz as an emergency measure while awaiting a more long-term placement at Mutchmor. He was not there at that time as a result of any emotional crisis. He was also admitted to the CSU on August 21, 1999 and remained there until August 25th the day before his death. On this occasion he was admitted as he was threatening to harm his foster parents and he feared that he might also harm himself.

Youth Emergency Crisis Stabilization Service (YECSS) - is a 24 -hour per day 365 days a year telephone line for people to access. There are intake workers who respond to the calls. There are Mobile Crisis Teams (MCT) available to go out to see a family or child where a crisis is occurring. These two-person teams generally are limited to attending within the perimeter of the City of Winnipeg. There is a limited capacity to attend outside the perimeter area. The CSU is part of this system. Admission to the CSU may be determined by the mobile crisis team.

Services to Older Adolescents (STOA) - offers a range of support programs. There is a youth resource centre and a shelter that can be accessed by youth in need of shelter or support. The shelter is open year round 24-hours a day seven days a week. There is a program that provides support for employment and education and targets youths aged 15 - 20 that have fallen out of the education system. There is also a life-training component and an employment preparation program offered to individuals aged 18 - 27. This program targets people who have difficulty getting employment or who are lacking in skills.

Northern Program - is the MYS program based in Thompson Manitoba. There is a residential unit as well as a receiving unit. There are facilities for both adolescent boys and girls. There are two residential units with four beds in each unit. These facilities are shift staffed. Neekenan is a six bed receiving home where assessments are done and Hudson House is the long-term unit. Neither of these facilities is a locked facility.

Residential Care Program - There are a number of individual units and each is designed to address the needs of a different group of youth. There are two six bed units designed for youths with sexual behaviour problems and a further four bed transition unit to transition these youth back into the community. These units are shift-staffed 24 hours a day. The per diem rate in these facilities is \$201.84. There is a further unit that specializes in youth who have aggressive or assaultive behaviours. There are two four-

bed level five units, one for boys and one for girls in St Pierre, Manitoba. The per diem rates at the level five units is \$283.89.

Jessie James Boys and Girls Ranch - is located in the Rural Municipality of Dugald and is affiliated with MYS operating a day treatment program. This ranch was located near the Schneider/Andrade residence and Patrick spent some time there while he was at this foster home.

MISCELLANEOUS

The Aboriginal Justice Inquiry-Child Welfare Initiative (AJI-CWI)

In August of 2000 representatives of the Manitoba Metis Federation, Assembly of Manitoba Chiefs, Manitoba Keewatinowi Okimakanak and the Province of Manitoba began working together on a plan to restructure the child and family services system in Manitoba. The information contained in this summary of the proposed new system has largely been obtained from a document issued by the AJI-CWI in August of 2001, entitled "Promise of Hope: Commitment to Change." Manitoba Keewatinowi Okimakanak is a political organization representing 27 northern First Nations in Manitoba.

The focus of the restructuring plan is a recognition and respect for cultural diversity and returns to First Nations and Metis people the right to develop and control the delivery of their own child and family services. The proposed restructured system flows from recommendations that were made in the 1991 Aboriginal Justice Inquiry Report. Fundamental changes to the present structure of the child welfare system are being proposed. Four new Child and Family Services Authorities will have responsibility for the delivery of child and family services under the new system. They are:

1. The Metis Child and Family Services Authority;
2. The First Nations of Northern Manitoba Child and Family Services Authority;
3. The First Nations of Southern Manitoba Child and Family Services Authority;
4. The General Child and Family Services Authority.

This new system will mean that Aboriginal children and families will receive child and family services from Aboriginal agencies no matter where they live in the province. In the present system Aboriginal agencies only have jurisdiction on reserve. If an aboriginal child or family lives off reserve then non-Aboriginal agencies have jurisdiction. Under the new system child and family services for non-Aboriginal children and families will continue to be delivered throughout the province using a variety of service delivery structures.

This system is based on concurrent jurisdiction. All four Authorities and the agencies operating through them will have responsibility and jurisdiction over the entire

province. The central objective of the new system is to ensure that people receive services through the most culturally appropriate Authority. However, after the initial intake the system will allow for families or children to choose to be served by the Authority of their choice.

The new system will change the way the provincial government and Aboriginal peoples work together in providing child and family services. It will become much more of a shared responsibility. Each Authority will receive funding as approved by the Province to meet its delegated responsibilities. It is proposed that the Authorities will mandate and fund child and family services agencies. It is proposed that the Authorities will be able to set their own service standards to supplement the provincial standards.

The restructuring of the system is proceeding through five separate phases with particular timelines. The final phase is intended to be completed in October of 2003. *The Child and Family Services Authorities Act* received Royal Assent on August 9, 2002 and is to come into force on proclamation.

Manitoba Children's Advocate - is an independent officer of the Manitoba Legislative Assembly, responsible for the delivery of advocacy services for children and youth under *The Child and Family Services Act* and *The Adoption Act*. The Children's Advocate reviews, investigates, and reports on complaints relating to the services provided under those Acts, and to the children affected by the decisions made under those Acts. The Children's Advocate represents the rights, viewpoints, and interests of the children and youth who are entitled to receive services under those Acts. The Children's Advocate is a member of the Child Inquest Review Committee.

The office of the Children's Advocate has been an independent body since 1999. This allows for an independent voice for children. Prior to that time, from 1993 - 1999 the Advocate reported to the Minister in charge of Family Services. The Children's Advocate now provides an annual report to the Legislature. At the present time there are seven persons employed in the office of the Children's Advocate, including four professional staff, two administrative support staff and the Children's Advocate herself. The Legislative Assembly provides the funding for the office of the Children's Advocate.

The role of the Children's Advocate office is to animate the voice of the child or youth that is involved in the system so that the children's viewpoint is heard. This may include mediation and communication between the child and the agency providing services to the child. There are a number of different levels of advocacy services, which may include actually investigating a case and producing a report to be submitted to the Director of Child and Family Services. The mandate of the Children's Advocate covers the entire province.

In the year 1999 - 2000 approximately 920 people contacted the Children's Advocate Office regarding issues with children. In the year 2000 - 2001 that number increased to about 1134 requests for service.

Children's Inquest Review Committee - is an ad hoc committee chaired by the Chief Medical Examiner. This is a committee that has been set up by the Chief Medical Examiner but is not legislatively mandated. There are approximately 10-12 persons representing various agencies on the committee. These include the Director of the Office of the Chief Medical Examiner, the special investigator from the Chief Medical Examiner's office, the Children's Advocate, the head of Pediatric Pathology, Health Sciences Centre, the Director of the Child Protection Centre, the Director of Child Welfare, and representatives of the Department of Public Prosecutions Manitoba Justice, the Winnipeg City Police Service, the RCMP, the College of Physicians and Surgeons and the Assembly of Manitoba Chiefs. The committee meets once a month and reviews the cases of children under the age of eighteen who have died in the Province of Manitoba and provides recommendations to the Chief Medical Examiner as to whether an inquest should be held.

This committee reviewed the death of Patrick Redhead at its December 1999 meeting and it was decided that no inquest would be called. Subsequently, from February to April 1999 this committee again reviewed Patrick Redhead's case and at their April 7, 2000 meeting, the members of the committee expressed the opinion that an inquest should be called.

Fetal Alcohol Syndrome Team in Thompson - is a multi-disciplinary team that is based out of the Thompson General Hospital. The team was established in the last few years and is a joint effort through the Departments of Health and Family Services and the Regional Health Authority. There are three people on this team. They are Dr. Leigh Wincott, a pediatrician in Thompson, Dr. Darcy Canton who is a psychologist employed with the Department of Family Services in Thompson, and Jan Riguidel who is a social worker. The function of the team is primarily to complete assessments and to assist families in developing plans around the care of FAS and FAE children. At the current time they do not have a budget that allows them to travel outside of Thompson. The team acts as a resource to other hospitals or professionals in the region. Referrals can be made to them but this would involve families and children travelling to Thompson to participate in the assessment. The team also liaisons with the FAS team that is based in Winnipeg, which is connected to the Health Sciences Centre.

Learning Assistance Class Program (LAC) - is a school program that is set up to give emotionally and behaviourally disordered students the best chance at academic and social success in a highly structured environment. The goal of the program is to integrate the student back into the regular classroom. Parental involvement is essential to the success of this program. If the student's behaviour warrants it the student will be sent home. Patrick Redhead was in an LAC Program while at Juniper School in Thompson in 1997 - 1998 and at the Victoria Albert School in Winnipeg in 1996 - 1997.

Child and Family Services Information System (CFSIS) - is a computer based case management information system which is not yet province-wide although the hope is that it will become so. Some of the provincial child welfare agencies use this system to

manage their caseload. Klaus Buller of the Thompson Region Child and Family Services utilizes this system for managing his cases.

Provincial Placement Desk - effective June 15, 1998 all placements to and discharges from residential treatment resources have to be approved by the Provincial Placement Desk. This Desk was developed by the Child and Family Support branch in consultation with Winnipeg Child and Family Services, Regional Operations, representatives from Marymount, MYS and Knowles Centre among other agencies. This system was developed in order to deal with the waiting lists of children awaiting placements and to have a coordinated prioritization of the children on these waiting lists. There was also a need to insure that children in need of residential care treatment could access the appropriate resources and not just a bed in a facility. The PPD prioritizes and coordinates referrals to residential care resources. This insures provincial access to these resources, maximizes the use of the available resources, identifies service gaps and provides a forum to recommend changes, reduces the social workers time in trying to find appropriate resources, and improves the dialogue between the service providers and the system that refers children. The Provincial Placement Desk dealt with Patrick Redhead's case on a number of occasions in 1998 and 1999.

Planning Alternative Tomorrows with Hope (P.A.T.H.) - This is a planning tool which involves an individual along with those who love and support him or her coming together and helping the individual express his or her hopes and dreams for a better life. The planning process then focuses on trying to achieve that better life by getting together some supports and help towards that end. The focus in this planning process is not on the problems and difficult behaviours that the individuals have but on their hopes and dreams for a better life. Instead of listing the problems and trying to solve those problems, P.A.T.H. starts the planning process by listing the dreams and goals for a better life and then works towards helping the individual achieve those goals and dreams. John Robson uses the P.A.T.H. methodology in his work and suggested that such child-centred planning would be a good planning tool to use to actively involve children and family members in planning for children who are in the care of family services agencies.

Suicide Risk Levels - there are four levels of suicide risk that are used by Corrections. Those levels are as follows:

NE - means there has never been any concern. Someone who has never thought of doing anything at all would merit that description.

SUL - means the risk is low, that is someone who at sometime has thought of suicide. Once there has ever been an SUL designation for an individual that person would never again revert back to a NE level. They would always be at an SUL level at a minimum.

SUM - means that the suicide risk is medium, that is, the person is not saying that they will hurt themselves but they can't vouch for their safety.

SUH - is a high risk level. This means that there is a need for constant one-to-one observation. The person has said that they have a plan to hurt themselves, and that it is imminent.

In 1998 and 1999 Dr. Skinner would be informed anytime any of the residents of MYC or Agassiz were put on a SUM or SUH level. He would have to see the individual and he would be the one to reduce the level to a lower level. Since then the nurses at those facilities can lower the level from SUM to SUL but they are not permitted to lower the level from SUH to SUM - that must be done by the psychiatrist.

THE EVENTS OF AUGUST 26, 1999

Patrick Redhead had been placed at the foster home of Janice Schneider and John Andrade on his release from Agassiz on July 18, 1999. Their home was located in a rural area near Dugald, about ten miles north of Oakbank and about forty minutes northeast of Winnipeg. They had some animals on the farm including horses and rabbits. The Jesse James Boys and Girls Ranch operated by Tim Jesse and Andrea James is nearby, as is Bird's Hill Provincial Park. On August 25th Patrick was discharged from the Crisis Stabilization Unit where he had been since August 21st and he agreed to give the placement at the foster home another chance.

Most of the evidence of the events of August 26th, prior to Patrick's death, comes from the testimony of Janice Schneider given at the inquest and the statement she gave to the police on August 26th.

On the morning of August 26th Patrick was at a neighbour's farm, helping to cut the grass to earn some extra spending money. He was to go back again later that evening. He returned to the Schneider/Andrade home around noon. He had been paid for his work and was in a good mood. John Andrade was away from home at work. Janice Schneider was working in the garden. She asked Patrick if he wanted something to eat and he indicated that he wasn't hungry. He apparently showered and put on the new shoes and clothes that they had purchased for him a short time before.

Ms Schneider was still working in the garden and testified that Patrick was making some phone calls. He was back and forth between the kitchen and the deck. The phone has a long cord and he was bringing the phone in and out of the house at various times. She indicated that he used the phone off and on for about an hour. At one point Ms Schneider came into the house to get a drink of water, and noted that when Patrick got off the phone he appeared to be a little bit aggravated. This is when his behaviour began to change.

According to Ms Schneider's statement to police this phone call was made sometime between 2 and 2:30 p.m. She asked Patrick what was wrong and Patrick said, "Nothing." She said to him that he seemed a little upset. She checked the phone number that he had just called and determined that he had called the Jesse James Ranch. Patrick then told Ms Schneider that he had called over there and had learned that all the kids had gone to Birds Hill Park to the beach. Her sense was that Patrick was upset because he had not been invited to go along, and that he felt rejected. She told him that when the neighbours got back she would make sure to tell them that next time they should take him along.

Ms Schneider was in and out of the house over the next period of time but testified that she knew that Patrick was angry. At one point she was on the deck when Patrick threw some playing cards onto the deck. She told him to pick them up and asked him what was wrong. Patrick told her to "F-off" and that he would pick up the cards when he "fuckin wants to." She picked up the cards herself and told him that if he was going to be angry he should go to his room. He told her in no uncertain terms that he wasn't going to his room. He then began to scribble really hard on a piece of paper. At that point Ms Schneider decided to leave him alone to cool off and she went back to work in the garden.

A short time later she heard a loud crash from the living room. She went inside and found that Patrick had thrown a crystal ornament against the wall and had broken it. Ms Schneider asked him what he was doing and told him he had to stop this. She told him that he was not going to break anything here. Patrick stated, "I don't care if it's your fuckin house or God's house." She told him to go to his room until John got home.

Ms Schneider testified that at this point Patrick was in a rage like she had never seen before. She described his eyes as being different - glossy and fixated. She indicated that his rage really escalated fast. She told him that he had to stop this or he would break. Patrick said something to the effect that this was just one count of vandalism. Ms Schneider assured him that she was not going to call the police and that he didn't want to be put back in Agassiz. She told him that he should go for a walk to cool off and that if he was going to destroy things he should go outside. She picked up the glass and he put on his shoes and then left the house.

Ms Schneider saw Patrick pacing around the house and garage, snapping branches and kicking things. She indicated that she had never seen him act in this way before. She closed the door and started making a number of phone calls. She testified that at this point she was scared and concerned about her own safety because Patrick was very angry and she had not seen him act in this way before. She stated that she was hiding behind the walls of the house and trying not to be visible in the window while she was making the phone calls because she did not know how Patrick would react.

In her statement to the police made at 5:10 p.m. on August 26th Ms Schneider indicated that she had locked the door. In particular, her statement reads as follows:

"I told him to go outside and that's when I got scared because he was getting enraged and I picked up the glass and I locked the door. He put on his shoes and he went out. I called the Crisis Stabilization Unit in Winnipeg."

Ms Schneider was asked about locking the door when she gave evidence at the inquest. She testified that while she shut the door she did not lock it. In my view, nothing turns on this discrepancy. It is clear from all the evidence that after Patrick left the house he did not return to the door nor did he attempt to come back into the house. He was

never denied access to the house. For the purposes of this inquest, whether the door was locked or simply closed is immaterial in my view. Furthermore, even if the door was locked, in all the circumstances it would be difficult to conclude that this was inappropriate in view of Patrick's extreme rage, his history of violent behaviour and the threats he had made to Ms Schneider only a few days before.

After Patrick went outside, Ms Schneider called John Andrade at work and asked him to come home. She also called the Crisis Stabilization Unit. She advised them that she needed someone to attend, as Patrick was very angry. In her statement to police she stated that she was told that the CSU would call Macdonald Youth Services. In her evidence at the inquest she stated that at that time she did not realize that the Mobile Crisis Team would not attend her location as her home was outside the City of Winnipeg.

Ms Schneider testified that she did not think that Patrick was suicidal at this time - just very angry. It did not occur to her that he would hurt himself. She thought that he had gone for a walk to cool off as he had done on a number of occasions in the past. She indicated that all these events occurred between about 1 p.m. and 4 p.m. When John Andrade arrived home they went to look for Patrick. A short time later they found Patrick hanging from a beam in the barn. They could not remove the rope from his neck, as it was too tight so Ms Schneider ran for a knife and they cut him down. Patrick did not have a pulse. John Andrade tried to resuscitate him while Ms Schneider ran to call the ambulance. According to Ms Schneider they found Patrick at around 4:30 p.m.

The ambulance and the police attended a short time later. Some resuscitation attempts were made at the scene. The ambulance then took Patrick to the Beausejour Hospital where he was pronounced dead at 5:41 p.m. The cause of death was hanging. Several workers from MYS attended the Schneider/Andrade home after the ambulance had left with Patrick.

John Andrade testified that Janice Schneider called him at work at about 3:30 p.m. indicating that Patrick was being aggressive and threatening and that he should come home right away. He arrived at home about 25 minutes after the phone call. Ms Schneider told him that Patrick had been walking around the house and that he was probably in the barn. He indicated that Patrick sometimes went to the barn to do his chores. They then attended to the barn and found Patrick. Mr. Andrade indicated that he was surprised that Patrick had committed suicide, as he never thought that Patrick would do this.

Andrea James provided a statement to the police describing the phone call Patrick made to her home on the afternoon of August 26th. She indicated that he called at about 3 p.m. and asked if he could come over to see her foster son Terry. She advised Patrick that Terry was at Birds Hill Park beach and that later that evening a group would be coming out to the ranch from Winnipeg for a campout. She told him that she would need Terry's help with the group so this was not a good evening for Patrick to come over but he was more than welcome to come over the next day. According to Ms James, Patrick was very polite and did not seem to be upset when he ended the phone call. She

indicated that Patrick knew her foster son from Thompson but that they were not close friends. While Patrick stayed at the Schneider/Andrade home he and Terry had only visited with each other two or three times.

Police investigation revealed that on the afternoon of August 26th Patrick also called the Fontaine residence in Winnipeg on two occasions. On each occasion his ten-year old cousin C. Linklater answered the phone. Police took a statement from her on September 25th, 1999. She indicated that on the first phone call she said hello and the phone was hung up. It was her opinion that someone else hung up the phone as Patrick was still talking. She could not recall what he had said. She also stated that she knew it was Patrick because she recognized the number on call display. Quite a while later, although it was less than an hour later, Patrick called again and this time spoke to C Linklater. He told her he wanted to talk to Sandra. Before she could get her aunt the call was disconnected. She tried to call back but there was no answer. She did not tell anyone about these calls until the following day. She never indicated the time that these calls were received.

A CHRONOLOGY OF EVENTS IN THE LIFE OF PATRICK REDHEAD

In order to attempt to understand the events of August 26th, 1999 and the root causes of Patrick's suicide, it is necessary to examine in some detail the chronology of events in his life. Little is known about Patrick's life in his early childhood, aside from his later disclosures of physical and sexual abuse, neglect and abandonment. However, from the time he was about seven years old there are numerous reports from his schools, psychological assessments and family services agency files which provide some insight into his world.

In the last two years of Patrick's life, he spent many months in residential care facilities and youth correctional institutions where daily records were kept, detailing his behaviour. As a result a great deal of information is known about his life during that time. While Patrick was serving his custodial sentences in Agassiz in 1998 and 1999, the Court heard that he was required to keep a daily journal. These journals were provided to the Fontaine family after Patrick's death. However, they had been misplaced and could not be produced during the inquest. This is unfortunate, as the Court might well have learned more about Patrick from these journals.

The following is a detailed chronology of the events that are known about Patrick's life based on the evidence heard and filed at this inquest:

- ◆ March 16, 1984 - Patrick Redhead is born in Portage la Prairie, Manitoba. The evidence suggests that his mother Martina Redhead was in Portage la Prairie at that time serving a term of incarceration at the Portage Correctional Institution for assault with a weapon, mischief and theft. Patrick had at least one and possibly two older brothers. The evidence suggests that these siblings were not in the care of Martina Redhead at the time of Patrick's birth.

- ◆ April, 1994 - Patrick is living with his mother in Nelson House. He is seen by the nurse at the Nelson House Nursing Station. It is noted that he is a breast fed baby who is eating well and is very lively. A note on the file states that the mother is happy and coping well. It is also noted that the baby is still jaundiced but according to the mother is looking better.
- ◆ April 19, 1984 - on an Intake Form prepared by an Awasis Agency worker reference is made to Ella Linklater being drunk in Thompson and leaving three of her grandchildren in a shopping cart at a mall. These children were Sandra Fontaine's three sons. They are described as being messy and dirty and in need of medical attention. They are apprehended and placed in a foster home in Nelson House. The children are later returned to Ella Linklater.
- ◆ May 1984 - according to medical records Patrick is living in Nelson House.
- ◆ May 22, 1984 - on an intake form on an Awasis Agency file respecting Sandra D.(Fontaine's) children it is noted that Ella Linklater has been leaving the children here and there and that Ella asked her sister to baby sit the children for a day. It is now four days later and Ella has not returned to take the children. The sister asks for assistance as she has run out of food.
- ◆ August 1, 1984 - Patrick is 5 months old and a male adult drops him off at a house in Thompson. Patrick's mother is out drinking. It is noted on the Awasis Agency file that Martina Redhead was on her way from Shamattawa and intended to go to Nelson House. She had apparently been staying at her sister's apartment in Thompson. She is nowhere to be found. She is noted to be breast-feeding. Her sister does not know where Martina Redhead is at that time. Patrick is placed in the foster home of Pat Hawkins for 5 days. During this time the whereabouts of Martina Redhead are not known. On August 7 Patrick is returned to his mother when she surfaces. Martina Redhead is on her way to Nelson House at this time. The baby is noted to be healthy and feeding well. There is no notation on the file as to any follow-up or discussion with Martina Redhead about her abandonment of her baby for a week. A note on the file indicates that the Awasis Agency will assume responsibility for planning for the child.
- ◆ October 11, 1984 - a note on the nurse's file in Nelson House indicates that Patrick is seen on this date for a cough and runny nose. He is noted to be a happy healthy infant.
- ◆ January 10, 1985 - according to a record of past involvements on the Awasis Agency file there is some kind of involvement by the agency with Patrick on this date. There is a reference to a file being opened on this date. There is no evidence as to why this occurred.
- ◆ February 11, 1985 - Anthony Linklater Jr. is sentenced to 15 months incarceration followed by 2 years probation on a charge of assault with a weapon.
- ◆ November 21, 1985 - Patrick is apprehended by the Awasis Agency in Nelson House as a child in need of protection. An Application for Hearing under *The Child Welfare Act* is filed in Thompson Provincial Court on about November 26th 1985. The application indicates that Martina Redhead may visit the child twice a week provided that 24 hours notice is given to the agency. The material filed at the inquest does not disclose the particulars or the reason for the apprehension or the nature of the order sought by the agency. It appears that some of the pages may be missing from the document filed. Patrick is returned to his mother who is staying with Ella Linklater in

Nelson House. The exact date or the reason for the return is not clear from the evidence.

- ◆ April 11, 1986 or 1987 - medical records from Nelson House indicate that Patrick is treated for a laceration to his head and receives three stitches. It is reported that he fell off a chair. The year of this entry is not clear.
- ◆ Approximately 1986 - 1988 - according to the evidence of Sandra Fontaine, when Patrick was 3 or 4 years of age he was assaulted by his mother with a beer bottle on the head and was transferred to Winnipeg for medical treatment. When he was returned from Winnipeg the worker placed him with Ella Linklater who at the time was living in Thompson. Sandra Fontaine was also living with her mother at that time. She testified that Patrick had a lot of stitches on his head. This injury is not referred to in any of the medical records from Nelson House that were a part of the Thompson Region Family Services files. Nor is there any reference to this incident in any of the child and family service agency files. Sandra Fontaine's recollection was that the worker who dealt with this matter was from the Thompson Awasis Agency office.
- ◆ May 26, 1986 - Anthony Linklater Jr. is sentenced to a term of 60 days incarceration for theft and failing to appear in court.
- ◆ August 8, 1986 - Martina Redhead is sentenced in Thompson to a one-year term of incarceration followed by one year of probation on a charge of aggravated assault.
- ◆ October 6, 1986 - Anthony Linklater Jr. is sentenced to a term of 10 months incarceration followed by one year probation on a charge of assault causing bodily harm.
- ◆ April 27, 1987 - Patrick's sister BR is born.
- ◆ September 4, 1997 - Martina Redhead is sentenced to 30 days incarceration for theft.
- ◆ December 17, 1987 - Anthony Linklater Jr. is sentenced to a term of two months incarceration followed by one year of probation for assault.
- ◆ April 13, 1988 - a nurse in Nelson House sees Patrick. He has a cold and is also passing long flat worms.
- ◆ July 14, 1988 - a nurse in Nelson House sees Patrick. He has a cold and a runny nose. A note on the file indicates that he had a "near drowning on Tuesday."
- ◆ July 14, 1988 - Anthony Linklater Jr. is sentenced to a term of five months incarceration for assault plus one month for breach of probation and failing to appear in court.
- ◆ September 15, 1988 - Patrick is seen by a nurse at Nelson House for a head injury. It is reported that he fell from a swing onto his face. It is noted that there was some loss of consciousness for a few minutes and he was aroused with water. He had a bleeding and swollen nose.
- ◆ September 20, 1988 - Martina Redhead is sentenced to a total five-month term of incarceration for theft, assault and failing to appear in court.
- ◆ 1988 - 1991 - Patrick is in Nelson House living with Ella and Anthony Linklater. The evidence suggests that from time to time Martina Redhead is also living at that residence with Anthony Linklater Jr.
- ◆ February 1, 1989 - Patrick's sister RR is born.

- ◆ August 8, 1989 - Anthony Linklater Jr. is sentenced to a total term of six months incarceration followed by one year of probation for assault, theft and failing to appear.
- ◆ August 15, 1989 - Patrick's sister RR aged six months is apprehended by the Awasis Agency, as she is anemic, malnourished and developmentally delayed. She only weighs 11 pounds. She is hospitalized for failure to thrive. RR is in the hospital for a short time and is then in the care of the Awasis Agency under a Voluntary Placement Agreement (VPA) entered into with Ella Linklater. The VPA is extended and is ultimately in effect from August 14th 1989 - August 13th 1990. RR is placed in a foster home in Cross Lake for several months. Ella Linklater advises a social worker in October of 1989 in this regard that Martina did not want to listen to RR cry and that she tried to give the baby away to anyone who wanted her when she was drunk. Patrick and his sister BR are also living with Ella and Anthony Linklater at this time.
- ◆ October 24, 1989 - Patrick and his sister BR are still living with Anthony and Ella Linklater in Nelson House. Martina Redhead and Anthony Linklater Jr. are in jail at this time. Ella Linklater advises an Awasis Agency social worker that Patrick's mother abuses him by kicking and hitting him. Martina also makes him stay in his room most of the time so he is out of her way. Ella reports that Martina also abused Patrick in 1988 and that she has seen Martina kick Patrick and also poke his eye when she is slapping his face. According to Ella Linklater her husband, Anthony Linklater Sr. told Martina to quit that and said that if she were to badly hurt him she would not be able to eat him anyway.
- ◆ February 2 - March 12, 1990 - Martina Redhead is in Nelson House. The evidence suggests that she may be attending an addiction treatment program during this time.
- ◆ March 12, 1990 - in an outline on the Awasis Agency file on RR the worker notes that Ella and Tony Linklater are caring for Patrick Redhead and his sister BR, as well as Sandra D. (Fontaine's) three children while Sandra is in an alcohol treatment program. Sheila Linklater and her two children also live in the home. It is noted that RR will be returned to the grandparents as soon as they get a new house as their present house is in poor condition and not suitable for a child to crawl on the floor. By this time RR has been away from the Linklater residence for seven months.
- ◆ March 15, 1990 - Martina Redhead is sentenced to 14 days incarceration for theft.
- ◆ March 21, 1990 - Martina Redhead returns to Lynn Lake.
- ◆ June 4, 1990 - Martina Redhead stops drinking for a period of time. She goes to Rosaire House, an addiction treatment centre in The Pas on July 13th and returns on August 3, 1990.
- ◆ November, 1990 - by this date Martina Redhead is living with Zacheus Dumas in Lynn Lake and is maintaining sobriety.
- ◆ December 7, 1990 - on an intake form on the Ella Linklater Awasis Agency file there is a notation of a possible abuse complaint from school regarding Patrick. It is not indicated how or if this was followed up or investigated.
- ◆ December 30, 1990 - Patrick's sister MR is born.
- ◆ February 25, 1991 - Martina Redhead is living with Zacheus Dumas and their daughter MR in Lynn Lake and inquires about having her daughter RR returned to her care. She says that RR was taken when she was in jail for a few weeks and after

she got out of jail she was drinking all the time. Now she wants to know where RR is and wants her back. She and Zacheus Dumas are both maintaining sobriety.

- ◆ April 29, 1991 - Anthony Linklater Jr. is sentenced to a term of incarceration for four months followed by one year of probation for assault.
- ◆ June 13, 1991 - Patrick's sister RR is removed from the foster home in Cross Lake and is returned to her mother Martina Redhead. It is noted in the file that at this time Martina is living with Zacheus Dumas in Lynn Lake and that she has been sober for eight months.
- ◆ September 13, 1991 - Patrick is seen by the nurse in Nelson House for a sore foot. It is reported that he fell from a height onto his foot and is limping slightly.
- ◆ October 22, 1991 - a note on the family services file indicates that Patrick is living in Lynn Lake with his mother and Zacheus Dumas. He arrived there sometime between September 20 and October 22, 1991.
- ◆ December 4, 1991 - Martina Redhead meets with the school officials about Patrick's behaviour in school. She is asked to take Patrick to a doctor for testing and a physical checkup to see if there are any medical problems that are a factor in his behaviour.
- ◆ December 9, 1991 - Patrick discloses at school that his grandmother and uncle hit him in the past. He shows his teacher two scars. One is a two-inch scar on his head.
- ◆ December 19, 1991 - a Lynn Lake social worker, Joyce Maniel speaks to Martina Redhead about the complaint from the school about Patrick disclosing physical abuse. Martina indicates that they have just had a new baby and Patrick may be feeling left out. She states that she will try to spend some individual time with Patrick and that Patrick has just recently returned from Nelson House where he stayed with his grandmother for about 3 years. Martina indicates that she is just starting to get Patrick to open up and talk about past happenings. She states that she wants to be involved with Patrick's schooling and is prepared to meet with teachers at any time.
- ◆ December 4, 1991 - January 29, 1992 - ongoing concerns are raised in school in Lynn Lake regarding Patrick's aggressive and violent behaviour in grade one. He is described as hitting, kicking, pushing and choking other students. He has also hit and kicked staff on a number of occasions. He is noted as being very distracting to other students as he does not stay on task and engages in violent behaviour. He swears at and threatens other children frequently.
- ◆ January 8, 1992 - Patrick has a bruise on his eye and discloses at school that his mother hit him with a shoe. He also indicates that he was hit in the past by Uncle Arnold. The evidence suggests that this may be Ella Linklater's brother Arnold Donkey. Patrick tells the Life Skills Counselor at school that Uncle Arnold would bang his head with the knuckle part of his fist for no reason. He would also use a butcher knife and stab Patrick between the fingers. This uncle was always drunk and picking on Patrick. Patrick also advises that he was sleeping with his Aunt Nora when a man came in and fought with and stabbed her. Patrick hid under the bed. He says that the man looked for him and then left. Patrick also recalls having an accident near the riverbank where he slipped and almost fell in. His big brother grabbed him and saved him. He indicates that his grandmother would make him sleep outside when he was bad and that his Dad screamed at him.

- ◆ January 15, 1992 - Patrick comes to school covered in bed bug bites and is taken to see the Doctor. Later Patrick hits another child at school giving him a "very bad punch on the side of the face." He then throws a chair on top of the other boy.
- ◆ January 16, 1992 - Patrick takes a yardstick and swings it around so the other children and the teacher cannot go near him. Later for no reason Patrick goes up to another student and punches and kicks him.
- ◆ January 21, 1992 - Patrick steals some chips out of another boy's locker at school. He later tries to stab a boy with a pencil. When he refuses to go to the office the teacher carries him and he punches and kicks her. A concern is raised by the parent of another child who indicates that Patrick has kicked his daughter several times and that he slams heads into lockers and has left bruises on the children when he punches and kicks them.
- ◆ January 24, 1992 - Patrick is picking fights with children throughout the recess. When he is asked to stop he just laughs and runs away. He is brought into the school building for fighting. He then gets mad and hits and kicks the teachers.
- ◆ January 29, 1992 - Patrick punches another student in school and then gives the teacher "the finger" when she intervenes.
- ◆ February 4, 1992 - Patrick discloses at school that his mother hit him with a shoe on his shoulder because he lost her scissors. There is bruising on his upper arm and shoulder blade.
- ◆ February 6, 1992 - social workers talk to Martina Redhead about their concerns about the bruises on Patrick. They discuss different options to discipline him other than physical. Martina advises that she also has some concerns about Patrick as he has been staying out late at night and she has to look for him. Patrick is not yet eight years old.
- ◆ February 10, 1992 - family services in Lynn Lake open a file on Patrick because of his complaints of physical abuse by his mother both in the past and present. There is also a concern indicated about Patrick acting out in school and making sexual advances towards young girls.
- ◆ February 1992 - Documentation from the Lynn Lake School indicates that Martina Redhead has not come to school to discuss Patrick's aggressive behaviour notwithstanding frequent requests to do so. Psychologist Rhonda Nemeth notes that Patrick is obsessed with violence and needs to do things at home other than watching violent TV programs. She suggests that Martina Redhead be invited to attend school to discuss treatment of Patrick and that they should not take no for an answer. She also indicates that teachers should avoid confronting Patrick when his behaviour escalates.
- ◆ March 3, 1992 - Anthony Linklater Jr. is sentenced to a term of six months for assault and failing to appear in court.
- ◆ March 16, 1992 - Lynn Lake family services authorizes a homemaker to provide a maximum of 15 hours per week assistance with childcare to Martina Redhead.
- ◆ March 17, 1992 - Zacheus Dumas dies suddenly of a heart attack in Lynn Lake hospital.
- ◆ March - July 1992 - the child and family services agency in Lynn Lake has a lot of involvement with Martina Redhead and her family as she is having trouble coping due to the loss of her common law husband. Patrick is acting out in school.

- ◆ April 9, 1992 - Patrick is asked why he was absent from school. He indicates that he had been baby sitting his two younger sisters while his mother went downtown for a while. He also indicates that he has babysat his sisters when his mother has gone to bingo. A referral is made by the school to Family Services and a suggestion is made that perhaps a homemaker would be possible as Patrick is certainly too young to baby sit anyone. Patrick beats and kicks another boy repeatedly and the matter is referred to the family services agency in Lynn Lake.
- ◆ April 16, 1992 - in a note to teachers at the Lynn Lake School, psychologist Rhonda Nemeth notes that Patrick's behaviour has become more dangerous in the school and in the community. She indicates that she will try to locate a pediatrician who specializes in behaviour disorders who can provide a comprehensive examination of Patrick. She suggests that in the meantime the time-out procedure should be used with Patrick and when he is rewarded with classroom time he should only remain in the classroom for 10 minutes at a time. If he is able to cope for those 10 minutes, she suggests that he again be rewarded with something else.
- ◆ April 23, 1992 - in a report by Allyson Leclair, social worker in Lynn Lake it is noted that Patrick is experiencing difficulties in school and needs some one-on-one guidance and counseling. The worker states that the "child needs support and monitoring due to extreme emotional problems but will be left in home with mother." In this report it is also noted that Martina Redhead "is a non-drinker and very family oriented but she does have some problems coping with Patrick's behaviour."
- ◆ April 27, 1992 - Psychologist Rhonda Nemeth prepares a psychological report on Patrick based on an assessment done on February 20, 1992. He was referred for an assessment due to his poor academic functioning and increasing aggressive behaviour at West Lynn Heights School in Lynn Lake. She indicates that Patrick is often very aggressive to other students and staff and has also inflicted pain on himself. In addition Patrick has a short attention span, is extremely physically active in class and does not complete his assigned work. Patrick engages in problematic behaviour on a daily basis. The most serious problem is his frequent punching and kicking of other students and staff. Patrick spends a great deal of time drawing characters involved in violent activities. When he misbehaves Patrick is put in a room away from other students. In these circumstances he has on several occasions ripped his book. There is a punching bag available for Patrick to use but staff note that he prefers to hug the bag instead. Sometimes the teachers note that a hug or praise may bring Patrick's behaviour under control if his anger has not already escalated to an unmanageable level. Teachers have also noted that Patrick behaves better when involved in a prescribed activity as opposed to situations that allow him several choices, which leads to increased physical activity and aggression. Teachers indicate that Patrick works better in a one-on-one situation as opposed to a group setting but he may refuse to do work at any time. Ms Nemeth reports that testing Patrick was difficult due to his inability to remain on a prescribed task. On the Verbal scale Patrick was assessed as having a mental age of 5.7 years with achievement expected at the kindergarten level. The Performance scale indicated an age of about 7.2 years and achievement at about a 1.6 grade level. His Full Scale I.Q. of 80 points is in the below average range of intellectual functioning and is at the ninth percentile. This means that Patrick functions better intellectually than nine percent of the general population in his age

group. She also notes that he has some intellectual strengths. She notes that during the assessment Patrick produced several drawings, all of a violent nature. He appeared to be obsessed with this activity and made a gun out of some blocks. He indicated that he draws things like this because he "likes it" and he gets these ideas from watching videos at home. Ms Nemeth indicates that while Patrick's intellectual functioning is below average for his age, school staff have also observed that he is socially clever and manipulative beyond his years. She concludes that his behaviour is such that it warrants separation from the rest of his class. She offers a number of recommendations to deal with Patrick's behaviour in class.

- ◆ May 3, 1992 - Patrick's brother ZR is born.
- ◆ May 5, 1992 - Sandra D. (Fontaine) contacts the Awasis Agency and indicates that she wants her son back. Her sons are presently living with her mother in Nelson House. She reports that Ella Linklater is an alcoholic and has been known to bootleg.
- ◆ May 12, 1992 - social workers attend the home of Martina Redhead to check RR for worms and bruising on her back. RR is taken to the doctor for the worms. A homemaker is already in the home of Martina Redhead for several hours each day five days a week to help her cope.
- ◆ May 14, 1992 - a letter is written by the Lynn Lake School superintendent to Martina Redhead asking her again to attend to the school to discuss Patrick's continuing violent behaviour.
- ◆ May 15, 1992 - Patrick and his sister RR are apprehended from their mother, by the family services agency in Lynn Lake. The reason for the apprehension is physical abuse of RR and the fact that Patrick is out of the control of his mother and he is disclosing physical abuse. The teachers at school bring Patrick to the Family Services office because he is acting out at school and is totally out of control. He was climbing on shelves and threatening to smack the lights if anyone came close. The school does not want him back that day. When the social worker suggests that she will take him home he becomes very upset and starts crying stating that he does not want to go home, indicating that his mother hits him with a broom and spansks him with a shoe when he doesn't come home. He says that when he was in Nelson House his big brother would hit him a lot. He also says that Mom hits his sister RR. It is noted that Patrick did not sleep at home the previous night. Patrick is placed in the foster home of Marianne Roberts for a few weeks. He is returned to his mother on June 3rd.

The homemaker Marie Colomb advises that RR has more bruises on her back since May 13th. When she is asked about the bruises, Martina Redhead says that Patrick is rough with RR and hits her. RR on the other hand says that her mother hurt her. Patrick also denies hitting RR. RR is taken to the doctor because of the number of bruises on her back and leg. The doctor indicates that the bruises are from someone poking the child. An RCMP officer takes photos and conducts an investigation but there is not enough evidence to proceed with charges.

- ◆ May 20, 1992 - a note on the Lynn Lake family services file indicates that a one-on-one worker is needed for Patrick.
- ◆ May 26, 1992 - in a memo to teachers at Lynn Lake School, Rhonda Nemeth notes that Patrick has been placed in a foster home and he is enjoying the home except for the "no hitting" rule. She states that rules are new to Patrick and she expects that the

combination of a structured home and school environment should help Patrick learn rules. She indicates that it is difficult for the school to set rules for Patrick if they are not reinforced at home. She also notes that Patrick's drawings were much less violent at their last meeting and that he is watching movies like "Little Mermaid" rather than "Rambo". She states that Patrick is greatly influenced by what he sees on TV.

- ◆ June 3, 1992 - Patrick is returned to his mother under supervision. Documents on the Lynn Lake family services file indicate that the agency intends to apply for a three-month order of supervision. The evidence suggests that this application was later withdrawn when Martina Redhead moved to Nelson House.
- ◆ June 9, 1992 - A letter on the Lynn Lake family services file indicates that Anthony Linklater Jr. is serving a term of incarceration at Egg Lake Correctional Institution near The Pas Manitoba. He is to be released in July.
- ◆ July 1992 - Martina Redhead's brother, David Noah Redhead is stabbed to death by his wife in Shamattawa. It is ruled to be self-defence at trial.
- ◆ July 15, 1992 - Patrick and another child are found setting a fire behind a vacant house in Lynn Lake. The RCMP take the boys to the police detachment office and call family services. The social worker takes Patrick home to Martina Redhead. Patrick is only eight years old.
- ◆ End of July 1992 - Martina Redhead moves to Nelson House with her children to be closer to family members.
- ◆ August 10, 1992 - A note on the Lynn Lake family services file indicates that Martina Redhead has moved from Lynn Lake to Nelson House. Therefore the application by the Lynn Lake family services agency is to be withdrawn in court.
- ◆ August 18, 1992 - The Redhead file is closed in the Lynn Lake family services office. The applications respecting Patrick and RR are withdrawn from the court docket in Nelson House.
- ◆ August 25, 1992 - A letter is sent to the Awasis Agency in Nelson House by the Lynn Lake family services social worker, in which she very briefly sets out the history of the agency's involvement with the Redhead family. The letter states that Health and Family Services has had a lot of contact with Martina since March when her husband died and the birth of her son in May. It is noted that Martina has been having difficulty coping and adjusting. With respect to Patrick it is noted that he did not adjust well to all the change and trauma and is acting out in school. There is a reference to Patrick being placed in care in June because of a suspicion of child abuse. It is suggested that Martina was coping much better and was more understanding of Patrick and his needs when she moved. The letter concludes by saying that Martina will not hesitate to contact the Awasis Agency if she requires support. The social worker did not at the time know Martina's place of residence. There is no suggestion in the letter that any further file information is included with this communication.
- ◆ August 26, 1992 - Patrick's siblings MR and ZR are apprehended in Nelson House by the Awasis Agency. Martina Redhead left them with her common law husband, Anthony Linklater Jr. while she went to Thompson. Anthony Linklater got intoxicated and left the children unattended. They are all residing with Ella Linklater until their apartment in Thompson is ready as it is being renovated. A note on the file indicates that Martina is abstaining from alcohol at this time but Anthony Linklater

continues to drink. This evidence suggests that by August of 1992 Martina was again involved in a common law relationship with Anthony Linklater Jr.

- ◆ August 27, 1992 - MR and ZR are returned to the care of Martina Redhead after she explains the situation.
- ◆ September 10, 1992 - Ella Linklater approaches an Awasis Agency worker in Nelson House and expresses concern about Martina Redhead's children. She advises that Martina left her children with Ella a week ago. Ella reports that she is keeping ZR and Patrick. Another woman in the community is keeping MR.
- ◆ September 15, 1992 - there is a note on Patrick's file by Helen Hart, a worker with the Awasis Agency, that the grade one report for Patrick indicates that he is already engaged in violent behaviour to himself and other children. He hits himself or the other children and teachers. On September 16th Patrick is spoken to at the school in Nelson House by a social worker. When asked about his home life he says that "Nobody hits me, not even my mom."
- ◆ September 30, 1992 - Martina Redhead takes her two youngest children, MR and ZR, back to Lynn Lake and they are apprehended on this date due to her continued alcohol abuse and inadequate care. They are placed in the care of Zach Dumas' sister, Emily Caribou in Lynn Lake. Patrick is still in Nelson House. The agency's plan is to seek a three-month order on MR and ZR and for the mother to attend alcohol treatment.
- ◆ February 5, 1993 - a note in the Lynn Lake Family Services file indicates that Martina Redhead has been back in Lynn Lake for one week and that she seems to be staying away from alcohol. She is staying at Emily Caribou's place where two of her children are placed.
- ◆ February 9, 1993 - Martina Redhead comes into the family services office in Lynn Lake in order to discuss alcohol treatment. She does not want to go to the Nelson House Medicine Lodge as she knows too many people there. The worker sets up an appointment for Martina for that afternoon. She does not show up for the appointment.
- ◆ February 1993 - an inquiry is made by Ella and Anthony Linklater regarding them getting legal custody of their grandchildren, Patrick and his sister BR.
- ◆ February 18, 1993 - Patrick is fighting at the Roland Lauze School in Nelson House. A social worker attends to speak to him. He indicates that he lives with his grandmother and grandfather, his aunt and uncle and their three children, and his sister BR. He says that he likes living there but he is lonely most of the time because his mother does not come to see him and when she does come she is drunk. He indicates that his dad lives in Winnipeg with his aunt, Sandra. He states that he has two sisters living in Shamattawa and a brother in Lynn Lake. He then says that he is here "all alone." He tells the worker that when he lived in Lynn Lake he had his own room with bunk beds and turtle blankets and a TV and VCR. His sisters had Barbies. He asks if the worker can get someone to pick up these things for him. When the social worker asks how he hurts people he states that he uses sandpaper to scrape the knuckles of other children and sometimes himself, but says that it doesn't hurt.
- ◆ February 22, 1993 - the Awasis Agency worker, Shirley Linklater, makes a home visit to follow-up on her meeting with Patrick. She advises Ella Linklater that there is a concern about Patrick's behaviour in school and Ella Linklater advises that his

behaviour at home is almost the same. She has a difficult time controlling Patrick's behaviour. Ella tells the worker that it is no wonder that this child behaves in this way as Martina was very rough with Patrick and sometimes Ella witnessed Martina kicking him all over his body. The social worker also mentions to Ella that Patrick is behind at school and Ella indicates that she will get her brother Arnold to try to help Patrick at home as she does not read or write.

- ◆ March 10, 1993 - there is a complaint made that at school in Nelson House that the previous day Patrick went into the washroom and stuck his finger in the bum of a girl. He is also removed from the classroom for fighting. Patrick is not yet nine years old.
- ◆ March 12, 1993 - Emily Caribou reports to the Lynn Lake Family Services worker that Martina Redhead is still drinking and that Martina threatened her with a table knife over the weekend. Emily no longer lets Martina visit at her home. Emily Caribou is still looking after ZR and MR and expresses an interest in keeping them permanently if Martina does not get them back.
- ◆ March 20, 1993 - Patrick's sister BR tells a worker with the Awasis Agency that "boys hurt her". She lives with her grandmother Ella Linklater. A note on the Awasis file mentions that there is alcohol abuse in that home.
- ◆ March 29, 1993 - In a court summary in support of a further order of temporary guardianship for MR and ZR, the social worker indicates that Martina Redhead returned to Lynn Lake in September of 1992 and began abusing alcohol. The worker reports that in the past three months she has contacted Martina Redhead on approximately five occasions to try to plan for alcohol treatment. Martina however continues to drink, refuses to speak about treatment and at times is abusive to the children's foster mother. Visits between Martina and her children are now only taking place with supervision. A three-month temporary order of guardianship is granted to Lynn Lake Family Services for MR and ZR. Upon expiry of that order in June 1993, the case is transferred to the Awasis Agency in Shamattawa where by that time the children have been placed in a foster home.
- ◆ April 15, 1993 - the Awasis Agency apprehends Patrick and his sister BR, from the home of Ella and Anthony Linklater in Nelson House. On an intake report a note is made that the children have been in and out of care for neglect and physical abuse for approximately one year. A comment is made by the supervisor on the intake form that the children need to be assessed by a psychologist. The Petition and Notice of Hearing dated April 20, 1993, provides that supervised visits by Martina Redhead are allowed on the condition that she maintains sobriety, and that Ella and Anthony Linklater are to have no access to Patrick. In a later Case Particulars document dated May 20th 1993 it is indicated that Ella Linklater is to be allowed one supervised visit every three months and she is to be alcohol free during visits. It is noted that the Awasis Agency became involved with this family as a result of a third-party sexual abuse allegation made by Patrick's sister BR. One other concern is that Patrick is displaying sexual acting out and aggressive behaviour at school. Patrick has disclosed that his mother went to Thompson and never came back and that his grandmother hits him all the time. It is noted that Martina Redhead has had little or no involvement with Patrick since September of 1992 and that she has a history of alcohol abuse and continues to demonstrate an inability to provide an adequate, safe and nurturing environment for her children. The Case Particulars document notes that Ella and

Anthony Linklater also have a history of alcohol abuse and family violence. It indicates as well that Patrick "demonstrates severe aggressive behaviour towards others and presents inappropriate behaviour indicating that the child will need a comprehensive therapy program." The plan is for the Awasis Agency to seek specialized counseling for Patrick to assist him to deal with physical abuse and abandonment issues. Patrick is now nine years old.

- ◆ April 15, 1993 to May 24, 1993 - Patrick is in the foster home of Joan Harper in Thompson. He attends Juniper School in Thompson.
- ◆ May 10, 1993 - Sandra D.(Fontaine) contacts the Awasis Agency and indicates that she has learned that one of her sons who is the care of her mother Ella Linklater has complained of sexual abuse by his uncle. She wants to know if the police have done an investigation as yet.
- ◆ May 1993 - two of Martina Redhead's brothers die of alcohol poisoning in Thompson.
- ◆ May 12 - 19, 1993 - Patrick is involved in numerous acts of violence to his classmates and teachers and is suspended from Juniper School for a period of time. On May 12th Patrick punches a student in the jaw. He kicks the teacher several times when she tries to intervene. On May 17th Patrick again punches a student in the face. He continues to punch the student after the teachers intervene. Patrick is to meet with the school counselor Jeff McIntyre every morning. An educational assistant starts on May 17th to assist Patrick for four and a half-hours each day.
- ◆ May 20, 1993 - Patrick pulls a knife at school on one of the students and hits the teacher in the face. He is expelled. Joan Harper, his foster mother, indicates that Patrick is normally well behaved at her home but she reports that on one occasion he became hostile and he attacked her. When she got him under control and calmed him down he told her over and over that he hated his mother. Ms Harper indicates that Patrick has a lot of anger and that he is a very troubled boy. She asks that Patrick be removed from her home on May 24th as she does not have time to deal with his behaviours.
- ◆ May 1993 - Martina Redhead is sentenced to a two-week term of incarceration in The Pas Correctional Institute for failing to appear in court.
- ◆ May 25, 1993 - Patrick is made a temporary ward of the Awasis Agency for six months by Associate Chief Judge E. Kimelman. The order is to expire November 24, 1993.
- ◆ May 25 - June 4, 1993 - Patrick is placed in the foster home of Sandra Gagne in Thompson.
- ◆ June 4, 1993 - Patrick is placed in Shamattawa in the home of his maternal grandmother Sophia Redhead. The evidence does not reveal why Patrick is moved or what kind of investigation is done, if any, as to the suitability of the Sophia Redhead home.
- ◆ June 16, 1993 - ZR and MR are no longer able to stay at the home of Emily Caribou as she has some medical problems. The children are escorted to Thompson in order for a Awasis Agency worker to pick them up to be transported to Shamattawa to be placed at the foster home of MaryAnne Miles, a maternal aunt. The temporary order of guardianship to Lynn Lake Family Services is to expire on June 28, 1993. It is agreed that when this three-month order expires, the Awasis Agency will accept a

transfer of the care and supervision of MR and ZR from Lynn Lake Family Services. In an letter to the Awasis Agency from Lynn Lake Family Services it is noted that Martina Redhead is at the Nelson House Medicine Lodge for treatment and that she left for Nelson House on June 17th.

- ◆ June 23, 1993 - ZR and MR arrive in Shamattawa. Martina Redhead is at the Nelson House Medicine Lodge for alcohol treatment. This is to be a four-month treatment program.
- ◆ December 13, 1993 - the RCMP investigate an incident at the Abraham Beardy Memorial School in Shamattawa. Patrick has a snare wire and tries to choke another student in class by tying the wire around her neck. A teacher intervenes and prevents the assault from continuing. Patrick is only 9 years old and cannot be charged, so the RCMP bring the matter to the attention of the Awasis Agency. The investigating officer notes that this matter is very serious in nature.
- ◆ December 23, 1993 - Anthony Linklater Jr. is sentenced in Winnipeg to a term of four months incarceration followed by two years of probation for assaulting a police officer.
- ◆ Late 1993 - January 94 - Martina Redhead is living at the Crisis Centre in Shamattawa and Patrick and some of her other children are living there with her. The evidence suggests that Martina Redhead was living at the Crisis Centre as she had no place else to live. It is not clear why Patrick was there with her when he had been placed at the Sophia Redhead home.
- ◆ January 1, 1994 - The staff at the Crisis Centre in Shamattawa call the Awasis Agency to complain that Martina Redhead is physically abusing her children Patrick and BR while they are all staying at the Centre. Information is received from the Crisis Centre staff that Martina Redhead hits Patrick with a broomstick and has kicked him on several occasions. She slaps BR on her face causing her to have nosebleeds as well as kicking her and pulling her hair. All four children, Patrick, BR, MR and ZR are apprehended by the Awasis Agency and the three younger children are placed in foster homes in Shamattawa. Patrick is again placed with his grandmother Sophia Redhead. A note is placed on the Awasis Agency file that the children are not to be returned to the parent until a through investigation has been done and appropriate action is taken.
- ◆ January 5 - April 5, 1994 - Patrick's mother asks the Awasis Agency to take Patrick into care under a Voluntary Placement Agreement.
- ◆ January 13, 1994 - Patrick is transferred out of the Abraham Beardy Memorial School in Shamattawa. His last day of school in Shamattawa is January 12, 1994. The reason for the transfer is noted as being that he requires special education assistance academically and for his behaviour.
- ◆ January 14, 1994 - a social worker with the Awasis Agency receives information that Patrick is being abused by his mother who is staying at Sophia Redhead's place in Shamattawa. Patrick's aunt wants to know why Martina is allowed to have visiting rights. Patrick is removed from the Sophia Redhead home with the assistance of the RCMP, as both she and his mother Martina are drinking. Martina admits to hitting Patrick. Patrick stays in the Awasis Agency sub-office in Shamattawa over the weekend until January 17. There is violent behaviour to himself while at the sub-office. He bangs his head on the desk. He then laughs and says that it does not hurt.

He throws things around the room and has to be physically removed from the room. He fights with the worker. Patrick discloses that there is a lot of physical abuse by his mother to him and his sister BR. There is a note on the Awasis Agency file that Martina Redhead has been beating her children Patrick and BR. The children are hit with a broomstick and are kicked and slapped. On January 17th, Patrick's behaviour is out of control and he runs outside in -43 degree weather without his jacket and boots. RCMP are asked to hold him until the flight out of the community to Thompson in the evening. Martina Redhead is contacted regarding taking counseling regarding her physical abuse of her children.

- ◆ January 17 -February 2, 1994 - the Awasis Agency places Patrick in the foster home of Rose Hayden in Thompson.
- ◆ January 18, 1994 - Anthony Linklater Jr. is sentenced to a term of 30 days for carrying a concealed weapon.
- ◆ January 1994 - Martina Redhead attends the Nelson House Medicine Lodge for alcohol treatment.
- ◆ February 2, 1994 - Patrick is placed in a specialized foster home at Ilford with Isabelle and Edward Ouskan by the Awasis Agency. This is a one-on-one placement. The understanding is that he will be placed there on a short-term basis for about 2 weeks until an alternative placement can be found. He stays there until June.
- ◆ February 8, 1994 - the social worker Elsie Flett from the War Lake First Nation at Ilford, attends the school in Ilford and is told that Patrick needs someone to work with him all the time. The teacher advises that Patrick has been hurting himself with a pencil. He has also been bothering and hurting other students. He tells his teachers that he is angry with his mother.
- ◆ March 1, 1994 - Elsie Flett the social worker in Ilford, writes to the Awasis Agency in Thompson. She indicates that it was her understanding that Patrick was only placed in the home in Ilford on an emergency basis for a two-week period until an alternate placement could be found. She notes that the teacher reports a lot of difficulty in controlling Patrick's behaviour and that he displays a lot of anger towards the teacher. He always refers to the fact that he is angry with his mother. Ms Flett then indicates that she has just received some information concerning Patrick and "it is very serious." Ms Flett states that they are willing to work with this child but they need more input from his caseworker and better communication in planning for Patrick's future counseling and treatment for his troubling behaviour. None of the evidence at this inquest sheds any light on what this "very serious" information was.
- ◆ April 6 - July 6, 1994 - Martina Redhead signs another three-month Voluntary Placement Agreement with the Awasis Agency for Patrick.
- ◆ June 16, 1994 - Patrick is placed in the foster home of Lisa Martin in Thompson by the Awasis Agency.
- ◆ June 20, 1994 - Patrick is placed back with his mother by the Awasis Agency. Martina Redhead is once again living in Lynn Lake. There is no indication in the evidence as to what has changed in her circumstances so as to make this a proper placement. Patrick is ten years old.
- ◆ July 6, 1994 - Patrick's mother terminates the Voluntary Placement Agreement with Awasis Agency respecting Patrick.

- ◆ July 1994 - the RCMP write to family services in Lynn Lake about an attempt by Patrick to steal goods from vehicles.
- ◆ August 16, 1994 - Patrick and another young boy are picked up in Lynn Lake by the RCMP, for breaking four car windows. Patrick is taken home to Martina Redhead and she indicates that he may no longer be able to stay in her home. It is noted that Patrick's behaviour has been escalating and the community is upset by the situation.
- ◆ August 25, 1994 - a letter goes to Martina Redhead from Thompson Region Family Services, notifying her of Patrick's criminal involvement and indicating that family services is willing to offer her counseling or another service if she requires this.
- ◆ November 1994 - Dr. M. A. Mundy the Lynn Lake School psychologist completes a psychological and cognitive assessment of Patrick. He was referred for assessment due to his unpredictable behaviour in school. She sees him on September 28th and November 28th 1994. During testing Patrick was somewhat overly active, fidgeting often. He was easily distracted. Patrick's Full Scale and Verbal Scale IQ scores fell in the mentally deficient range and his Performance Scale IQ fell in the borderline range. He scored in the 93rd percentile in self-destructive/identity problems. Patrick also had difficulty paying attention. Dr. Mundy reports that according to his teacher, Patrick's behaviour is very unpredictable. He works well in class for some time and then unexpectedly becomes defiant, aggressive and disobedient. He utilizes very abusive and obscene language, kicks at and knocks desks over, kicks and punches the wall, lockers and people. He also bothers other students by taking or destroying personal property.
- ◆ November 4, 1994 - RCMP in Lynn Lake investigate a complaint by a young boy that Patrick and some other boys assaulted him and that Patrick kicked him numerous times in the stomach and ribs. Patrick denies the assault. Police refer the matter to family services in Lynn Lake. It is noted that Patrick's sister, BR is also involved in criminal offences in Lynn Lake.
- ◆ January 11, 1995 - Patrick's step father Alvin Bighetty dies. He dies from hypothermia and exposure on the trail from Leaf Rapids to Granville Lake along with his brother. They were both intoxicated.
- ◆ January 25, 1995 - Patrick does not come to school and on an inquiry the school learns from his mother that he has been missing since the evening before. She did not call the RCMP or anyone else when he did not come home the previous evening. Patrick later shows up at school and indicates that he does not like to go home, as he always has to baby-sit.
- ◆ January 26, 1995 - Anthony Linklater Jr. is sentenced in Thompson to a term of incarceration of six months followed by one year probation for forcible entry and five months incarceration for sexual assault.
- ◆ February 1995 - Dr. M. A. Mundy, the Lynn Lake School psychologist, assesses Patrick for anger. He scores within the clinical level (97%) for aggressive behaviour directed toward others or objects. His anger profile shows that he is quick-tempered with little provocation, impulsive and lacking in anger control. He frequently experiences anger and has intense angry feelings. Dr. Mundy is of the view that Patrick should be placed in a level 4 home. She advises Selena (Cullinan) Threinen of that opinion.

- ◆ February 11, 1995 - the Redhead children are left alone while Martina Redhead is out drinking. They are placed in care for a day at the Lynn Lake Friendship Centre Receiving Home. On February 12th the children are returned to their mother after she is cautioned.
- ◆ February 26, 1995 - BR complains of abuse by her mother and grandmother.
- ◆ April 11, 1995 - Martina Redhead calls the Awasis Agency in Thompson indicating that her son ZR is ill and she can't take him to the hospital, as she is intoxicated. RCMP and a Lynn Lake family services social worker attend to her home in Lynn Lake. She is visibly intoxicated but the child appears to be well. A sober friend is present and agrees to care for the children. It is noted that Martina Redhead is pregnant. The file note indicates that Lynn Lake CFS will monitor the home.
- ◆ April 21, 1995 - RCMP and Lynn Lake social worker Selina (Cullinan) Threinen attend the Redhead home in Lynn Lake and find a party in progress and Martina Redhead intoxicated. Forcible entry is made when Martina won't open the door. A number of other intoxicated persons are present in the home. MR and ZR are apprehended due to parental alcohol abuse. Patrick and BR at this time are with grandparents Ella and Anthony Linklater. The evidence is not clear as to when Patrick and BR went back to Nelson House but by the fall of 1995 Patrick is back with his mother in Lynn Lake.
- ◆ May, 1995 - Martina Redhead attends a three-week alcohol addiction program at Rossiere House in The Pas.
- ◆ May, 1995 - Martina Redhead signs a Voluntary Placement Agreement (VPA) for ZR and MR for a three-month period which is to expire July 21, 1995. MR is placed with an aunt, Emilie Caribou in Lynn Lake. ZR is placed in a licensed foster home in Thompson.
- ◆ July 16, 1995 - Patrick's brother AR is born.
- ◆ July 21, 1995 - MR and ZR are returned to their mother as the VPA expires on this date.
- ◆ Fall 1995 - in a letter from the Lynn Lake school it is noted that from the beginning of his attendance in school in grade one Patrick has been very aggressive in school. The letter states that the Lynn Lake School does not have the structured behaviour modification class that would best suit Patrick.
- ◆ September 1995 - Martina Redhead attends an addiction treatment program.
- ◆ September 14, 1995 - Patrick is placed at the Friendship Centre in Lynn Lake. He has lice and a sore on his hand that is infected.
- ◆ September 15, 1995 - 11 year old Patrick takes off from school. He returns to the Friendship Centre later in the afternoon and then runs off in the evening. He is returned to the Centre at 2:30 a.m. on September 16th and he is extremely drunk. He is vomiting blood and is taken to the hospital to ensure that he does not have alcohol poisoning. Later that day he is returned to his mother when she returns to town.
- ◆ October 2, 1995 - Patrick is detained in Lynn Lake RCMP cells for shoplifting. He is later released to his mother.
- ◆ October 4, 1995 - three of Patrick's siblings, MR, ZR, and AR, are apprehended by Lynn Lake Family Services. RCMP and social worker Selena (Cullinan) Threinen attend the Martina Redhead residence in Lynn Lake. Martina Redhead is very intoxicated and there is a drinking party in her residence with a number of other

intoxicated adults present. When asked where her baby AR (who is not yet three months old) is, she indicates that he is being cared for by someone else and insists that he is not in the house. A search of the house reveals the baby in his crib with a bottle propped in his mouth. The baby is having difficulty breathing and appears congested.

At this time Patrick is in Nelson House and BR is in Shamattawa. It is not clear when Patrick went back to Nelson House. According to an information form on the Lynn Lake family services file Patrick went to Nelson House to attend a funeral and was to return to Lynn Lake thereafter but did not do so. He is not registered or going to school in Nelson House as of October 13th.

- ◆ October 13, 1995 - Patrick is arrested for shoplifting in Lynn Lake. This is his third shoplifting offence in several months. He is lodged in cells and social worker Selena (Cullinan) Threinen is called and she attends to pick him up. He is not charged, as he is only 11 years old.
- ◆ October 1995 - Patrick is with his grandmother Ella Linklater in Nelson House. ZR and AR are placed together in a foster home.
- ◆ End of October 1995 - AR and ZR foster mother requests that they be moved. They are moved to another foster home where they remain as of the date of the inquest.
- ◆ November 2, 1995- Patrick's grandmother Ella indicates that she does not wish Patrick to stay at her place anymore and requests that he be removed due to his behaviour. The Awasis Agency of Nelson House is advised that this was a private arrangement that had been made by the mother and it has broken down. Patrick is escorted to Lynn Lake and placed in the care of family services in Lynn Lake.
- ◆ November 3, 1995 - Patrick is apprehended by Lynn Lake family services and is placed at the Marie Colomb foster home in Lynn Lake. He is referred to the mental health worker, Reid Atwater. While Patrick is placed in the Colomb home at various times there are as many as eleven children in the home.
- ◆ November 5, 1995 - Judge Brian Colli grants a six-month temporary order of guardianship regarding Patrick's siblings MR, ZR and AR.
- ◆ November 18, 1995 - MR is placed in a foster home in Norway House where she remained as of the date of the Inquest.
- ◆ November 30, 1995 - Patrick is placed in a behaviour modification program in West Lynn Heights School in Lynn Lake and is out of the classroom for most of the day.
- ◆ November - December 1995 - Patrick is sent home from school and is suspended several times for fighting, hitting other students, swearing at teachers and throwing around school property.
- ◆ December 1995 - a Life Skills Counselor in West Lynn Heights School in Lynn Lake begins to see Patrick once a day because of his aggressive behaviour in school.
- ◆ December 29, 1995 - an RCMP officer brings Patrick into the Family Services office in Lynn Lake. Patrick is sobbing and shaking and states that he has no place to go as his foster home placement with Marie Colomb has broken down. The placement has broken down because Patrick is aggressive to the other children in the home, and Ms Colomb reports that she has heard that Patrick fondled little girls when he was in Nelson House. She does not want Patrick to stay in her home any longer. Patrick is

moved from the Colomb foster home and is placed at the Place of Safety home of Lorette Dewar in Lynn Lake until December 31st.

- ◆ December 30, 1995 - On a walk around town with Lorette Dewar, Patrick sees his mother who is intoxicated. He immediately hides behind Lorette Dewar to avoid contact with his mother and advises Ms Dewar that he is scared of his mother when she drinks.
- ◆ December 31, 1995 - Patrick is placed at the Lynn Lake Friendship Centre Receiving Home for a few days while Lorette Dewar is out of the community. While there he has contact with his mother. Patrick later advises workers that his mother gave him \$150. He purchased some clothing and gave \$50 to his friend.
- ◆ January 2, 1996 - Patrick is again placed at the Lorette Dewar home as a temporary placement in Lynn Lake. There are two other very needy children in the Dewar home.
- ◆ January 8, 1996 - Patrick gets upset and breaks a lamp, overturns the couch and throws garbage all over the family room in the Dewar house.
- ◆ January 9, 1996 - Patrick is dismissed from school at West Lynn Heights for being disruptive in class. He does not come home and is brought home later by the RCMP. In a letter written by Dr. Marie-Anne Mundy the school psychologist, to Selena (Cullinan) Threinen the social worker, she indicates that in the year and a half that she has worked with Patrick she has observed no improvement. In fact she reports that he has regressed, both socially and academically, and is no longer able to remain in a classroom environment. She describes him as a very needy child both academically and socially. The type of school program that he needs is not available or economically feasible in Lynn Lake. She states that he is receiving continuous resource help in school and that this is stretching school resources as he is only funded for an educational assistant for 50% of the time. In order to give him one-on-one time he sees up to nine different people during the school day. This is not in the best interests of a child who needs a consistent and structured setting. She reiterates the view that she had expressed the previous year to the effect that Patrick needs, a minimum level 4 home with a 24 hour structured environment. It is her view that if he is not cared for appropriately he will harm himself or others.
- ◆ January 11, 1996 - the Life Skills Counselor at the West Lynn Heights School writes a report about Patrick to Selena (Cullinan) Threinen. In the report she refers to seeing Patrick 40 minutes a day. She indicates that he has been fairly cooperative but that he requires constant supervision. Given any opportunity he will take off and wander around the school hiding in washrooms and lockers. She notes that he is easily frustrated at which time he becomes defiant, rude and very abusive towards people and objects.
- ◆ January 11, 1996 - Lorette Dewar, advises Lynn Lake Family Services of an incident that occurred at her home involving Patrick and another boy this day. She heard yelling and saw Patrick lying on his back on a bed with the other boy on top of him and Patrick grabbing the other boy's crotch.
- ◆ January 11, 1996 - Patrick is escorted to Thompson.
- ◆ January 12, 1996 - Violet Baron, the Principal of the West Lynn Heights School writes a letter to Selena (Cullinan) Threinen. Ms Baron indicates that Patrick has been very aggressive from the time he entered school in grade one. She advises that

the school does not have a structured behaviour modification class that would best suit Patrick's needs. He was not able function in a regular classroom so he was pulled out of class for 6 of 8 periods per day in this school year. She notes that he has been violent, hitting teachers and students on a regular basis, swearing and throwing things. On a one-on-one basis he is able to control his behaviour most of the time. But when reintegrated with the class for short periods of time he most often does not control his behaviour. West Lynn Heights School is no longer able to have him pulled out of class for more than 4 periods each day.

- ◆ January 12, 1996 - April 1, 1996 - Patrick is placed at Marymound North, a receiving home in Thompson. It is the view of his social worker that it is in Patrick's best interest that he be placed outside the community of Lynn Lake due to the high-risk behaviour he is displaying. He has been detained on two occasions at the RCMP cells in Lynn Lake for being under the influence of alcohol. Patrick is registered to attend the Juniper school in Thompson starting on January 15th.
- ◆ January 1996 - Selena (Cullinan) Threinen refers Patrick to the MYS Alternative Parent Home Program for placement.
- ◆ January 21, 1996 - Patrick is AWOL from Friday at 4 p.m. until 10 a.m. on Sunday. When he returns to Marymound he is very upset, but will not say why.
- ◆ January 22, 1996 - Marymound staff meet with his teacher at Juniper School to discuss Patrick's school plan. Patrick's academic skills fall in the grade two level in math and slightly higher in language tests. It is noted that Patrick becomes easily frustrated then throws his work aside. He has difficulty accepting encouragement or praise for his artistic ability. He frequently tears up his artwork if the teacher comments on his strengths in this area.
- ◆ January 22 - 30, 1996 - Patrick refuses to go to school.
- ◆ January 23, 1996 - Patrick is reported to be running constantly from Marymound. It is reported that other children at the home had urinated in Patrick's face.
- ◆ January 25, 1996 - Patrick refuses to go to school and gets other residents not to attend school as well. He draws pornographic pictures of erect penises all over the upstairs walls of the Marymound facility. He continues to AWOL for a few hours at a time.
- ◆ January 27, 1996 - Patrick is AWOL overnight.
- ◆ January 29, 1996 - Patrick is in school all day and is doing well. Then later he goes AWOL and is away overnight.
- ◆ February 5, 1996 - an educational assistant is put in place in the mornings in school to assist Patrick. His afternoons are spent at Marymound. He attends school regularly until February 12th.
- ◆ February 8, 1996 - Patrick has a visit with his brothers AR and ZR in their foster home and it goes well.
- ◆ February 13, 1996 - Patrick is AWOL overnight. He refuses to go to school from the 13th until February 20th. As a result the educational assistant is lost. The school is reluctant to have Patrick in school without an assistant. An in house school program is developed in Marymound for Patrick. His unwillingness to participate and his inability to focus make implementation of the program difficult.
- ◆ February 14, 1996 - Patrick becomes upset because his hair is standing up. He then starts throwing furniture around and ripping posters and throwing things at staff. He

is restrained until he calms down. Marymound staff talk to him about different ways of dealing with his frustration. Patrick has a phone call from his brother HR who is in a placement near Winnipeg. HR is in the care of the Awasis Agency. Patrick is happy to hear from his brother. A note on the Lynn Lake family services file indicates that the agency was not previously aware of this brother HR.

- ◆ February 20 - 22, 1996 - Patrick is suspended from school for three days for extreme insubordination. He was verbally abusive to his teachers and educational assistant and then ran through the halls screaming.
- ◆ February 21, 1996 - Patrick is grounded for being AWOL for two days.
- ◆ February 22, 1996 - Deb Bomek, Clinical Case Manager for the Alternative Parent Home (APH) Program with MYS advises Selena (Cullinan) Threinen that they have a possible match for placement for Patrick in a highly structured foster home in Winnipeg. Selena Threinen testified that she danced about her office in her joy at hearing this news that there was a placement for Patrick.
- ◆ February 23, 1996 - Patrick is AWOL overnight. Selena (Cullinan) Threinen speaks to Patrick and addresses concerns about his AWOL and putting himself in risky situations. Patrick becomes angry and hangs up on her. He refuses to speak to her further when she calls back.
- ◆ February 26, 1996 - at Lynn Lake Provincial Court, Judge Brian Colli makes a six-month order of temporary guardianship for Patrick to Family Services of Lynn Lake.
- ◆ February 28, 1996 - Patrick was AWOL off and on on the weekend including overnight. He goes on a visit with his siblings.
- ◆ March 1, 1996 - Patrick draws a picture for Selena (Cullinan) Threinen and she sends him a thank you note.
- ◆ March 7, 1996 - a telephone conference is held involving Patrick, Deb Bomek from MYS, Marymound staff, Selena (Cullinan) Threinen and John Anthony the new foster father. Mr. Anthony provides his phone number and tells Patrick that he can call him whenever he feels he has to. He also indicates that he will send some pictures and a letter to ease Patrick's transition into the home.
- ◆ March 14, 1996 - Deb Bomek of MYS outlines a treatment plan for Patrick to Selena (Cullinan) Threinen. The placement is authorized by the Lynn Lake family services agency on March 20th.
- ◆ March 20, 1996 - Patrick is very angry and acting out. He attacks a four-year old child in Marymound. There is a concern about the safety of other children in the home.
- ◆ March 27, 1996 - Patrick is not in a good mood, and is swearing at staff and hitting another child in the residence. As a result of the behaviour concern, he is not allowed a visit with his grandmother in Nelson House before he leaves for the placement in Winnipeg.
- ◆ April 1, 1996 - Selena (Cullinan) Threinen flies to Winnipeg with Patrick in order to place him at his new foster home.
- ◆ April 1, 1996 - May 1997 - Patrick is placed at the foster home of Leslie Ball and John Anthony in Winnipeg. This is a foster home run by MYS under the APH program. This is Patrick's first placement through Macdonald Youth Services. Patrick is 12 years old. There are two other 12-year old boys in placement in that home for some of the time that Patrick is in the home. For several months Patrick thrives in

this placement. He progresses well in school and makes strides in terms of anger management issues. At this time the placement is expected to be continuous until Patrick is transitioned to independent living.

- ◆ April 10, 1996 - Deb Bomek, Clinical Case Manager of the APH Program, requests that Patrick be assessed by Dr. Chudley for FAS/FAE and Attention Deficit Hyperactive Disorder.
- ◆ April 1996 - when first placed at the Ball/Anthony foster home Patrick displays poor personal boundaries verging on sexualized behaviour. He leaves the door open when changing or going to the bathroom. The foster parents insist on closed doors and don't allow physical contact between the boys.
- ◆ May 15, 1996 - it is reported to Lynn Lake Family Services that Martina Redhead is living with a man named Joe Bighetty near Granville Lake and that she is frequently intoxicated. RCMP indicate that she is regularly lodged under the Intoxicated Persons Detention Act (IPDA). It is rumored that she may be pregnant. The evidence does not indicate that this rumor was ever substantiated.
- ◆ May 15, 1996 - there is a report from the RCMP that one of Sandra D.(Fontaine's) sons has disclosed sexual abuse. It is noted that his mother is aware of this disclosure.
- ◆ May 28, 1996 - Patrick starts to attend the Lord Nelson Elementary School in Winnipeg. He is placed in a small class of six students with one teacher and an aide. Prior to that time he was home schooled. The one-on-one non-competitive atmosphere of home schooling gave Patrick the drive to develop at his own pace and he did very well.
- ◆ June 5, 1996 - It is noted that since Patrick's siblings MR, ZR and AR came into care on October 4, 1995 their mother Martina has not had any contact with the children, nor has she contacted Family Services to inquire about the children. Martina Redhead continues to live a very transient lifestyle between the communities of Granville Lake, Leaf Rapids and Lynn Lake and a bush camp situated between Granville Lake and Leaf Rapids. While in the communities of Lynn Lake and Leaf Rapids Martina is regularly arrested and in custody under the Intoxicated Persons Detention Act.
- ◆ June 1996 - Patrick's special needs teacher teaches him to hoop dance and gives him hoops. Patrick enjoys this activity.
- ◆ June 1996 - Sandra and Norman Fontaine are married.
- ◆ June 18, 1996 - an Awasis Agency child protection worker is advised by Sandra Fontaine that her brother Anthony Linklater Jr. sexually molested two of his nephews. Ms Fontaine indicates that she warned her mother and other family members about Anthony. She also advises that her father and brother sexually abused her and her father abused her sister, while they were growing up. Sandra also advises that her dad used to lock the door so the girls could not run out. He also physically abused his son.
- ◆ July 1996 - Patrick's foster parents recognize some vindictive and sexual undertones in Patrick's physical play at times. He is not allowed to get physical with the other boys in the home. Otherwise, his foster parents describe Patrick as having an excellent, happy go lucky, appreciative, cooperative, helpful and curious attitude.

They indicate that he is delightful to have around although he is a lot of work because he is careless and inadvertently destructive.

- ◆ July/August, 1996 - Patrick goes on a two-week camping and canoeing trip to Ontario with his foster family, spends a few weeks at a the family cottage near Gimli and spends two weeks at Camp Stevens at Lake of the Woods, Ontario while placed at the Anthony/Ball foster home. He writes a letter to social worker Selena (Cullinan) Threinen telling her about his summer, sending photos of the canoe trip.
- ◆ July 17, 1996 - Sandra Fontaine advises an Awasis Agency worker that she has remarried and will be living in Winnipeg. She also indicates that she is leaving two of her sons to her parents. She requests assistance to notify welfare of her intentions.
- ◆ August 1996 - a permanent order of guardianship is granted respecting Patrick's siblings MR ZR and AR. It is noted that ZR will probably need speech therapy.
- ◆ August 1996 - Patrick starts attending Victoria Albert School in Winnipeg. He is in an intermediate Learning Assistance Class where there are seven students, one teacher and two teacher assistants. The students are in the grade 4-6 level and each work at their own pace. Classes are from 9 a.m. - 2:30 p.m.
- ◆ August 10, 1996 - an Awasis Agency worker in Nelson House gets a complaint that Sandra Fontaine and Sheila Linklater's children are basically home alone all the time and that there are always a lot of young people there fooling around. The worker attends to Ella Linklater's residence. Sandra's 15 year old son is the oldest child in the house. The worker notes that the children are pretty much left to look after themselves. The worker expresses the view that 15 years of age is not old enough for children to live by themselves and that these boys never have anything to eat.
- ◆ August 22, 1996 - Sandra Fontaine contacts an Awasis Agency worker and indicates that she wants her son LD to be returned to her mother to be looked after. The worker notes that Awasis does not become involved in custody disputes and that it is up to the parent and the caregiver to make arrangements for the child.
- ◆ September 1996 - Patrick begins to take art lessons once a week with a local native artist and is enrolled in swimming classes.
- ◆ October 3, 1996 - Dr Albert Chudley Clinical Geneticist at the Health Sciences Centre in Winnipeg examines Patrick and prepares a report. He indicates that he does not have enough information about the neo-natal development and pre-natal alcohol exposure in this case. His impression is that Patrick has learning disabilities with a borderline mental handicap to mild mental retardation, behavioural problems, minimal physical features consistent with FAS and a presumed history of excess alcohol exposure throughout pregnancy. He is of the view that some of Patrick's problems are related to social disturbances and family breakdown and some may be due to other genetic factors. He concludes that Patrick does not have FAS but that no doubt some of his difficulties are likely related to pre-natal alcohol exposure. He also indicates that it is unclear whether Patrick has Attention Deficit Disorder. He recommends that a further assessment be done in the spring.
- ◆ October 1996 - Patrick sells his first piece of artwork. He is very pleased and proud. He enjoys his art lessons. Patrick steals a plastic skull when attending Boo at the Zoo. He returns it at the request of his foster parents and apologizes. It is clear that he is embarrassed and ashamed of his behaviour. Patrick attends West Broadway

Youth Outreach for drop in sports nights. He is also doing skin diving and water polo at Sargent Park Pool.

- ◆ November 1996 - Notices are published in the Nickel Belt News in Thompson and The Northern Life and Times newspapers advising Martina Redhead that an application for permanent guardianship is going to be made for Patrick Redhead in Lynn Lake Provincial Court. The court authorizes this substitutional service, as Martina Redhead cannot be located. Patrick goes to see a judge about becoming a permanent ward of Thompson Region Family Services. Patrick is doing well in school. He goes to the local rink to play scrub hockey.
- ◆ November 27, 1996 - in a note to the Awasis Agency, Sandra Fontaine advises that a woman in Nelson House will care for two of her sons as they do not want to live in the city with her. She indicates that she does not want her sons in the care of her mother Ella Linklater, because her mother has a drinking problem and the boys need to go to school.
- ◆ December 5, 1996 - a treatment planning and review conference is held regarding Patrick. It is noted that Patrick seems to have settled in the foster home. He is complying with the curfew that is set by the foster parents. He seems to be responding well to structure and clear guidelines. While he remembers the rules he is constantly testing the limits. It is noted that he has had no contact with family since he has been in Winnipeg and the foster parents advise that they are very comfortable with his family having their address so that they can contact Patrick. Leslie Ball is agreeable to having Patrick's phone number given to all his family and friends. The question of Patrick's father comes up. Patrick seems to think that it may be Anthony Linklater. It is noted that Patrick has become a respectful pleasant student who behaves appropriately in most situations in the classroom. The long-term plan for Patrick is to remain in this foster home in Winnipeg until the age of majority.
- ◆ December 16, 1996 - in Lynn Lake Provincial Court, Judge Brian Colli makes Patrick Redhead a permanent ward of the Thompson Region Child and Family Services.
- ◆ January 6, 1997 - Patrick goes to Nelson House for court as a witness/complainant on an assault charge. His support worker accompanies him. While in Nelson House Patrick visits with his family. This visit along with the pregnancy of his foster mother appears to resurrect Patrick's family of origin issues, and leads to increased AWOL and other behaviour problems in the foster home.
- ◆ January 28, 1996 - Sandra Fontaine calls Child and Family Services and indicates that she wants help in getting her children back as there is a lot of violence at Ella Linklater's home. She states that the only reason the children don't want to stay with her is because she has rules.
- ◆ February 1997 - Patrick runs away on February 8 and is gone overnight. He also runs away on February 19 and is away for two nights. He leaves the foster home for several hours on February 28th but returns on his own for the first time. There are a lot of angry outbursts and tears on many occasions. It is noted by the foster parents that Patrick has a lot of difficulty dealing with his anger, and that it is as if he snaps and instantly his ability to make good decisions is gone. Patrick admits that from April to December he tried to forget about his family and the past and to enjoy his new life. However, his contact with family in Nelson House in January, and phone calls he received from his sister MR and cousin, E. Linklater all brought his thoughts back up

north. He admits that his recent anger may stem from his recent family contact. He indicates to his foster parents that running away and getting angry and flipping out has always got him moved in the past and that is what he wants now. He says that he does not want to be a part of the foster family. He wants to return up north to live with his grandmother. The foster parents have told him that he is welcome at their house and that he can be a part of their family if he so chooses. They report that family issues are very emotional for Patrick and that they can hardly mention family without drawing major tears and/or anger. It is their view that he is choosing to run away rather than face issues. The foster parents express the view in their monthly report that Patrick desperately needs therapy to deal with family issues, and that he would benefit from a family reconciliation process. They also note that Patrick needs to be included in the process of planning and that just being told what is good for him will not be effective.

- ◆ February 24, 1997 - Patrick's file is transferred from Selena (Cullinan) Threinen to social worker, Susan McNeil in Winnipeg. She is a social worker with the Thompson Region Family Services but is stationed in Winnipeg under the Services to Other Regions program (STOR).
- ◆ March 1997 - Patrick's behaviour in the foster home is much improved. He has a good visit with his cousin E. Linklater whom he meets by accident at the swimming pool. E.L. explains that the reason he is in a group home in Selkirk is because of his drinking and doing drugs. Patrick has regained most of his freedom since February. He is doing well academically in school despite having some school suspensions and problems on the bus.
- ◆ March 10, 1997 - Susan McNeil has a meeting at Victoria Albert School, which is Patrick's school. It is noted at the meeting that Patrick has difficulty controlling his anger and frustration and that recently the school has noted that he stays angry for longer periods. He also demonstrates an increased ability to voluntarily make use of the quiet room or just take a time out when he feels that he needs it and an increased ability to talk things through.
- ◆ March 17, 1997 - Ella Linklater agrees to go for counseling for alcohol abuse and a referral is made to Native Alcohol Addictions Program.
- ◆ March 19, 1997 - Deb Bomek of MYS advises Susan McNeil that she has learned that Tony Linklater is not Patrick's father.
- ◆ April 5 - 9 1997 - Patrick is AWOL. Therapy with Karen Fast, a clinician with MYS, starts and is to be once a week but Patrick often goes AWOL to miss his therapy appointments. The police return Patrick to his foster home on April 9th.
- ◆ April 14 - 16 1997 - Patrick is AWOL. He misses his therapy appointment. He has a school suspension until April 18th and a bus suspension until April 22nd. Patrick is returned to the foster parents at 2:30 a.m. by the Child and Family After Hours Emergency Services.
- ◆ April 22 - 29 1997 - Patrick is AWOL for nine days. As a result he misses the basketball tryouts that he had expressed a great interest in. Patrick is believed to be with another boy who was placed in the Ball/Anthony home with him at one time. That boy is heavily involved with the Indian Posse street gang. Patrick is caught for shoplifting on April 29th at The Bay and is charged. This is Patrick's first criminal charge. He is 13 years old. This matter is later dealt with by way of Alternative

Measures. On April 28 & 29 Patrick stays at the MYS Shelter & Youth Resource Centre. On April 30th Susan McNeil makes a request of her supervisor for 15 hours per week of support to be provided for a two-week duration in order to reach a level of stabilization for Patrick. She notes that Patrick will be home schooled during this period and that he is intrigued by street life. Fifteen hours of home support is approved as of April 30th.

- ◆ May 8, 1997 - Patrick's sister MR was acting out recently and disclosed to her foster parents that she was sleeping at her Mom's and Patrick crawled into bed with her and was mean to her. She expresses an interest in all of her siblings except Patrick.
- ◆ May 8 - 13 1997 - Patrick goes AWOL after his appointment with the therapist, Karen Fast on May 8th. Patrick speaks to Deb Bomek and raises issues respecting the foster parent's expected baby. He is seen on the street by Winnipeg Child and Family Services After Hours Emergency Services on May 9th. He lies to workers and provides a false name and birth date. Workers cannot find any record of him under this name. He changes his story a number of times in terms of his present circumstances and who his guardian is. He states that he does not have a place to stay for the night so he is apprehended for the night and is placed at Ndinawe. Workers continue to try to determine his identity on the following day and make a number of inquiries in this regard. By the time they learn his true identity he has left. On May 13th he is picked up by a respite worker and is returned to his foster home.
- ◆ May 14, 1997 - Susan McNeil attends to the Ball/Anthony foster home and meets with Patrick. He is very easily agitated and when he becomes upset clears the table with a sweep of his arm. He runs up to his room and then bolts out the back door. Susan McNeil calls Knowles Centre as a possible back up placement and is told that there is a 3-4 month waiting list. She also calls Seven Oaks and is told that they are not currently taking any placements. She notes on her file that it is her assessment that the pending birth of the foster parents' child has raised unresolved family of origin issues for Patrick. She writes that, "Loss, separation, lack of family, identity and contact are paramount." While Patrick "often appears to be a happy child on the outside he has much internal anger and pain." His ability to cope has decreased and "at present his anger and emotions are explosive and reactions are impulsive. Once he reacts he is unable to return to a state of equilibrium without assistance. Patrick needs to be able to vent his bottled emotions in a therapeutic safe environment."
- ◆ May 14 - 23 1997 - Patrick is AWOL.
- ◆ May 23, 1997 - Patrick is found living in a garage in Winnipeg. Patrick is wearing Indian Posse gang colours. He brags about using drugs and alcohol and stealing to survive while on the street. Patrick indicates that he has always been moved before when he misbehaves. He is returned to the foster home without a fight.
- ◆ May 24, 1997 - Leslie Ball is in the hospital after giving birth to a child. Patrick threatens a respite worker in his foster home with a paring knife. Patrick is trying to leave the house and is told by the respite worker that he is not allowed to leave. At this point Patrick pulls out the knife and lunges toward the worker warning him to leave him alone. When the worker tries to grab the knife using a jacket for protection Patrick tries to stab the worker. The worker then backs off and Patrick goes AWOL. He is discharged from the Ball/Anthony foster home. Susan McNeil notes that foster placement outside the city or a group home will be pursued for Patrick.

- ◆ May 29, 1997 - Sandra Fontaine sees Patrick on the street and tries to get him to talk to Norman Fontaine but he refuses. Patrick gives her the phone number of the foster home and Ms Fontaine calls the foster parents and advises them that she saw Patrick. Sandra Fontaine talks to her husband about having Patrick come to live with them. Norman Fontaine meets Patrick for the first time the next day.
- ◆ May 29, 1997 - in a Social History completed by social worker Susan McNeil on this date she notes that Patrick is on the run at this time and that he has been discharged from the Anthony/Ball placement. She reports that the team attempted to maintain the placement by putting extra supports in place, but Patrick "sabotaged all efforts stating that misbehaviour had meant a move in the past." She also notes that Patrick has a past history of an inability to form trusting relationships due to his life experiences and that while adults report finding it easy to care about and like Patrick, he does not seem to give much back or make any investment in their relationships. She also states that he is impulsive and reactive. She reports that Patrick is a sensitive and emotional child, that his nerve endings are emotionally raw and even gentle confrontation or probing will precipitate an outburst or AWOL. Ms McNeil concludes that, "Patrick is presently a child in extreme risk of being lost to the street. He requires a period of stabilization in a safe setting where he does not feel pressured to confront his painful emotions. Once stabilized further testing and counseling should be pursued vigorously." It is her view that Patrick would be better off in a placement outside the city and away from the lure and influences of the street.
- ◆ June 4, 1997 - Patrick is arrested for shoplifting at Zellers. He steals a toy figurine. He is charged with theft and also with an assault with a weapon for the incident in the foster home. He is placed in custody at the Manitoba Youth Centre. While at MYC he is in room confinement as he has a poor attitude, is very defiant, completely refuses to cooperate with respect to routines and is flashing gang hand signs.
- ◆ June 5, 1997 - Susan McNeil notes that Nekenen Receiving home in Thompson is full and that Marymount North will consider Patrick if a long-term plan is confirmed.
- ◆ June 6, 1997 - Patrick is released on bail on an undertaking with a 7 p.m. to 7 a.m. curfew, and he is placed with MYS at a 2-bed level five residence on Kent Road in Winnipeg on an emergency basis. The cost for this emergency placement is \$185 per day. His next court appearance is June 26, 1997.
- ◆ June 9, 1997 - Sandra Fontaine advises social worker Susan McNeil that she and her husband are interested in contact with Patrick but are unable to be specific as yet. Foster care is an option and Sandra indicates that she will speak to Norman and advise Susan McNeil. Pat Alphonso Cox the Program Consultant for the Child and Family Support Branch writes to Susan McNeil and advises that Patrick's needs have been assessed as within the Level IV range.
- ◆ June 11, 1997 - Susan McNeil visits with Patrick at the Kent Street unit. He advises her that while on the street he was stealing, breaking into cars and garages to find items to sell for money for food, cigarettes, alcohol and marijuana. He denies sniffing or gang association. He indicates that he carried knives for protection. He agrees to continue to see the therapist, Karen Fast. Susan McNeil notes that Patrick is younger than his chronological age in some ways as he was most concerned with retrieving his Tonka truck and action figures from the foster home and that he has been playing with them at the unit. Patrick is 13 years old.

- ◆ June 14 - 16, 1997 - Patrick goes on a weekend visit to the home of Sandra and Norman Fontaine. The Fontaines advise that they are prepared to have Patrick placed in their home on an emergency basis. Sandra advises the worker that Patrick Murdo Linklater is Patrick's biological father. She is noted to be uncomfortable in providing this information. She confirms that her mother Ella Linklater abused Patrick when he was in her home in the past, and indicated that her brother Anthony had sexually abused his nephews.
- ◆ June 17, 1997 - according to a note on a file by a social worker in Nelson House one of Sandra Fontaine's sons recently attempted suicide. He indicates to the social worker that he did so as he was angry, at his grandmother for her alcohol abuse and at his mother for neglecting him and not visiting.
- ◆ June 17 - August 15, 1997 - Patrick is placed at a relative placement with Sandra and Norman Fontaine in Winnipeg. They are not licensed as a foster home but he is placed there as a Place of Safety under the Program Standards. It is hoped that this will be a long-term placement. The rate of payment is \$20.15 per day. While at the Fontaine home Patrick seems to be fascinated with knives. Sandra Fontaine testified that she would hide the knives behind the fridge but Patrick would find them. On one occasion Patrick is angry, as Sandra did not allow his gang friends to come in the house. He takes a knife and locks himself in his room and puts a bed in front of the door. Sandra Fontaine breaks down the door, as she is scared that he will hurt himself. Sandra Fontaine also indicated that at times Patrick would use knives to damage his toys - he would heat the blade of the knife on the stove and disfigure his toys. While Patrick is in the Fontaine home he discloses past physical abuse by his mother and indicates that he is angry with his mother. He also tells his aunt that a man touched him. Sandra Fontaine testified that on one occasion Patrick stated that he did not like being moved around and that if he were not alive they would not be placing him in different places. He said that he wished that he was dead so he wouldn't have to be moved around anymore. She stated however that he did not appear to be depressed when he said this but that he was laughing and it seemed more like a joke.
- ◆ June 18, 1997 - Sandra Fontaine expresses upset to Susan McNeil over Patrick's curfew and indicates that they require a babysitter as both she and Norman are working that evening.
- ◆ June 24, 1997 - Sandra Fontaine reports to Susan McNeil that all is going well but indicates that she has a hard time being strict with Patrick.
- ◆ June 25, 1997 - Susan McNeil takes Patrick to an intake appointment at Knowles Centre, a potential placement if the Fontaine placement does not work out. Patrick is very uneasy about the locked doors at Knowles.
- ◆ June 25, 1997 - Patrick goes AWOL from the Fontaine home after a fight with a neighbour child. The child is seven years old and is also a foster child who has been abused and is in therapy. Patrick waves a butter knife at the child. (Later Patrick gives this child his dancing hoops.) Patrick calls his aunt later that day to come and get him but then he refuses to go with her when she attends to the address where he is. Sandra calls Winnipeg Child and Family Services After Hours Emergency Services asking that they pick him up. She indicates that she is not running around after him any longer that evening. She is told to call the Winnipeg City Police to

request assistance to bring Patrick home and she later agrees to do so. She is concerned about Patrick missing court the next day. Patrick returns to the Fontaine home on his own the next morning. It is noted by the social worker Susan McNeil that Patrick appears to have a fascination with knives.

- ◆ June 30, 1997 - Susan McNeil meets with the Fontaines and clarifies Patrick's issues and the use of the After Hours Services. Patrick starts to cry and is given permission to leave the room. She discusses the need for clear rules regarding his behaviour and curfew.
- ◆ July 21, 1997 - Sandra Fontaine requests a sitter while she is at work the next day.
- ◆ July 29 - 30, 1997 - Patrick is AWOL.
- ◆ August 3, 1997 - a respite worker Amanda Freedman spends four hours with Patrick to provide some support for Sandra Fontaine. They go to see a movie. Ms Freedman had previously been a support worker for Patrick when he was in the Ball/Anthony foster home. Patrick tells her that he felt uncomfortable in the Ball/Anthony home after another foster boy who was native left the home as he was then the only native person in the home. When she asks Patrick if he is happier living in his current home with other native people he does not answer. He tells the worker that he was not in a gang and that it is too dangerous to be in a gang. He indicates that a few gangs that wanted him to join had threatened him in the past. Ms Freedman is of the view that Patrick is the same boy she had known 8 months before, just a little less carefree, although that might be due to his increasing age.
- ◆ August 5, 1997 - Sandra Fontaine reports to the social worker that Patrick has been AWOL staying out overnight. He was kicked out of the drop-in centre for pushing other kids. Sandra Fontaine asks about Patrick attending family counseling. She would like to attend with him. According to Susan McNeil's file notes Sandra Fontaine agrees with Susan McNeil that it would be best if Patrick was moved. According to the backup worker who looked after the file while Susan McNeil was on vacation, Sandra Fontaine has been struggling with Patrick's issues and vacillates about Patrick staying or moving. Sandra Fontaine testified that she asked that Patrick be removed from her home, as she was afraid that he would hurt himself or that he might hurt her.
- ◆ August 6, 1997 - Susan McNeil refers Patrick to Janet Ingersoll the Residential Treatment Program Coordinator at MYS for placement in the group home program in Thompson.
- ◆ August 7, 1997 - Susan McNeil contacts Sandra Fontaine, who is having a difficult time dealing with her guilt over the worker's decision to move Patrick. Sandra Fontaine feels responsible for abandoning him.
- ◆ August 11, 1997 - According to file notes by Susan McNeil, Norman Fontaine calls Susan McNeil and requests that Patrick be moved as "Sandra is not capable at the present time." He indicates that he and Sandra are at odds about structure and this is not helpful to Patrick. Susan McNeil notes that the reason for the placement breakdown is partially due to Patrick's behavioural issues as well as the Fontaine's inability to deal with the stress and to provide the required structure.
- ◆ August 12, 1997 - Police do a curfew check on Patrick. He has a 7 p.m. curfew. He is not at home but is at the Friendship Centre with Norman Fontaine. The police do not arrest Patrick but return him home with a warning. Susan McNeil notes in a

report to MYS that Patrick continues to be an emotionally troubled child who acts impulsively and chooses escape versus dealing with his issues. Due to this behaviour he can be a difficult child to confront about issues. Anger and flight remain his choice methods of coping regarding unresolved family of origin issues.

- ◆ August 13, 1997 - Sandra Fontaine tells Patrick that he may be moving to Thompson and he is pleased. He tells Sandra that he ran from the Ball/Anthony foster home because there were no native people there. Sandra Fontaine agrees that a placement in Thompson is in Patrick's best interest as she thinks that he will receive help for his anger there.
- ◆ August 14, 1997 - Susan McNeil attends to the Fontaine home to discuss the Thompson placement with Patrick and Sandra Fontaine. Both are upset as they have had a disagreement about money. Later that day the worker is able to discuss the group home placement with Patrick when he is in better spirits. He is very concerned about rules and freedom. He is reminded of his curfew. She notes that the Fontaines have voiced their desire to be an on-going support for Patrick.
- ◆ August 15, 1997 - Sandra Fontaine escorts Patrick to Thompson by bus and he is placed at Nekenan, a short-term residential MYS facility in Thompson. Patrick appears to feel comfortable at the residence immediately, as he already knows one of the other residents. In a transfer summary Susan McNeil notes that Patrick's actions do not always reflect his chronological age as he still enjoys playing with Tonka trucks and action figures complete with dialogue and sound effects. She notes that while Sandra and Norman Fontaine are not able to foster Patrick long-term, they have both requested ongoing contact with him. She suggests that this could take the form of letters, phone calls or occasional visits. She indicates that phone calls would need to be covered by the Agency due to the financial restrictions of this family. She points out that Sandra Fontaine is not an emotionally strong person and would require clear direction around contact with Patrick. She indicates that her inquiries about Patrick's family of origin have resulted in the information that Anthony Linklater is not Patrick's father. She indicates that Knowles Centre may be a backup plan if the northern group home placement does not work out.
- ◆ August 18, 1997 - Susan McNeil calls the Nekenan home in Thompson. Patrick is settling in nicely and is pleased, as he knows two other boys who are placed there. She confirms with the worker at the home that Patrick may call the Fontaines.
- ◆ August 19, 1997 - Patrick initiates a fight with another resident at Nekenan and repeatedly punches him. When a member of the staff intervenes, Patrick assaults the staff member by spitting in his face. Patrick is charged with assault. Later Patrick leaves the residence and is in breach of his court-ordered curfew of 7 p.m. - 7 a.m. He does not return until 3 a.m. on August 20th.
- ◆ August 19, 1997 - Patrick's file is transferred to Thompson Family Services and a new social worker, Klaus Buller is assigned to his case. Mr. Buller has a case conference with his supervisor to go over Patrick's file.
- ◆ August 20, 1997 - an admission conference is held for Patrick at Nekenan. Klaus Buller attends and Susan McNeil participates by telephone. A number of MYS staff also attend. This is the first meeting that Klaus Buller and Patrick have. Patrick admits that a number of scars on his arm and hands are self-inflicted cigarette burns. It is noted that Patrick's grandfather is in hospital in Thompson. Patrick thinks that

Anthony Linklater is his biological father but it is noted that his mother denies this. Patrick is in tears when his "dad" is mentioned but does not want to be touched in a comforting manner. Mr. Buller notes that Patrick indicates that he doesn't like his relatives and doesn't want contact. When he is asked about abuse history he says he doesn't remember. In the evening Mr. Buller makes a home visit but Patrick is AWOL.

- ◆ August 22, 1997 - Klaus Buller makes a home visit and has a meaningful visit with Patrick. At that time there is a clear statement by Patrick indicating that he had never been sexually assaulted. Later Patrick is AWOL.
- ◆ August 24, 1997 - Patrick is AWOL.
- ◆ August 25, 1997 - a social worker from Norway House advises Klaus Buller that Patrick's sister Marcella has disclosed that Patrick sexually touched her.
- ◆ August 27, 1997 - Patrick is tested by resource teacher Brian Rountree of the Eastwood Elementary School in Thompson for placement and possible programming. Patrick scores well below his recent grade 7 placement. His test scores in four reading areas are in the grade 2 - 3 level. His math scores are at the grade 3.3 level. It is noted that he will need intensive assistance to make significant gains in reading and mathematics. A recommendation is made that he be placed in the Learning Assistance Class, which has a smaller student/teacher ratio, which would assist Patrick to improve his reading and math skills.
- ◆ August 28, 1997 - after a game of road hockey Patrick is frustrated and upset. He throws his hockey stick and is warned by staff. He then becomes angry and causes damage to the door and walls in his room. When staff intervene he is verbally abusive and spits on the floor, bed and his personal belongings. RCMP are called due to the damage. Later when the matter is discussed with Patrick he is very insistent that this outburst does not mean he does not want to be at Nekenan or in Thompson. He calms down and cleans his room.
- ◆ September 3, 1997 - staff at Nekenan start the process to set up an elder match for Patrick through Ma Mow We Tak.
- ◆ September 7, 1997 - Patrick goes into another resident's room and puts toothpaste all over the face, hair and bedding of the other boy. Patrick is very verbally abusive to staff. Later he goes back into the other resident's room and punches him in the nose drawing blood. A note is made by staff that Patrick is not to be in any other resident's room for the remainder of his stay.
- ◆ September 8, 1997 - Patrick is caught shoplifting in Wal-Mart with two other residents. He is banned from the store but is not charged.
- ◆ September 10, 1997 - Patrick attends court in the morning regarding his outstanding charges. Later he is serving a time out at the residence at Nekenan, and becomes out of control throwing furniture and toys around the room and at staff damaging the walls. RCMP are called and he is arrested and lodged in cells in Thompson overnight. He is charged with mischief and breach of undertaking. Klaus Buller notes in his file that Patrick is motivated by treats and responds well to one-on-one attention.
- ◆ September 11, 1997 - Patrick is transferred to Hudson House a MYS long-term group home in Thompson. At an admission conference for Patrick, Klaus Buller advises Patrick that a bed is also available at Knowles Centre and Patrick chooses to move to

Hudson House. It is noted that Patrick's key worker at Hudson House is Allan Neepin who is good at native connections. Patrick is informed that 24-hour supervision will be in effect at Hudson House. There is some discussion about treatment and long-term placement planning. Tammy Bisschop is to be involved in therapeutic work with Patrick. Klaus Buller will keep Patrick's name on the list for placement at Knowes for two months in the event that Hudson House does not work out. Later in the evening Mr. Buller calls Hudson House to speak to Patrick and his key worker to check as to how Patrick is settling into the program. It is reported that they had a good evening.

- ◆ September 15, 1997 - eye-glasses are prescribed and obtained for Patrick.
- ◆ September 18 & 19 1997 - Patrick is in breach of his curfew but returns on his own on each occasion.
- ◆ September 1997 - Patrick's grandfather Anthony Linklater Sr. dies.
- ◆ September 23, 1997 - the funeral for Patrick's grandfather is held in Nelson House. The social worker, Klaus Buller, does not learn about this until the next day, so arrangements cannot be made for Patrick to attend. Mr. Buller later writes a letter to Patrick expressing his condolences at his loss. Patrick is AWOL until September 24th at 12:30 a.m. Klaus Buller speaks to Patrick on September 24th.
- ◆ October 8, 1997 - Patrick is enrolled in the Learning Assistance Class (LAC) Program at Juniper School in Thompson. His teacher assesses his academic functioning at grade 2/3 level. His attendance in the following months is sporadic and is characterized by bad language, disrespect, rude and angry outbursts and throwing items. Patrick appears in Youth Court in Thompson. Klaus Buller attends with him.
- ◆ October 16, 1997 - Klaus Buller has a conference with Dave Kuhl of MYS. Patrick is reported to be doing well. He is noted to have a good sense of humor and responds well to a less rigid approach to chores.
- ◆ October 19, 1997 - Patrick is AWOL and is involved in a theft from a store and the use of drugs. Patrick has a cut over his eye and a bloody nose.
- ◆ October 27, 1997 - social worker Klaus Buller requests a complete psycho-social assessment of Patrick by psychologist Darcy Canton for the purposes of planning and long-term placement and supports as well as to assist in educational planning. MYS staff reports that Patrick has made two requests for a visit with Ella Linklater. Klaus Buller makes contact with the Awasis Agency in Nelson House to seek approval for a day visit and requests information for or against Patrick visiting Ella Linklater.
- ◆ October 27, 1997 - One of Sandra Fontaine's sons attempts to commit suicide.
- ◆ November 3, 1997 - Klaus Buller receives information from the Awasis Agency that the answer to Patrick visiting Ella Linklater is a definite no due to the history of abuse in this home. The agency also notes that there has been sexual abuse in the home and the perpetrator (presumably Anthony Linklater Jr.) is back in the home. Mr. Buller writes to the agency seeking further information. Patrick is upset when told that he cannot visit his grandmother.
- ◆ November 5, 1997 - Patrick appears in court in Thompson. He, his lawyer and Klaus Buller meet to discuss Patrick's outstanding charges and the possibility of mediation on Winnipeg charges. Mr. Buller then meets alone with Patrick. At first Patrick resisted going for mediation but then agreed.
- ◆ November 10, 1997 - Patrick is AWOL

- ◆ November 11, 1997 - Patrick does not return to the residence for his court ordered curfew.
- ◆ November 19, 1997 - Patrick assaults another boy at Juniper school and a teacher who intervenes, is subjected to extensive verbal abuse by Patrick. No charges are laid.
- ◆ November 23, 1997 - Patrick is AWOL overnight.
- ◆ November 20, 24 & 26 1997 - a psychological assessment of Patrick is done by Darcy Canton, Ph.D. Candidate, psychologist in Thompson. Patrick had been referred by his social worker Klaus Buller as an aid to treatment planning. Patrick refuses to complete many of the tests. He approached most tasks in an impulsive and haphazard way. It is her view that he did not give his maximum effort on most tasks and thus the results from this assessment should be interpreted with caution. It is likely that the current assessment reflects an underestimate of Patrick's true abilities. His overall cognitive abilities fall in the Borderline range and his verbal/language functioning falls in the Intellectually Deficient range. His visual/perceptual functioning falls in the low/average range. In terms of personality functioning Patrick's sense of self-worth is extremely negative, and he views himself less favourably compared to others. He does not expect his interactions with other people to be positive and he feels insecure and uncomfortable in interpersonal situations. He is noted to be vulnerable to making errors in judgement and has difficulty arriving at decisions. He may not learn from errors he makes when solving problems and this may lead to behaviours that are inappropriate in a variety of situations. Patrick is inconsistently influenced by his emotions when solving problems. This may result in his becoming overwhelmed by his emotions at times when trying to think through problems. He also exerts a great deal of effort to try to control the expression of his emotions to others. He has a pervasive feeling of anger. It is recommended that he receive individual psychotherapy to help him deal with his family of origin issues and to help him identify, express and process his emotions.
- ◆ November 28, 1997 - December 1, 1997 - Patrick goes AWOL after asking Klaus Buller again about a visit to Ella Linklater. It is later learned that Patrick was in Nelson House and had been there all weekend. Patrick refuses to return to Thompson and is ultimately returned by the RCMP late on December 1st. It is learned that mediation will not be possible on the Winnipeg weapons charge.
- ◆ December 1997 - April 1998 - there is increasing AWOL behaviour by Patrick.
- ◆ December 9, 1997 - Patrick is AWOL and there is suspected drug use. Before leaving Hudson House he kicks the Christmas tree at the home and says, "I hate Christmas." He is sad about his abandonment by his biological family.
- ◆ December 10, 1997 - Patrick is found by Hudson House staff at the local pool hall and is returned to the residence. He states that he would rather be locked up then respect his curfew. He is verbally abusive and swearing at staff. He throws a chair around causing damage to the walls and furniture. When restrained he says that he will cause further damage. RCMP are called and Patrick is charged with mischief. He spends the night in cells as he says he will do more damage.
- ◆ December 10, 1997 - a treatment planning and review conference is held. Patrick is in cells and does not participate. In that review it is noted that Patrick has been AWOL 18 times and has missed curfew 16 times. During the more recent AWOLs

staff suspected him of being under the influence of drugs. Staff also note that it is a pleasure to work with Patrick most of the time because of his sense of humor and willingness to ask questions about anything. Anger management is to be integrated into situational dialogue by MYS staff. It is noted that Tammy Bisschop has met twice with Patrick for the purpose of providing individual therapy but he is not open during the process.

- ◆ December 12 - 29, 1997 - Patrick is AWOL. This is Patrick's first extended AWOL while in the placement at Hudson House. It is noted that as Christmas approached Patrick's behaviour became more unpredictable. A Christmas visit is arranged to Nelson House at the home of Arla Lobster and Michael Linklater. The plan is for Patrick to visit there for five days over Christmas. This visit is missed due to Patrick being AWOL. Patrick was advised of the visit but chose not to go. Visits with brothers ZR and AR and other siblings are offered and declined by Patrick. He has the phone number of the foster home where his brothers are placed and he can call when he wants to. Patrick is seen in Thompson on December 15th but he refuses to return to the home.
- ◆ December 22, 1997 - the foster parents of AR and ZR ask their assigned social worker if they can adopt the two boys. The boys are doing well in the foster home.
- ◆ December 25, 1997 - Patrick returns to Hudson House but leaves again.
- ◆ December 31, 1997 - January 1, 1998 - Patrick is AWOL. RCMP return Patrick to Hudson House on January 1st. He is very intoxicated.
- ◆ January 2, 1998 - Klaus Buller makes a home visit and meets twice with Patrick.
- ◆ January 7, 1998 - A warrant is issued for Patrick when he misses his court appearance.
- ◆ January 3 - 9, 1998 - Patrick is AWOL. Patrick returns to the residence on his own at 3 a.m. on January 9th. He has been gone 21 of the last 30 days, the longest stretch being 13 days. Staff continued to look for him while AWOL but he would hide from them and if found would often refuse to come with them. Patrick admits to using drugs and alcohol while away, and to stealing to survive and to get drugs. He is under the influence of drugs when he returns. He has lost a lot of weight (10-15 pounds) and has infected sores on his arms, including numerous cigarette burns. Later in the residence on January 9th Patrick becomes upset when he is not allowed to make a phone call after 11:30 p.m. He throws furniture and causes damage. He is removed by RCMP and is charged with mischief. He is returned later and cleans up the mess.
- ◆ January 10, 1998 - Klaus Buller makes a home visit and meets with Patrick. Later an incident occurs. Staff had confiscated a picture of Patrick's, that depicted a marijuana leaf. When Patrick sees the picture in the office he grabs it and tries to leave. He is asked to put it back. He gets mad and throws it on the floor. He is asked to clean it up and he then swings at staff. He is restrained and he kicks the staff member in the chest. Patrick then leaves the residence at 6:30 p.m. He is returned by staff at 8:30 p.m.
- ◆ January 12, 1998 - Patrick is asked to go to his room at Hudson House to serve a time out and refuses. He then throws items including a potted plant at staff and kicks, punches, head-butts, tries to bite and spits at the staff. RCMP are called and he is removed and later charged with assault. He is placed in custody in cells in Thompson until January 16th. He is remanded in custody and is placed at the MYC on January

16th. The reason for the remand in custody is the numerous charges he has accumulated, including assaults and thefts, and concerns for his own safety and that of the community. MYS staff at Hudson House indicate that Patrick is resisting engagement and that he does well for a while and then there are unpredictable extreme outbursts with no remorse. Staff are concerned about the safety of other residents.

- ◆ January 20, 1998 - Patrick pleads guilty in Thompson Youth Court to seven Criminal Code charges. Klaus Buller is away on vacation but his back-up worker attends court on his behalf. The Court orders a Pre-Disposition Report. MYS staff express the view that Patrick is beyond their control. Patrick is held at the MYC in Winnipeg while awaiting sentence. A bail application is not made, as the guardian agency is not able to find an appropriate placement for him.
- ◆ January 23, 1998 - Patrick returns to the MYC from Thompson with a number of burn marks and large scratches on his arm. He indicates that a cellmate scratched him with a plastic knife as a result of a game of chicken that Patrick lost. He denies any suicidal intent but admits to wanting to hurt himself at the time. He admits having had suicidal thoughts at times in the past. He indicates that he has had no contact with his mother since he was placed in care about two years ago. He has no one he cares to phone. A referral is made to Youth Forensic Services.
- ◆ January 26, 1998 - Patrick is assessed by Dr. Garry Fisher at the Manitoba Youth Centre in view of the scratches on his arm. He denies any suicidal ideation or any intention of self-harm with respect to his arm being cut. He acknowledges occasional episodes of suicidal thoughts in the past. He states that family members have engaged in suicide attempts in the past. He denies any behaviour associated with intentional self-harm. He indicates that he anticipated not being able to visit his family over the past Christmas and consequently ran away from his placement. At this point he states that he does not desire any further contact with his family although he is concerned about the welfare of his younger siblings. He indicates that he has been the subject of harsh physical discipline to the point of abuse by his mother during episodes of heavy alcohol consumption. Patrick reports that he has engaged in heavy substance consumption and acknowledged that this is a problem. He indicates a tentative willingness to undergo further assessment but is disinterested in counseling. He says that he got some counseling in the past but it didn't help. Dr. Fisher concludes that Patrick affords an overall clinical impression of a depressed young adolescent who has had a traumatic childhood. As a consequence he feels alone in the world, is disconnected from his family and perceives little motivation for positive behavioural or attitudinal change. At this time no special monitoring with respect to self-harm appears necessary.
- ◆ February 3, 1998 - Klaus Buller talks to Patrick by telephone at the MYC and Patrick is eager to return to Hudson House. He spontaneously apologizes for his behaviour while at Hudson House. He indicates that he recognizes the benefit of talking to staff about his feelings and will do so in the future instead of keeping feelings inside and doing crazy things. Klaus Buller regards Patrick's apology as significant because this is not something that Patrick usually does.
- ◆ February 10, 1998 - MYS staff have telephone contact with Patrick at MYC. Such contact continues on a weekly basis while Patrick is in custody.

- ◆ February 12, 1998 - A Pre-Disposition Report is prepared respecting Patrick by Probation Officer, Wendy Gowan in Thompson. Her opinion is that most of Patrick's issues lie within the Child and Family Services area and that services and placements via that system are far better suited to his needs than placement through the Youth Justice system. She assesses Patrick as a very high risk to re-offend on a primary risk assessment. Ms Gowan indicates in the secondary risk assessment regarding general assaults, that Patrick has a low functioning level, non-comprehension of consequences of behaviour, mood swings and ongoing substance abuse, and is impulsive and unpredictable. This leads her to conclude that he is a high risk to re-offend assaultively. She is doubtful whether Patrick is capable of internalizing and learning from his past transgressions given his level of functioning. However, as this is Patrick's first involvement with the Youth Justice System she recommends that he receive a period of supervised probation. During her interview of Patrick for the preparation of the report he indicates to her that he liked Hudson House but concedes that he was AWOL a great deal. He states that he did not care for the rules at the home. He indicates that the problems began about three months ago in his estimation, when he made a number of negative social associations in the community. He began stealing, as his associates were frequently involved in such activity. The money obtained from stealing was usually spent on drugs. Patrick admits that he went AWOL because he wanted to get more drugs. When he is asked about his future plans Patrick at first indicates that he might like to be placed with extended family, but then informs Ms Gowan that such a plan might not be very viable. Patrick tells her that he has a great number of friends but admits that many are criminally oriented. He states that his current friends are "just thieves". He advises Ms Gowan that he was a member of the Indian Posse gang when he lived in Winnipeg because his friends were members. He got out of gang activity when he returned to Thompson. He advises that he started drinking at age eleven and that during the past year he would typically drink on Friday nights and would often get drunk. He also informs her that he is a frequent substance user and that since returning to Thompson he is getting high virtually every day. He uses marijuana, mushrooms and hash. Patrick reports to the Probation Officer that at times he feels depressed and that he has had some suicidal thoughts.
- ◆ February 12, 1998 - Klaus Buller has a telephone conversation with Patrick. He has some new self-inflicted eraser burns. MYS staff join in on the conversation and thank Patrick for the artwork that he sent to Hudson House. Mr. Buller describes this as an up beat conference with Patrick being in a better mood and talking openly to Mr. Buller.
- ◆ February 13, 1998 - Patrick's sister MR's foster mother tells her social worker in Norway House that MR has been acting out and has said that Patrick used to put his fingers into her and sometimes put sticks in there. The foster mother was able to ascertain that MR was referring to her vagina when she said "in there".
- ◆ February 17, 1998 - Patrick is sentenced in Thompson Youth Court by Judge Brian Colli to one year of supervised probation and is released from custody. The conditions of the Probation Order are a 7 p.m. - 7 a.m. curfew, to complete counseling, including for drug abuse as directed by Probation Services, abstention

from alcohol and drugs and 80 hours of community service work. The offences he is sentenced on are:

- Breach of Recognizance from August 16, 1997
- Mischief from August 26, 1997
- Mischief from September 10, 1997
- Breach of Recognizance from January 7, 1998
- Mischief from January 9, 1998
- Assault x 2 from January 12, 1998

Klaus Buller attends court with Patrick.

- ◆ February 17, 1998 - Patrick returns to Hudson House and does well for three days but then is AWOL for two days and is believed to again be using drugs and alcohol.
- ◆ February 20 - February 22, 1998 - Patrick leaves Hudson House at 10:35 p.m. on the 20th and returns at 11 a.m. on the 22nd.
- ◆ February 23, 1998 - Tammy Bisschop, the MYS Clinical Case Manager for the Northern Program writes to the Child and Family Support Branch to request twenty child specific youth care support hours a week for Patrick. It is noted that Patrick was doing well at Hudson House until November when he was told that he could not have a visit with his grandmother in Nelson House for Christmas. Since then he has lost motivation to follow through in his placement resulting in many AWOLs, damage to the unit, assaults on staff and drug and alcohol use. When attempts were made to make alternate arrangements for a Christmas visit, Patrick was not interested and went AWOL. Ms Bisschop requests the support hours so that MYS can build in supports for Patrick. These hours are to be used mainly on weekends to help Patrick engage in positive activities with staff, monitor Patrick while he is AWOL and support family visits.
- ◆ February 27 - March 4 1998 - Patrick is AWOL in Nelson House. He leaves the Hudson House residence at 11:05 p.m. on the 27th. The RCMP pick him up in Nelson House on March 4, 1998. He again leaves at 8 p.m. on March 4th and is found and returned by Hudson House staff on March 5th at 2:30 p.m.
- ◆ March 2, 1998 - Phil Goodman Executive Director of Child and Family Support approves additional support hours of twenty hours per week for Patrick.
- ◆ March 4, 1998 - Patrick is AWOL and RCMP pick him up at his grandmother's place in Nelson House.
- ◆ March 7 - 8, 1997 - Patrick is AWOL. Patrick leaves Hudson House at 9:30 p.m. on the 7th and returns at 4 a.m. on the 8th.
- ◆ March 9, 1998 - Patrick is AWOL from 6 p.m. to 9:45 p.m.
- ◆ March 11, 1998 - Patrick attends a sweat lodge. Thereafter he attends to the Nelson House Medicine Lodge on a number of occasions for a sweat.
- ◆ March 16, 1998 - On his 14th birthday Patrick becomes upset and throws cake around then refuses to clean it up. He then punches one of the staff at Hudson House. RCMP are called and charges are pending. He calms down and talks about dying. He cleans up the mess and later leaves through a window and is AWOL from 6:45 p.m. to 11:45 p.m.
- ◆ March 17, 1998 - Patrick mentions in school how dumb he is and that he wants to die. The educational assistant speaks to him about this and informs staff at Hudson House.

- ◆ March 18, 1998 - there is a treatment planning and review conference respecting Patrick's case. Patrick is present at this conference along with Klaus Buller, Wendy Gowan, Tammy Bisschop, and Alan Neepin, Patrick's key worker at Hudson House. It is noted that Patrick has had 27 AWOLs and 11 times when he was late for curfew since the last conference on December 10th. He has also been using alcohol. Patrick lost his glasses in the bush while AWOL. His probation officer has not seen him since the last conference due to being AWOL. A school counselor, Trish Duncan, sees Patrick for 30 minutes once every six-day cycle. Tammy Bisschop is setting weekly appointments with Patrick for one-on-one anger counseling but Patrick is resisting. Patrick asks for a visit to Nelson House for spring break and then changes his mind and says no one would want him there. One of Patrick's drawings was sent for display on the MYS Internet site. Patrick has missed two of three AFM appointments. During the conference Patrick is introduced to the probation officer in Nelson House, Eleanor Dumas. This is done in the event he is AWOL in Nelson House or is there on a visit. Patrick is offered visits with his brothers in Thompson but he declined. Visits with other siblings are also declined. Later Patrick is rude and belligerent at school and is sent home for the rest of the day.
- ◆ March 20 - 22 1998 - Patrick is AWOL. He leaves at 1 p.m. on the 20th and is returned to Hudson House by the RCMP on March 21st at 12:10 a.m. He is intoxicated. A charge of failing to comply with a court disposition is laid. He also does not show up to do his community service work and a charge is laid in that regard as well. He leaves again on March 21st at 12:40 p.m. and returns March 22nd at 9:45 p.m.
- ◆ March 21, 1998 - Patrick is now assigned to do his 80 hours of community work at the Thompson Zoo. On March 21st he shows up in the morning but puts in very little effort. He completes only 3 hours of work. He refuses to return in the afternoon or on March 22nd. He states that he does not care as he is going to jail anyway. The zoo manager gives him another chance but again he does not show up on March 23rd.
- ◆ March 24 - 26, 1998 - Patrick is suspended from school for three days and a charge of failing to comply with a court disposition is laid.
- ◆ March 25, 1998 - Patrick calls Klaus Buller to see if a Nelson House visit support person has been found by his Probation Officer. Patrick misses his curfew and a charge is laid. He leaves at 10:05 p.m. on the 25th and returns at 12:20 a.m. on the 26th.
- ◆ March 26, 1998 - Klaus Buller learns that the only appropriate person in Nelson House as an option for a visit for Patrick is Arla Lobster.
- ◆ March 27, 1998 - staff at Hudson House take a pocket knife away from Patrick. Patrick is sent home from school, as he is rude and belligerent.
- ◆ March 30 1998 - Patrick misses his appointment with his Probation Officer. Klaus Buller receives information from the Awasis Agency worker that Arla Lobster's common-law husband is violent when he gets money and is on the court docket for that kind of behaviour.
- ◆ March 1998 - Patrick is only in school for five half days in all of March. He is to attend from 8:30 - 12 noon each day. He is AWOL from his residence and school. He leaves the school without permission and is sent home a few times by the teacher for

swearing and disrespectful and uncooperative behaviour. Patrick completes very little of his school work this month.

- ◆ April 2, 1998 - Patrick is reassigned to do his community work hours at Ma-Mow-We-Tak Friendship Centre. He shows up on April 2nd and it goes well. He does not show up on April 6th.
- ◆ April 6, 1998 - Patrick is suspended from school for five days from the 6th to the 13th inclusive because he is found in possession of weapons at school. Patrick has a pocket-knife in class, which is against school rules. He reluctantly turns it over to the counselor. He then starts to fool around with a dart, and when he is asked to turn it over to the teacher he tosses it over his head. It lands point first into the floor. Patrick admits to using pocketknives to "flash" and for self-protection. He does not return home from school on the 6th.
- ◆ April 6 - 7 1998 - Patrick is AWOL. Patrick returns on his own at 7:15 p.m. on the 7th.
- ◆ April 7 - 8, 1998 - Patrick is AWOL. Staff return him at 8 p.m. on the 8th.
- ◆ April 9, 1998 - Arla Lobster advises the Awasis Agency worker that she is no longer willing to have Patrick visit in her home. The reason for her change of mind is not noted.
- ◆ April 13, 1998 - Patrick has some telephone contact with his younger brothers on a weekly basis. On this date plans are made for them to join him on an outing but this has to be postponed when both of his brothers have chicken pox.
- ◆ April 14, 1998 - Patrick mentions to Tammy Bisschop that he has an interest in a rural placement where he couldn't go AWOL. Klaus Buller notes that there is an opening at a foster home near Riding Mountain National Park.
- ◆ April 14 - 20, 1998 - Patrick is AWOL. He is disregarding the conditions of his probation order and his curfew. Hudson House staff spend hours each day looking for Patrick but he avoids them and hides. He misses his AFM appointment to complete his substance abuse assessment on April 14th. On April 15th he misses his appointment with his Probation Officer. He is found by Hudson House staff on April 16th and is briefly returned to the residence. He is in poor physical condition wearing filthy clothing that is not his own. A very short time later he leaves again by jumping out of a second floor window. He takes with him a loaf of bread and some frozen hamburgers. When found by staff on April 16th Patrick is with two other local youths who later that evening are involved in the beating death of a person and who are then charged with second-degree murder. Patrick later admits that if he had not been persuaded to go with staff he would have gone with the other youths. Staff notes that most recently Patrick has again become lethargic in his responses and often makes statements that he doesn't care about his personal wellbeing.
- ◆ April 19, 1998 - Patrick assaults a boy (who is in his class at school) and steals his bike and some money. No remorse is shown by Patrick for having done this. Warrants are issued for his arrest for this offence as well as a number of breaches of his Probation Order.
- ◆ April 20, 1998 - Patrick is found and brought back to Hudson House. He tells staff that he is going to run again and talks about being better off dead. He also indicates that he has to be gone by Friday in order to support a friend who is appearing in court on a murder charge. He is arrested by the RCMP and is held in custody in cells in

Thompson. In an Incident Report staff at Hudson House write that they have made many attempts to engage Patrick. They have taken him to three sweats and spent many hours one-on-one working on art with him. When he is AWOL staff are actively searching for him.

- ◆ April 21, 1998 - Patrick is in RCMP cells as a result of a number of charges. He has a lengthy discussion with his social worker Klaus Buller while awaiting his court appearance. He admits to using drugs on a regular basis. He talks of committing suicide. He indicates that he wants to end his life in one of three ways: provoke someone to kill him; hang himself off a tree in the bush with no notice and no note; or die in his sleep from a heart attack and die a peaceful death. Patrick indicates that his life will never be good. He indicates that his friends feel the same way. He has no hope that his life will ever be good. He states that he hasn't thought about what would make his life good and he doesn't want to talk about it. He admits that he wants everything to be right now for him and that he has no patience for waiting for good things to happen. Patrick talks openly about his family, indicating that his mom was the most mean to him, hitting him with her fist or anything she could get her hands on. He indicates that his apprehension by child and family services has not been satisfying for him and that he would have been better off to stay with his grandmother. He also states that Ella Linklater drinks and she doesn't care about him. Patrick indicates that he is not drawing at all nowadays, as life is "nothing but a blank picture". He indicates that he wants to be known as the "Devil's Kid" and wants to go to Hell so that he can watch people burn, especially people that he does not like. He states that he has a feeling that he will want to die at age 16 as he thinks that living until age 16 is long enough, trying to be good once in awhile. After a lengthy discussion Patrick regains hope and no longer feels like ending his life. Klaus Buller also discusses Patrick's case with the Crown Attorney in Thompson.
- ◆ April 23, 1998 - Patrick is formally discharged from the placement at Hudson House and they recommend that he not be re-admitted at a later date, as they are not equipped to contain his behaviour or provide any meaningful services to him. MYS staff indicate that they have not found any way of engaging with Patrick in a therapeutic process. Klaus Buller makes a referral for Patrick to Knowles Centre who may have an opening within a few days. Klaus Buller meets with Patrick in cells and Patrick tells Mr. Buller how his mother beat him numerous times with an aluminum broom to the point that she bent the broom handle. He says that he was desperate to get out of her home and asked her to take him to his grandmother's place. Patrick indicates that he has thought a lot about making changes in his life and wants another chance. He writes a letter of apology to the staff at Hudson House for mistreating them. Patrick initially resists the idea of going to Knowles but after having Mr. Buller and his lawyer explain the Knowles program he is then receptive to going there. He is remanded in custody.
- ◆ April 24, 1998 - Patrick is escorted into custody at MYC. A discharge conference is held for his discharge from Hudson House. Since the last conference it is noted that Patrick has been AWOL five times and missed curfew two times. When confronted on his choices his response is to say, "I don't care." During AWOLs staff at Hudson House actively search for Patrick at least a couple times a day. When he is at the unit staff try to engage him with drives to the lake and swimming at the pool, and playing

video games and pool with him. During this period Patrick went to the Nelson House Medicine Lodge once a week for sweats and he enjoyed this very much and was very well behaved during these ceremonies. It is noted that a local artist was to visit with Patrick but he refused the opportunity. He indicated that he did not want anybody telling him how to draw.

- ◆ April 28 1998 - attempts are made to arrange placement at Knowles Centre. Bail is granted conditional on Patrick being released only to a representative of Knowles Centre. He is not released. While in custody at the MYC he displays extremely disruptive negative behaviour, is short-tempered and rude with staff and co-operates with rules only when he receives consequences. He has to be restrained twice and placed in a cell after temper tantrums.
- ◆ April 30, 1998 - an inmate security assessment is completed at MYC. It is noted that Patrick admits that he has thoughts of dying sometimes and that he has many self-inflicted cigarette- burn scars. He also admits to burning himself with a lighter in the past. He denies any present suicidal ideation.
- ◆ May 11, 1998 - Klaus Buller writes a letter to Patrick at MYC enclosing some letters to Patrick from staff members and other residents at Hudson House. These letters encourage Patrick to do well and express the hope that someday he will realize his great potential. Patrick is pleased and states that he now realizes that people do care about him.
- ◆ May 13, 1998 - Klaus Buller is advised by telephone that Knowles Centre will not accept Patrick into their program due to his high-risk behaviours.
- ◆ May 20, 1998 - Dr. Michael Burdz writes a letter to Klaus Buller outlining the reasons why it was decided that Knowles Centre Residential Program is not an appropriate placement for Patrick. The reasons cited are: his history of AWOL behaviour while in Winnipeg resulting in him running to the street and being involved with the gang sub-culture and abusing drugs and alcohol; the diagnosis of FAE and his functioning within the mild mentally deficient to borderline range; repeated placements at MYC; and a history of extreme aggression and anger. It is noted that historically applicants with this kind of profile have not done well in the Knowles program. Dr. Burdz indicates that this decision was made based on a review of the referral material and a meeting with Patrick at the MYC. Dr. Burdz makes some alternate suggestions for consideration respecting Patrick. These include placement in a group facility in northern Manitoba because if he goes AWOL there is a reduced risk of gang activity. (It is noted that Patrick felt that a return to northern Manitoba would be better for him than living in Winnipeg.) It is also suggested that an academic program stressing vocational training, greater emphasis on cultural work and referral consultation with AFM for alcohol and drug treatment could be explored.
- ◆ May 20, 1998 - a report is prepared by staff at the MYC that summarizes Patrick's stay at that facility. It is noted that Patrick is short-tempered and rude at times. He is self-centered and seeks immediate gratification. He tends to be calmer and more approachable in a one-on-one situation without peers around and when things are clearly defined to him in a concrete way. He has had some disruptive behaviour and has had to be restrained in his room or the front cell. He participates in the school program but his skills are quite limited. He has shown a willingness to work at his level. The conclusion is that while Patrick is often negatively seeking attention it is in

part due to peer pressure, his own inability to successfully interact and his quick temper and need for immediate gratification. He has responded fairly well and positively when time is spent with him in a one-on-one fashion.

- ◆ May 22, 1998 - Probation Officer Wendy Gowan prepares a Supplemental Pre-Disposition Report on Patrick. She assesses Patrick as a being out of control and at high risk to re-offend. She describes him as impulsive and self-serving and indicates that he does not consider the consequences of his actions or whom they may affect. She indicates that due to his limited personal development and social skills, he is able to grasp only the most elementary concepts. She recommends that Patrick is not a viable candidate for a community disposition at this time. Patrick's LAC teacher is interviewed for the Pre-Disposition Report and states that Patrick has a high rate of absenteeism, leaving school without permission, and showing up for class overtired and moody. The teacher also advises that Patrick has engaged in ongoing inappropriate behaviour, including swearing, being disrespectful, insubordinate and uncooperative in class. As a result he has made little progress in his school work. In an interview with Gordon Henwood and Dave Kuhl, staff at Hudson House, they advise that for the most part while in their care, Patrick showed no motivation to care about anything except what could give him immediate gratification with no conditions attached. Family visits or contact with his younger siblings was encouraged but Patrick showed little interest in furthering those relationships. MYS staff found Patrick to be guarded and mostly dishonest and untrustworthy. He responded most favourably to one-on-one contact and not having to compete with anyone else for the attention of care givers. Mr. Henley suggested that a placement in a rural or country setting might be the best for Patrick to help him stabilize and mature.
- ◆ May 23, 1998 - Klaus Buller visits Patrick at MYC and speaks about placement plans in view of Knowles refusing to take Patrick. Patrick indicates that he is motivated to change his lifestyle. He states that he prefers to go back to Hudson House or as a second choice to be placed with his aunt Sandra Fontaine. Later Patrick is acting out in his room at MYC yelling and banging and trying to incite other residents. He is put in restraints until he calms down. Patrick had written on the back of his door in felt marker threatening suicide and promising to kill himself before the year 2000. He had also drawn a picture of himself with a noose around his neck. He is referred to Forensic Services as a result. On May 24th he again acts out and is placed in restraints.
- ◆ May 26, 1998 - Patrick is sentenced by Judge Brian Colli in Thompson Youth Court on charges of assault, theft and breach of a court disposition. The breach relates to not attending for an AFM addiction assessment as directed by his Probation Officer. He receives a sentence of eight months secure custody, followed by one year of supervised probation. The conditions of the Probation Order are that: he is to report to and be under the supervision of a probation officer; participate in the Intensive Support and Supervision Program; attend school regularly; attend anger management, drug and alcohol addiction, and mental health counseling; abstain from alcohol, drugs and other intoxicants; observe a curfew of 9 p.m. - 7 a.m.; to reside as directed by Child and Family Services; and abstain from possession of weapons. He is also ordered to complete 100 hours of community service work. Klaus Buller was present

in court and spoke on Patrick's behalf at the invitation of the judge. Mr. Buller spent several blocks of time with Patrick on this day. Patrick seemed to have a hope of a better life, was motivated and accepting of his sentence. Mr. Buller provided him with some concrete things to do so he could have a measure of control of his choices and break out of the cycle he had been in.

- ◆ May 29, 1998 - January 25, 1999 - Patrick is in custody serving his sentence at Agassiz Youth Centre in Portage la Prairie.
- ◆ May 29, 1998 - an Inmate Security Assessment is completed at Agassiz respecting Patrick. In the section dealing with suicide risk Patrick reports that his aunt hanged herself in 1994 and that three of his cousins have made many suicide attempts by hanging in the past year and before that as well. Patrick reports that he tried to hang himself twice in the past month. He says he had a rope and was going to hang himself but was too scared. This is the first report of any actual suicide attempt by Patrick. Patrick indicates that he often thinks about hanging himself when he is alone at home in the bush, but not while he is in custody. He indicates that he had thoughts of suicide four or five days ago. He denies any current thoughts. He is placed on SUM - medium suicide risk level.
- ◆ May 30, 1998 - Klaus Buller is in Winnipeg on personal business and goes to the MYC to visit Patrick, only to find that Patrick has been moved to Agassiz already.
- ◆ May 31, 1998 - Patrick makes a phone call to his aunt Sandra Fontaine to inform her where he is.
- ◆ June 1, 1998 - Patrick is placed on SUM suicide risk level for suicidal thoughts. Patrick indicates that he had a plan on May 24th to commit suicide. He also states that an aunt committed suicide recently.
- ◆ June 2, 1998 - Patrick provides a detailed life history to his group at Agassiz and this history is recorded by his group leader. Patrick states that he has two older brothers, JR and HR whom he has never met. He also reports having two younger brothers and three sisters. He indicates that he did not meet his mother until he was ten years old and that until that time he was living with and raised by his grandparents. He speaks of some physical abuse by his grandmother and his uncle. He mentions that he had trouble in school from grade one on, mostly related to bullying others and teacher's authority. He reports that he was drinking quite a bit by age 10. He went into foster care at age 10 and at first was happy as he did not get hit or beaten. He started to miss his grandparents so he was moved to live with his mom. She often left him to baby sit his siblings when he was only 11 years old. When the kids messed up the house his mother gave him a bad beating with a metal broom handle. When he went back to live with his grandmother for a few months he did a lot of drinking with his cousin, stealing liquor in order to drink. He reports that there is a lot of alcohol abuse in all parts of his family. He was returned to his mom when his grandmother did not want him or could not handle him. He got into a lot of trouble stealing and drinking. He ended up in group homes in Thompson and Winnipeg. He indicates that he joined the Indian Posse gang when he was living in Winnipeg. He does not like the gang anymore as he feels they set him up to get into trouble. He did a lot of stealing when he was in Winnipeg. He indicates that he went AWOL a lot when in Thompson and had poor health as a result. He admits some self-abuse and some suicide thoughts but indicates that there were no serious attempts to kill himself. He indicates that his last

placement was in the Group home in Thompson and that he did not like it there as he felt that nobody cared about him and he took a lot of abuse from other residents. He states that his stepfather Alvin Bighetty died of exposure just before he was to marry his mother. He indicates that his real dad is an alcoholic and drinks everyday and has no job. He has met him but feels nothing for him. He mentions another stepfather, Linklater who just got out of Stony Mountain Penitentiary. He has not seen his Mom for three years. He reports that he has used a lot of alcohol and has used drugs, namely marijuana, mushrooms and on one occasion, acid. He reports having a lot of suicide thoughts of late. He feels a lot of anger from missing his family and feeling all alone. He feels like he didn't have a good life as he had a lot of beatings and neglect. He speaks of the crimes that he has been charged for and others he has committed and indicates no real remorse. He feels safe at Agassiz and likes it better than MYC. He indicates that he has been involved in Native religion and has attended sweats while at his group home. The group leader's conclusion is that overall Patrick is a very needy young person who doesn't trust others very easily.

- ◆ June 2, 1998 - Klaus Buller calls Agassiz and speaks to Patrick to see how he is doing. Patrick indicates that he likes Agassiz and feels safe there. Patrick resists the idea of a rural placement after his release. He states that he does not want to be way out in the country when a suggestion is made that a ranch in Riding Mountain might be an option. Mr. Buller also speaks to staff at Agassiz to get some further information about Patrick's cottage and group at Agassiz. Mr. Buller also discusses Patrick's case with Duncan Michie of the Placement Desk in order to begin plans for Patrick's release.
- ◆ June 5, 1998 - Patrick sees Dr. Skinner as a result of being placed on SUM level. He is said to have reported having planned to commit suicide on May 24th. As well there is a reference to a relative committing suicide. Patrick confirms with Dr. Skinner that he had a plan to attempt suicide on May 24th of this year. He could not or would not say why he picked this day for this attempt. He said he was no longer experiencing any wish to harm himself and that he would contact Agassiz staff or members of his group if he were to feel himself at risk of engaging in any self-destructive behaviour. Based on Dr. Skinner's assessment Patrick's suicide level is reduced to SUL.
- ◆ June 10, 1998 - Patrick scratches himself on the inside of his arm. The scratch is about five inches long. He refuses to disclose how or why he injured himself. After further intervention by his group, Patrick gives a commitment not to hurt himself or others.
- ◆ June 14 & 16, 1998 Patrick calls Norman Fontaine from Agassiz.
- ◆ June 20, 26 & 27, 1998 - Patrick calls the group home in Thompson.
- ◆ June 28, 1998 - Norman and Sandra Fontaine visit Patrick at Agassiz.
- ◆ July 6, 1998 - Patrick starts to cry when staff ask about his parents. He says that he has not seen them in three years and would like to get in contact with them.
- ◆ July 12, 1998 - Norman Fontaine visits Patrick at Agassiz.
- ◆ July 28, 1998 - the final report on Patrick's participation in the Victim Awareness Course indicates that he did not successfully complete the program. It is noted that Patrick has to learn more about his "triggers and blockers" to be able to stop his offending behaviours. "Patrick has a long way yet to go to develop a better pro-social skills toward staff and his peers." It is also noted that most times Patrick does not pay

attention and makes himself the source of entertainment by inappropriate behaviour in class. He is to repeat the program as a high priority.

- ◆ August 7, 1998 - Klaus Buller calls Patrick at Agassiz. Patrick indicates that he would like to be placed with Sandra and Norman Fontaine when he is released from Agassiz.
- ◆ August 12, 1998 - Patrick appears in court on five charges of breach of probation. Charges are remanded to August 26th.
- ◆ August 13, 1998 - the Provincial Placement Desk prioritizes Patrick and another boy for placement with MYS for potential vacancies at the Mutchmor residential facility.
- ◆ August 15, 1998 - Patrick calls his Norman and Sandra Fontaine.
- ◆ August 17, 1998 - Patrick states that when his family is on his mind he becomes angry and wants to hurt.
- ◆ August 21, 1998 - Patrick calls the group home in Thompson.
- ◆ August 23, 1998 - Records at Agassiz indicate that Patrick calls his mother.
- ◆ August 25, 1998 - Norman and Sandra Fontaine, Ella Linklater, and Sandra Fontaine's son L. D. visit Patrick at Agassiz.
- ◆ August 26, 1998 - Patrick appears in court in Portage la Prairie and the breach of probation charges are stayed by the Crown.
- ◆ August 29, 1998 - Patrick calls Norman Fontaine.
- ◆ September 10, 1998 - Klaus Buller calls Patrick at Agassiz. He explains to Patrick that his behaviours will have to change significantly before he could be placed with the Fontaines. Patrick is not surprised by this as he has been told this previously.
- ◆ September 11, 1998 - Patrick assaults another resident at Agassiz by punching him in the mouth while he is being contained. Patrick earlier had told staff that he enjoys doing crimes and enjoys hurting people.
- ◆ August 29 to October 24, 1998 - Patrick calls the group home in Thompson on five separate occasions.
- ◆ October 5, 1998 - in the final report on the Chemical Dependency Intervention Course that Patrick was enrolled in at the Agassiz Youth Centre, the instructor writes that Patrick "has not shown any commitment toward the program." As well the she indicates that Patrick "has a long way yet to go to fully understand that drugs and alcohol had a negative impact on his life." Patrick scored only 36 % and did not successfully complete the course. He is to repeat the course as a high priority, namely immediately.
- ◆ October 21, 1998 - in a Progress Review completed by the group leader, Larry Rumancik, at Agassiz his assessment is that, "Patrick continues to avoid his issues at this time. His immaturity is very evident. Tends to become very hurtful and aggressive." He also notes that Patrick's behaviour has been inconsistent. That "he does work well at times" and "co-operates with the group", and "has displayed knowledge and ability to help others". "Gets drawn into childish behaviour. Begins to clown around and acting foolish. Begins to aggravate members to become assaultive or assaultive himself." It is noted that he does well in school but made little or no effort in his victim awareness or chemical dependency courses.

- ◆ October 30, 1998 to January 23 1999 - Patrick phones his former group home in Thompson from Agassiz on eleven occasions. During that time he also phones Sandra Fontaine on two occasions.
- ◆ November 17, 1998 - Klaus Buller calls Patrick. Patrick tells him that he would like to go back to Hudson House or be in Thompson on his release from Agassiz. His second choice is to be with Sandra and Norman Fontaine in Winnipeg, but he expresses some fear of gang influence.
- ◆ December 9, 1998 - Patrick has thoughts of killing himself although he has no plans. He had written suicidal thoughts in his journal the previous night. He indicates that he feels bad about his family members committing suicide. He also has issues related to neglect by his family. He refuses to talk to the group or group leader about what is bothering him and states that he trusts no one and that no one trusts him. He is sent to see the nurse in the medical unit. He is very upset during the interview and is crying. He says that he feels lost and lonely. He says that he cannot vent to the group or group leader, as there are problems in the group at the present time. Patrick indicates that he has problems from years ago when he was age seven but he can't tell anyone as he doesn't know who to trust. There is a discussion about who he could talk to and Patrick says he will talk to his social worker, Klaus Buller, Dr. Skinner or to staff in his cottage. He is put on SUM designation - medium suicide risk level.
- ◆ December 14, 1998 - Patrick requests to see Dr. Skinner in order to discuss some of his feelings. He speaks to Dr. Skinner at some length about the emotional distress that he had experienced and was continuing to experience related to his incarceration and abuse issues from his home community. Patrick advises of incidents where he had been abused in his home community and indicates that he has not made a prior disclosure of this abuse. Dr. Skinner concludes that Patrick is not psychotic or actively suicidal. Patrick's suicide risk level is lowered to SUL - low risk.
- ◆ December 18, 1998 - in the final report on the Anger Management course that Patrick was involved in while at the Agassiz Youth Centre, the instructor writes, "Patrick understood the major concepts of anger management. To successfully implement his anger management he has to put considerable effort in self-control, self-respect, self integrity, and problem solving." She also indicates that "there are many areas that need improvement in his control plan especially about his future." He did not successfully complete the course and was noted to be at a high priority to repeat the program.
- ◆ December 21, 1998 - Dr. Skinner advises Klaus Buller, Patrick's social worker of the abuse disclosures.
- ◆ December 22, 1998 - Patrick is upset at the thought of not having any visits but handles this well.
- ◆ December 25, 1998 - Patrick calls his former group home Hudson House. He is very sad before and after the call.
- ◆ January 2, 1999 - in a group session Patrick states that he wishes that he could be adopted. He gives the sense that he does not know where he would be accepted.
- ◆ January 4, 1999 - Patrick makes a written request to his group leader asking for help in locating his clothes and personal belongings that he left in Thompson. Patrick refers to the Hudson House group home in Thompson as his "family." Klaus Buller

advises that these belongings are in a CFS locker in Thompson and he makes arrangements to send them by bus to Agassiz.

- ◆ January 5, 1999 - Patrick sees Dr. Skinner for a follow-up. He speaks in more detail about his life experiences and the post-traumatic symptoms he has experienced as a result. Patrick admits to intermittent feelings of dysphoria but denies recent mood disturbance and indicates that he is not suicidal. He indicates that he has some hope for the future and asks if he might continue to see Dr. Skinner once he is released from Agassiz. Dr. Skinner gives Patrick his telephone number so that he can make appointments after he is released. Dr. Skinner indicates in his written report that there are no acute concerns about his mental status, Patrick appeared to benefit from the opportunity to speak about his feelings, and was able to assume at least some degree of responsibility for his circumstances.
- ◆ January 8, 1999 - Patrick is moved to another cottage at Agassiz. A note on his file indicates that he is a "superb artist." His group leader is Wilf Lavallee.
- ◆ January 11, 1999 - Patrick indicates that he will do a painting for his former cottage and is excited about doing it.
- ◆ January 12, 1999 - Patrick is upset. During the group session when sharing his life history it comes out that he is angry at his mom. It is noted on Patrick's file at Agassiz that it is only two weeks until his release date and his accommodation after his release has not yet been decided. Thus it is suggested that he bears close watching "until the uncertainty about his immediate future clears up."
- ◆ January 18, 1999 - Patrick's Probation file is transferred from Thompson to Winnipeg as it is expected that he will be living at Mutchmor Group Home when he is released from Agassiz.
- ◆ January 19, 1999 - Patrick indicates to staff at Agassiz that he doesn't want to be released in Winnipeg, but wishes to go to Thompson. Later it is noted that he is coming to grips with his move to Winnipeg.
- ◆ January 21, 1999 - a note on Patrick's file at Agassiz indicates that Patrick is unsure as to where he is going when he is released in four days time, and therefore he is a security risk. Klaus Buller learns this week that the bed at Mutchmor that he thought was being held for Patrick will not be available upon Patrick's release. Mr. Buller speaks to numerous people with MYS in an attempt to make alternate plans for Patrick. He speaks to Patrick and advises him of what is being done to find a placement for him.
- ◆ January 24, 1999 - Patrick is still not sure as to where he will be going - whether Winnipeg or Thompson - when he is to be released the next day.
- ◆ January 25, 1999 - in a discharge summary Patrick's group leader at Agassiz reports as follows: "Patrick has done well while at Agassiz. He arrived in an aggressive attitude and has reduced this behaviour to a manageable level. He has attended various programs and discussed his various issues in group meetings. This has helped him to deal with his aggression. He is an immature youth with authority and anger issues. Patrick has done well with academics - grades and cooperation are acceptable. With his peers he is where he feels safe. That could be either positive or negative. He does express fears of going home to Thompson, as he would like to do." Klaus Buller calls Patrick to advise him that he will be placed at the CSU on an emergency basis for a few days.

- ◆ January 25, 1999 - Patrick is released from Agassiz. He is met at the bus depot in Winnipeg by Sandra and Norman Fontaine and Duncan Michie from the Provincial Placement Desk. Patrick is pleasantly surprised by the presence of his aunt and uncle and is excited to be out of Agassiz. Patrick is placed at the MYS Crisis Stabilization Unit as an emergency measure while awaiting other placement. The planned placement at Mutchmor has fallen through, as there is no bed available. Patrick becomes upset at the prospect of being in a locked facility and Sandra Fontaine calms him down.
- ◆ January 26, 1999 - Klaus Buller calls Patrick at the CSU. Patrick is not happy about being in a locked setting. Mr. Buller advises him that everyone is working hard to get him a placement in an open setting.
- ◆ January 28, 1999 - Patrick is placed in the MYS Williamson group home on an interim basis while awaiting a placement at Mutchmor residential group home. Upon his admission to Williamson, Patrick is told that if he wants to go he can go to the "Learning Eagle Walk" program (a native awareness program) that evening and to a sweat in Selkirk in two days. When asked if he would like to go, Patrick says, "that's not his thing." Patrick is also on the Intensive Support and Supervision Program with Probation Services. Klaus Buller speaks to Patrick and also authorizes day visits for him with the Fontaines.
- ◆ February 1, 1999 - a file notation at Williamson Group home provides some history on Patrick based on a conversation with him. He indicates that family is a huge issue for him and he does not know his dad or have any contact with family except the Fontaines. Patrick identifies anger as a major issue for himself and states that he hurts himself when he is angry or having what he calls, "backflashes". When he is angry he advises that he is not safe to be left alone. He wants to have staff keep him "in view" but also to "leave him alone". He tells the worker that he has been suicidal at times.
- ◆ February 6, 1999 - Patrick is placed in the MYS Mutchmor group home, on an extended three-month pre-placement to determine if this placement is appropriate for him. The facility is normally equipped to deal with six clients, however, in view of Patrick's needs, special provisions are made to accommodate seven clients.
- ◆ February 7, 1999 - Patrick tells workers at Mutchmor that he doesn't want to be there and he doesn't like it there and would rather be back in jail. He indicates that he is willing to breach his court undertaking in order to go back to jail. Staff encourage him to give the placement a chance.
- ◆ February 8, 1999 - a worker at Mutchmor talks to Patrick about his artwork and his dream of becoming an artist. Patrick advises that his art is a private thing as, what he draws comes from inside him. He says he doesn't like people to tell him that he is artistic because it is private stuff and he gets pissed off when people go on about his art.
- ◆ February 12, 1999 - Patrick is involved in an altercation with another resident at Mutchmor. When staff intervene, and tell Patrick to go to his room, he starts to punch and kick at the bathroom door. He then leaves the unit.
- ◆ February 12 - 14 1999 - Patrick is AWOL.
- ◆ February 13, 1999 - Sandra Fontaine calls Mutchmor and voices her displeasure at not being notified immediately that Patrick was AWOL. She requests that in the

future if Patrick is in crisis, he be given the option to call her. She also asks why the visits to her home have been decreased. She is told that sometimes it is simply not possible to accommodate visits because of other activities at the group home and sometimes it may be due to a lack of transportation or behaviour by Patrick. Ms Fontaine indicates that she will go look for Patrick and will notify the group home if she hears from him.

- ◆ February 16, 1999 - Patrick is involved in a fight with another resident at Mutchmor.
- ◆ February 17, 1999 - Patrick meets with Dr. Skinner. Before the meeting Patrick indicates at the group home that he does not want to go to the appointment. He is angry, abusive and profane with staff and throws furniture around his room. After the appointment Patrick said that he would like to continue meeting with Dr. Skinner.
- ◆ February 22, 1999 - Klaus Buller requests permission to attend an in person pre-placement admissions conference for Patrick at with MYS at Mutchmor in Winnipeg. His supervisor denies the request indicating that the policy is to do this by way of teleconference. She suggests another option would be for someone from STOR to attend on his behalf. Patrick is to start school in the afternoons at Churchill High School. Klaus Buller speaks to Patrick at Mutchmor. Patrick tells Mr. Buller that he has been involved in two fights. He also tells Mr. Buller that his grandmother is living at Sandra and Norman Fontaines place.
- ◆ February 27, 1999 - Patrick is upset over not being able to see his friend. He kicks and breaks a bookshelf at Mutchmor and then left the residence and is AWOL.
- ◆ March 1999 - Patrick starts doing his court ordered community service work at Winnipeg Harvest. He completes 21.5 of his 100 hours. His attitude is noted to be very good.
- ◆ March 1, 1999 - ISSP worker Kim Seneshen prepares a progress report respecting Patrick for the period between January 26th and February 26th. She indicates that Patrick has reported on January 27th and February 8th and 17th. She notes that he is meeting ISSP expectations. She indicates that Patrick has contacted her several times and stated that he wants to go AWOL, as he cannot handle all the rules at Mutchmor. She has been able to talk him through his frustrations and calm him down. He did stay out overnight from the group home but made the choice to return. As Patrick is under an observation period at the group home for the first month he is not allowed to go anywhere without staff supervision and he is finding this hard to deal with. She notes as well that Patrick has been spending a great deal of time visiting his family and that staff have let him visit on his own although they drive him there and pick him up.
- ◆ March 4, 1999 - Patrick calls Klaus Buller and requests an overnight visit at the Fontaines. This is approved subject to his good behaviour.
- ◆ March 8, 1999 - Norman Fontaine phones Klaus Buller to express an interest in providing a placement for Patrick on a foster home or subsidized guardianship basis. No commitment is made, but Mr. Buller asks Mr. Fontaine to write a letter in this regard.
- ◆ March 9, 1999 - Patrick is involved in a fight with another resident at Mutchmor. Later this day he is very verbally abusive and profane with staff and leaves the unit.
- ◆ March 16, 1999 - Ella Linklater is living in Winnipeg with the Fontaines and has been sober for three months. Patrick has an overnight visit at the Fontaines.

- ◆ March 18, 1999 - Norman Fontaine writes a letter to Klaus Buller explaining why the Fontaines wish Patrick to be placed with them. There is never any formal reply to this letter.
- ◆ March 19 - 20 1999 - Patrick is AWOL with another boy and when he returns to Mutchmor he has been drinking, smells of marijuana and is under the influence. He is behaving defiantly and the other residents are removed to protect them from Patrick. The police attend and caution him.
- ◆ March 22, 1999 - Patrick comes in to the group home while drunk.
- ◆ March 22, 1999 - Klaus Buller talks to Patrick and tells him that there is no family placement planned until his AWOL and drug use behaviour stops and he is attending school regularly. Patrick has been hanging out at a local residence when AWOL and he is upset and throws down the phone when he is told that a letter will be sent to that residence which will prohibit him from being there.
- ◆ March 26, 1999 - Patrick gets a haircut from Mutchmor staff at his request and then is angry when he does not like the haircut. He punches and kicks holes in the walls of his room, throws the furniture around and kicks out the shower door, causing about \$600 damage to the residence. He then leaves his room and starts to play video games. A staff member asks him to return to his room so that the incident can be processed with him. He refuses and becomes very aggressive, assaulting a member of the Mutchmor staff. Other staff members then assist to restrain him and during this process he assaults other staff as well. Patrick is arrested by Winnipeg City Police and is remanded in custody at MYC. He is charged with mischief and breach of probation.
- ◆ March 27, 1999 - ISSP worker Kim Seneshen prepares a progress report respecting Patrick for the period February 27th to March 27th. She indicates that he reported to her on March 3rd, 11th, 17th and 24th. He failed to comply with his curfew on March 9th and 19th, and did not reside at his placement on March 19th. She indicates that he was meeting the ISSP expectations until his re-involvement on March 26th. She indicates that Patrick has a "great sense of humour and is a very bright young man." She notes that she has a very positive relationship with him. She has attempted to speak to him about his past but he "prefers to keep all his issues and his anger inside." He puts up a good front when asked about his past and his estranged relationship from his family and he says that it does not bother him. She indicates that he has many issues that he needs to deal with through professional counseling if he is to live successfully in the community. She notes that he keeps all his anger bottled up inside and denies that he is angry about anything. She concludes that he had never likely bonded with anyone and as a result has a hard time trusting anyone.
- ◆ March 28, 1999 - Patrick is at the MYC. He calls Mutchmor. He is asked if he would like one of the staff to visit him and he says no. He indicates that he does not like it where he is and that he "messed up."
- ◆ March 29, 1999 - In a conversation between Wayne Barr and Klaus Buller it is indicated that Patrick is not likely going to be accepted back at Mutchmor as the other residents are afraid of him, the staff cannot manage his violent and assaultive behaviour, and Patrick does not want to be there. Mr. Buller contacts the Placement Desk to ask them to find another placement for Patrick.

- ◆ March 30, 1999 - Susan McNeil attends to Youth Court with Patrick at MYC. Klaus Buller calls Patrick at MYC. He tells Mr. Buller that he has spoken with Sandra and Norman Fontaine. In the evening a staff member from Mutchmor visits Patrick at the MYC. He cries for most of the visit. Patrick indicates that in some ways he feels better being in a place like the MYC. He also says that he would like to live in a foster home in the city and that Mutchmor's rules and structure are too difficult for him.
- ◆ April 1999 - Staff at Mutchmor prepare individual reports about Patrick and all indicate that in their view Patrick should not return to that placement. The reports all refer to the fact that Patrick does not want to be at Mutchmor. Patrick's rage is noted as is the fact that other residents are intimidated by and scared of him. In the report by Senior Youth Case Worker Grant Barthelette, he notes that Patrick is "a very explosive young man who has a great deal of rage." He indicates that on several occasions Patrick has released this explosive rage in the form of physical aggression, without warning. Mr. Barthelette reports that he has never before encountered this type of built up rage and anger, "which is presented in unpredictable and immediate explosiveness." He also notes that Patrick is an extremely intelligent and creative young man who has a great deal of potential, but Patrick does not let his strengths become accessible. Barthelette refers to conversations he has had with Patrick where Patrick has indicated that he scares himself when he gets mad because sometimes he "blacks out". When asked what this means, Patrick said that he is not always conscious of what he is doing when he is in a fit of rage. Patrick also stated that he knew he had issues to work on but that he would not do so at Mutchmor. The only place where he would work on these issues is in a foster home or some smaller type of setting. Barthelette also notes that Patrick can be very insightful at times but these moments of insight have been rarely productive.
- ◆ April 3, 1999 - a member of the Mutchmor staff visits Patrick at the MYC. Patrick indicates that he has been doing a lot of thinking and writing about what he wants to do with his life. He states that he wants to straighten out his life and mentions that he needs to work on his anger. He states that he would like to come back to Mutchmor. He gave staff a letter that he had written to apologize to the staff for assaulting them and said that it was easier for him to write it down than to say it face to face. He was happy that someone had visited him.
- ◆ April 5 - June 17 1999 - The Provincial Placement Desk authorizes a bed at Mutchmor to be held for Patrick while he is in custody at the MYC.
- ◆ April 6, 1999 - Susan McNeil speaks to Patrick at MYC. In her view he is agitated as if in withdrawal. Klaus Buller also speaks to Patrick. Patrick says that he does not need any treatment plan but also speaks about needing more individual counseling for his personal issues. He says that he still has "lots to talk about" and wants to work with Dr. Skinner. He also indicates that he recognizes that anger is likely the biggest issue for him at this point and he wants to take anger management courses. Patrick indicates that he wants to go back to Mutchmor.
- ◆ April 7, 1999 - a member of the staff at Mutchmor visits Patrick at the MYC. Patrick indicates that one of the things that works for him when he is angry is to be left alone, to draw and to go for walks. He says that he has written down some issues from the

past and everyday he reads the list and asks himself how he feels about these issues. Pat Alphonso Cox tells Klaus Buller that Mutchmor will take Patrick back.

- ◆ April 8, 1999 - Karen Fast sees Patrick. He expresses fear of his own anger and indicates that he feels safest at MYC.
- ◆ April 9, 1999 - in a file note by Klaus Buller he states that Patrick has been destructive and assaultive, and that staff at Mutchmor working with him, report that they see a blank stare and a twitch in his face and then he goes out of control. Staff also report extreme reaction on Patrick's part to minor incidents. There is a telephone conference meeting to plan for Patrick. Pat Alphonso Cox and Duncan Michie of the Placement Desk, Wayne Barr, Janet Ingersoll and Karen Fast of MYS are involved in this meeting with Klaus Buller joining them by telephone. In that conference MYS personnel express the view that Mutchmor is not an appropriate placement for Patrick at this time. Mr. Barr expresses concern about the lack of supervision at Sandra and Norman Fontaine while Patrick was visiting there.
- ◆ April 13, 1999- Patrick is formally charged with assault for the assault on staff at Mutchmor on March 26th. A member of the Mutchmor staff calls MYC and speaks to Patrick.
- ◆ April 14, 1999 - Grant Barthelette of Mutchmor visits Patrick at the MYC.
- ◆ April 15, 1999 - the Crown Attorney requests that a forensic assessment be ordered for Patrick. Defence counsel opposes this request and the Court does not order a report. Patrick calls Mutchmor and speaks to staff and another resident.
- ◆ April 18, 1999 - Patrick calls Mutchmor to say hello.
- ◆ April 19, 1999 - Patrick calls Mutchmor and indicates that he would like to come back to Mutchmor.
- ◆ April 21, 1999 - Patrick pleads guilty to charges of assault and mischief, and the Court orders a Pre-Disposition Report.
- ◆ April 22, 1999 - Sandra Fontaine leaves an urgent message for Klaus Buller wanting an update on Patrick's situation and to know how he is doing and what the plan is for him. A member of the staff at Mutchmor also speaks to Sandra Fontaine and updates her on Patrick's situation. Ms Fontaine indicates that she is very concerned about him and would like to foster him. Ms Fontaine is told that she has been placed on the MYC visitor's list and she indicates that she will visit Patrick that day. Patrick calls Mutchmor and asks if someone can visit him. He states that he talked to his Aunt Sandra this day.
- ◆ April 30, 1999 - Patrick is placed on the waiting list for a treatment placement assignment with the MYS SIT Program. Patrick is to be prioritized for consideration in this program.
- ◆ May 1, 1999 - a member of the Mutchmor staff visits with Patrick at the MYC. Patrick indicates that he wants to get out of MYC and that he knows what he needs. He then says that he is confused as he doesn't know if he can control his anger. He says that he would have trouble following rules. Patrick asks his visitor whether he felt obligated to visit him. When he is told no, Patrick indicates that it "pisses him off" when people say they will visit and don't. He is asked who has done that and he says staff and relatives like his aunt and uncle. He then says that he no longer wants to see them or talk to them.

- ◆ May 5, 1999 - an Inmate Security Assessment is done on Patrick at MYC and he is placed in a high security classification. In terms of a suicide risk assessment it is noted that Patrick has cut and burned himself in the past and that he is angry with himself. It is also noted that thoughts of family lead to thoughts of suicide and that he still has thoughts of suicide. When asked about whether he has a plan, he indicates that he has no plan but he "simply wishes to be dead sometimes." A formal request is made to the MYS SIT program for a placement for Patrick. A consideration is given to a placement at the Jeff Vincent foster home but that placement is full.
- ◆ May 12, 1999 - a Pre-Disposition Report is prepared by Probation Officer, Wayne Rudderham, respecting charges of assault and mischief arising from the incident at Mutchmor on March 26th. Patrick tells the Probation Officer that he feels badly for what he has done and that he has apologized to the staff member whom he assaulted. He indicates that he was angry about the lack of family support and used the bad haircut as a reason to act out and let his anger out. Patrick states that he allowed himself to escalate and that "I made the choice." During the interview for the preparation of the report Patrick was asked how he was feeling during the offence and he indicates that "I was feeling good". Patrick also tells the Probation Officer that, "I'm never gonna have kids." Patrick tells him that he was 6 or 7 years old when he first used alcohol and that he likes vodka. When he was in Thompson he says that he was drinking constantly and that he was always on the run and would go to Nelson House and Lynn Lake to see family. He first used drugs in 1994 and used them "lots" when in Thompson but only "barely three times" in Winnipeg. The Probation Officer notes that staff at Mutchmor, have great concerns about Patrick's ability to manage his anger and his physical aggression. They indicate that Patrick is capable of expressing remorse after an offence but does not exhibit empathy towards the victim. There is a consensus of opinion that Patrick's issues related to family, abandonment, and abuse interfere with him being able to relate appropriately with adult caregivers.

Patrick is noted as being co-operative during the interview process for the PDR. He is visibly upset when questioned about his family. He indicates that his ability to cope with frustration often gets in his way, as "If I don't win I give up." Patrick admits to the Probation Officer that he was a member of the Indian Posse gang while he was in the community and views this as a way to pursue activities such as drinking and doing crimes to get money for drugs. He indicates that he became involved with the gang in 1996 when he was in Winnipeg, and that he was introduced to the gang by his foster brother. He joined the gang by doing a Break & Enter with them. Patrick also indicates that he dropped out of the gang when he went to Thompson, but rejoined when he came back to Winnipeg. Patrick admits to drinking alcohol since the age of eleven and reports that he uses drugs such as marijuana and acid. The PDR also notes that Patrick's behaviour while at the MYC on this occasion has been more mature than in the past and that he earned a level 3 which is a level for residents whose behaviour is above average. MYC staff portray Patrick as a likeable youth and they are impressed with his performance thus far. The Probation Officer concludes that Patrick was assessed by the Manitoba Corrections Primary Risk Assessment and scored as very high risk to re-offend generally and a high risk to re-offend in an assaultive manner.

- ◆ May 16, 1999 - Patrick calls Mutchmor to say hi. He learns that his ex-girlfriend is seeing someone else, but he is not upset about this and says that it was expected.
- ◆ May 17, 1999 - A member of Mutchmor staff visits Patrick at the MYC. During this visit Patrick has a hopeless, defeatist and negative outlook. Patrick advises that he is back in the Indian Posse gang and that this is how he is getting by at the MYC. He states that he is scared of being outside the MYC. He is scared of rejection, his anger, of failing and going back to the MYC.
- ◆ May 19, 1999 - Patrick appears in Winnipeg Youth Court and is sentenced by Judge H. Pullan to 2 months open custody followed by 22 months of supervised probation for the offences of assault and mischief. The conditions of the Probation Order are that he report to a Youth Worker, that he complete the ISSP and other counseling and treatment programs, that he abstain absolutely from the consumption of alcohol and non-medical drugs and that he observe a curfew as directed. Susan McNeil is present in court at this time.
- ◆ May 20, 1999 - Patrick calls Mutchmor and says that he has been sentenced to two months of open custody. He again notes that he has re-joined the gang. Patrick calls again later and stated that he may be transferred to Agassiz. He also states that he does not know if he wants to return to Mutchmor and that if he was returned he would just run.
- ◆ May 26, 1999 - the Probation file on Patrick is transferred to Wendy Skrupski from Wayne Rudderham in view of the fact that Patrick is at MYC.
- ◆ May 31, 1999 - in a transfer summary from MYC to Agassiz it is noted that in school Patrick has a great attitude and has always been a positive force in class. He has put forth a very good effort and learned his multiplication tables. In general his behaviour is described as positive. He is known to have an anger problem but for the most part has been upbeat and likes to assist with cottage chores.
- ◆ June 1999 - Patrick's maternal grandmother Sophia Redhead dies from injuries she received at a drinking party when she was severely intoxicated and someone threw boiling water on her.
- ◆ June 2, 1999 - at his request, Patrick is moved to Agassiz from MYC to serve his sentence. He sees staff at the Medical Unit upon admission to Agassiz. He says that he has thoughts of suicide every now and then when he gets angry. He denies any current suicidal ideation. The nurse describes him as having a "brighter affect" on this admission.
- ◆ June 3, 1999 - a note on Patrick's file at Agassiz indicates that Mutchmor will be his residence on his release as the group home wants him back notwithstanding that his offences occurred there.
- ◆ June 4, 1999 - Patrick calls Mutchmor from Agassiz and indicates that he likes it better there than at the MYC. He also indicates that when he is released he plans to return to Thompson.
- ◆ June 8, 1999 - Klaus Buller calls Patrick at Agassiz. Patrick indicates that he wants to be placed in Thompson. Mr. Buller tells him that a Thompson placement is not likely because his behaviour has not improved. Patrick asked if his mother had contacted the Thompson CFS and was told that she had not. Patrick did not want to discuss what happened at Mutchmor, saying only that he didn't care about the consequences at the time.

- ◆ June 8, 1999 - Patrick provides his life history to his group at Agassiz. Patrick indicates that he lived mostly with his grandparents in Nelson House. He indicates that there was a lot of alcohol abuse by his grandparents as well as physical and emotional abuse. He indicates that he was with his mom for a period of time but she could not handle him so she sent him back to his grandparents. He was then in and out of group homes and foster homes. He states that he started smoking cigarettes and drinking at a young age. He joined the Indian Posse at age 12 or 13 and a Break and Enter was his initiation to the gang.
- ◆ June 10, 1999 - a planning meeting takes place at MYS to plan for a placement for Patrick between a number of MYS personnel including Karen Fast, Janet Ingersoll, Wayne Barr and Ulysses Desrochers. The SIP representative indicates that Patrick was not regarded as a priority referral as he was still involved with Mutchmor. Karen Fast and Janet Ingersoll note that Mutchmor staff and Karen Fast have kept in contact with Patrick while he has been in custody and in their opinion if this contact was not maintained Patrick is at great risk of being lost to the system.
- ◆ June 14, 1999 - a staff member from Mutchmor attends to Agassiz to drop off some belongings for Patrick, but is unable to see him.
- ◆ June 17, 1999 - the bed for Patrick at Mutchmor is no longer held for him and he is discharged from Mutchmor as of this date.
- ◆ June 20, 1999 - Patrick advises his group at Agassiz that he was thinking seriously about running today.
- ◆ June 21, 1999 - a note on Patrick's file at Agassiz indicates that he will not be residing at Mutchmor on his release and that Karen Fast of MYS will be coming out to Agassiz the next week to inform Patrick of this. Patrick is noted as being upset and crying, as he doesn't know where he will live when he leaves Agassiz. He has thoughts of running.
- ◆ June 29, 1999 - Patrick is told that he will not be going back to Mutchmor on his release. He is upset and concerned as he leaves Agassiz in two weeks.
- ◆ June 30, 1999 - Klaus Buller contacts MYS to find out what kind of placement is being developed for Patrick. Marion Marr, the supervisor of the Proctor Home Program prepares the MYS funding proposal for Patrick's placement in the program, and it is forwarded to Klaus Buller on July 5, 1999.
- ◆ July 1999 - in a Discharge Conference Report respecting Patrick's discharge from the Mutchmor program it is noted that Patrick was very reluctant to come into the program in February of 1999, and often stated that he would like to be elsewhere. The report states that the Mutchmor Treatment Team attempted to provide Patrick with consistent structure and routine but Patrick did not respond well to this lifestyle. When asked where he might be successful, Patrick would indicate that he thought that he would experience greater success in a foster placement, with family or back in Agassiz. His first choice was to be with family. The report also notes Patrick's unpredictable violent outbursts. Workers witnessed extremely volatile behaviours when Patrick was frustrated, angry or anxious. Appropriate interventions were often difficult to determine because of Patrick's unpredictability and inconsistent responses. The report also lists the issues that Patrick himself identified that he had to deal with. These were expressing his emotion; communicating with adults; controlling his anger; trusting others; and developing self-confidence. Patrick also indicated

however, that he was unwilling to work on these problems and that he did not intend to do so while at Mutchmor. In one conversation with the author of the report Patrick stated that it was difficult for him to trust people and that he had significant internal barriers to expressing and sharing his thoughts, feelings and emotions. The report concluded that, "Patrick has difficulty accepting direction, support and guidance from people he perceives as authority. Patrick responds very negatively to people who expect immediate reactions from him, especially when being told to do something. Patrick requires time to make choices and decisions, especially when staff needed to redirect inappropriate or escalating behaviours. If not allowed this time, Patrick was likely to become explosive towards staff and/or the environment. Patrick would often act out his frustrations through extreme verbal aggression and abuse directed at whomever was attempting to hold him accountable for his behaviour."

- ◆ July 2, 1999 - Patrick is to go on a Temporary Absence with a worker from MYS but is not able to do so as according to the notes on his file at Agassiz the worker did not show up. He is upset.
- ◆ July 4, 1999 - According to a note on Patrick's file at Agassiz, he seems all right, but his journal says otherwise. He is "very angry and upset right now".
- ◆ July 5, 1999 - Patrick sees Dr. Skinner at Agassiz. They speak at some length about the severe and pervasive feelings of depression, anger and rejection that he is harbouring. Patrick indicates that he has felt sad, angry and hopeless for several months. He experiences insomnia and episodes in which he feels that voices are calling his name. He also has other episodes of confused thinking in which he is concerned that he will "lose it". He described pessimism with regard to the future and comparative indifference to the prospect of being released from custody. Dr. Skinner notes that his affect is sad and weepy, but concludes that he is not homicidal or actively suicidal and that there are no acute concerns about Patrick's mental status. Patrick says that he will contact someone if he were to feel at risk of harming himself. Dr. Skinner is of the view that low-dose anti-psychotic medication and an antidepressant might help Patrick, in view of the level of distress he has experienced, his sadness, his pessimism and sensory distortions. Dr. Skinner prescribes paroxetine HCL 20 mg (1 pill once a day) and risperidone 0.5 mg (one pill twice a day). Patrick discloses that he was sexually abused by his step-dad when he was eight or nine years old.

According to notes in Patrick's file at Agassiz, he is sad and angry after his meeting with Dr. Skinner and has a lot of issues on his mind about his release.

- ◆ July 7, 1999 - Patrick indicates to staff at Agassiz that he is scared of leaving Agassiz as he will be beat up when on the outside by gang members. Klaus Buller speaks to Dr. Skinner about Patrick. Dr. Skinner advises that Patrick has disclosed that when he was eight or nine years old he was sexually abused by his step-dad Tony Linklater and that the latter is in Winnipeg and possibly hanging out at Sandra and Norman Fontaines.
- ◆ July 9, 1999 - According to file notes at Agassiz, during a group session at Agassiz Patrick opens up about his feelings, and how scared he is to go back to his auntie's home because of his stepfather sexually assaulting him. (This appears to be a reference to Anthony Linklater.) When asked why he is going back there he says because that is where his family is. He also indicates that he hears that his mom is

back on the reserve and drinking heavily. He would like to see her but does not know how to go about it.

- ◆ July 11, 1999 - Patrick is placed on SUM - medium suicide risk after he tells his group at Agassiz that he feels like killing himself. He feels that there is no one for him and states that when he gets out of Agassiz he will hang himself. Mr. Kevin Wishart who is a member of the staff and is present during this discussion then asks Patrick who he has on the outside and Patrick says that the only person is his auntie and she wants him to call her mom. He is asked why he would want to hurt his aunt by killing himself and Patrick says that "its just how I feel right now." He also indicates that he has no plans to hurt himself while at Agassiz. A note on Patrick's file at Agassiz indicates that Patrick says, "he will not do anything at Agassiz but will kill himself after his release. Worker must be aware of this on his release." Mr. Wishart notes that Patrick has seven days left on his sentence and no arrangements have yet been made for his placement when he is released.
- ◆ July 12, 1999 - Patrick is still on SUM. He has a call from his aunt in the morning. It is a good call. Later he makes a commitment not to hurt himself and is described as being in better spirits.
- ◆ July 13, 1999 - Patrick sees Dr. Skinner. He indicates that he does not wish to die but he has a number of concerns, including dreams with violent content and uncertainty about the future. Dr. Skinner reports that Patrick spoke in more detail about his feelings related to some aspects of his history and the self-destructive ideation that he has experienced on an intermittent basis. Dr. Skinner found Patrick to be solemn but not notably depressed and assesses him as not being psychotic or actively suicidal at this time. Patrick confirmed that he would speak to somebody if he were to feel himself at risk of harming himself. Patrick's suicide risk is lowered to SUL. He is to continue on his medication. Patrick also has a visit with his probation officer Wayne Rudderham. Patrick is upset as he wants to be in the city. Klaus Buller gets a letter from Marion Marr of MYS outlining the SIP placement plan for Patrick at the Schneider/Andrade foster home. In response to a question from Mr. Buller she outlines the proposed procedure in the home in response to any behaviour problems. Ms Marr notes that the foster parents will not be involved in any restraints in the home, and will encourage Patrick to stay but he will be allowed to leave if he chooses to do so.
- ◆ July 13, 1999 - Klaus Buller receives an e-mail message from Tom Alexander referring to Patrick telling staff at Agassiz that he will commit suicide after leaving Agassiz. Klaus Buller is on intake duty at the Family Services office in Thompson, which means that he has a large number of new child abuse cases added to his workload.
- ◆ July 14, 1999 - Patrick wins first prize for his artwork on Pow Wow days at Agassiz. Patrick speaks to his sister BR for the first time in several years. He is sad about his lack of contact with his sister. He advises that he never sexually touched his sister BR but that she was abused sexually by an adult male in Nelson House six to eight years ago and also she was abused by his mom and her guests when they were all drinking. Klaus Buller sends an e-mail to Tom Alexander at Agassiz to advise that a placement has been found for Patrick upon his release. Mr. Buller encloses some information about the Schneider/Andrade foster home. There is a telephone conference between

Klaus Buller, Patrick and MYS staff. Patrick is informed of his placement upon his release and he is excited and happy about it and says that he is ready to go there. Patrick advises that he would like to visit with his aunt and uncle and also have one or two of his cousins sleepover at his foster home once he is settled in.

- ◆ July 15, 1999 - Klaus Buller makes some inquiries as to whether Patrick's file should be transferred to a social worker in Winnipeg in view of the fact that he will be placed near Winnipeg. He is told that the case should not be transferred until Patrick is stabilized in his placement.
- ◆ July 16, 1999 - notes on Patrick's file at Agassiz indicate that he is worried about his own actions when he leaves and is worried about his reaction. Patrick wants to learn more about his own family. He indicates that a lot of his past crimes were due to the excitement. He states that he likes to be alone. He indicates to the group that he has fantasized about killing himself for a long time and that this time he has formed a plan. Overall it is noted that Patrick is excited about this chance that he has been given. Patrick sees staff at the Medical Unit for "Discharge teaching." He denies any suicidal ideation at this time and states that he is excited regarding his placement. He is "future oriented" at this time. He is given Dr. Skinner's phone number to call if he wants to and he says that he has some good friends that he could call as well.
- ◆ July 16, 1999 - Patrick's Probation file is transferred to probation officer Cindy Reid of the Eastman Office in view of the fact that Patrick will be living in the Dugald area when he is released from Agassiz.
- ◆ July 16, 1999 - Dr. Skinner writes a report to Klaus Buller in response to a request from Karen Fast on May 6, 1999. He is aware that Patrick is to be placed in a one-on-one placement and expresses the view that this is the best kind of placement for Patrick at this time. Dr. Skinner indicates that a group placement would not be in Patrick's interest or in the interest of the other residents of the group home. He states that Patrick "will continue to be at risk of experiencing significant anger, and that that anger could arise impulsively, and be expressed in an inappropriate manner." He indicates that he believes that Patrick is motivated to address the difficulties that he has experienced with anger. It is his impression that Patrick feels concerned about his anger and does not want to express it in an inappropriate manner. Dr. Skinner indicates that Patrick will require fairly long-term psychotherapeutic follow-up in this regard. In addition he will need stable, secure placement and the opportunity to develop trusting relationships.
- ◆ July 16, 1999 - in a memo from Janet Ingersoll of MYS to Ulysses Desrocher about Patrick, she notes that he will be discharged from Agassiz and placed at his new SIP placement in a few days. She reports having had several conversations with David Sullivan and Karen Fast and that all share some concern about Patrick and their ability to adequately support this new placement. Ms Ingersoll notes that when she learned about this placement that day and about Patrick's recent threats of suicide she spoke to David Sullivan. She notes that Karen had contracted with Patrick in an attempt to keep him safe in the short term but that Karen still considers suicide to be a risk for Patrick. She reports that Patrick has been told some details about the family and he is very excited about being placed there. She indicates that she has approved some additional supports for the home. Ms Ingersoll then refers to the Schneider/Andrade home and indicates that this home had originally been recruited to

work with older adolescents who were preparing for independent living. It was intended that these be short-term placements before moving the clients into independent living. Ms Ingersoll notes that Marion Marr, who had dealt with this foster family, had identified that they were inexperienced as foster parents and "that we would need to be careful whom we placed with them the first time." She refers to the supports that have been put in place to support the foster parents and then concludes that, "since I know that Patrick is a very high-needs child who has challenged the most experienced of our caregivers, I am still concerned about this placement."

- ◆ July 18, 1999 - Patrick is released from Agassiz.
- ◆ July 18, 1999 - Patrick is placed in the foster home of Janice Schneider and John Andrade under the SIP program run by MYS. The cost is \$121.94 per day. Of that amount the foster parents receive the basic maintenance rate of \$21.48 plus \$50.00 a day for a "services payment". They live on a rural property located about forty minutes northeast of Winnipeg near Oak Bank and Dugald. The Jesse James Boys and Girls Ranch also affiliated with MYS is located only a few minutes away. Janice Schneider asks MYS to look into Pow Wow singing for Patrick and also to obtain Patrick's treaty card.
- ◆ July 21, 1999 - Klaus Buller has a message to call Patrick at his foster placement. Mr. Buller speaks to Patrick who says that he likes the placement and the people but that he needs clothes.
- ◆ July 22, 1999 - Patrick's placement is going well. George Reis visits the Schneider/Andrade home and Patrick advises that he is happy where he is. Ms Schneider advises that everything is going well so far.
- ◆ July 23, 1999 - George Reis and Klaus Buller speak about Patrick's case. Mr. Buller advises that when his supervisor returns the following week he will seek permission to attend Winnipeg for an admission conference for Patrick.
- ◆ July 26, 1999 - Patrick's social worker, Klaus Buller goes on an unavoidable emergency leave of absence. Probation Officer, Cindy Reid meets with Janice Schneider and Patrick. A referral is made to Cheryl Wong the ISSP worker who will be doing curfew checks and to Trinia Vernon of AFM. Patrick will be doing his community service work hours at the Jesse James Ranch. It is noted that Patrick will see his Probation Officer two times a month in person. The next appointment is made for August 11th.
- ◆ July 30, 1999 - Janice Schneider, George Reis, Janet Ingersoll, Karen Fast and Deb Bomek meet to discuss Patrick's placement. Janice Schneider advises that there was one issue on July 29th. When she picked Patrick up at his aunts place in Winnipeg he told her that he wanted to run. She took him home and gave him some time to cool down. John Andrade went for a walk with Patrick and they talked and everything calmed down. Ms Schneider advised that she did not feel that Patrick should be visiting at his aunt and uncles for the time being as this did not seem to be a positive experience for him.
- ◆ August 4, 1999 - Janice Schneider requests additional respite hours for Patrick. She indicates that the day before Patrick was again visiting his aunts and he again indicated that he wanted to run when she picked him up.

- ◆ August 5, 1999 - George Reis has a home visit with Patrick and his foster parents. Patrick indicates that he is thinking negative ideas.
- ◆ August 8, 1999 - Patrick walks away from his foster parents when they are in the city. He is away overnight and the next day Sandra Fontaine calls Janice Schneider to advise that Patrick is at her house. Patrick advises Ms Schneider that he used drugs while he was away.
- ◆ August 11, 1999 - Patrick meets with his Probation Officer Cindy Reid. It is noted that Patrick will do his community work hours at a neighbour's place. Ms Reid notes that Patrick went to his aunts on the weekend and got high but did come home on Monday, and that he knows that this was his one chance. The Probation Officer discusses time-outs with Patrick and not running away. The next probation appointment is set for August 27th. Patrick also sees Dr. Skinner on August 11th.
- ◆ August 12, 1999 - Patrick's family services case file is transferred from Thompson to Winnipeg and his social worker is changed from Klaus Buller to Cara Facette-Grondin.
- ◆ August 12, 1999 - Cheryl Wong, Patrick's ISSP worker speaks to Patrick who at that time asks about his start date with the Addictions Foundation of Manitoba (AFM). They also speak about where he will be attending school and he reports to her that everything is going well.
- ◆ August 13, 1999 - George Reis writes to Thompson Child and Family Services requesting approval for an increase in support hours for Patrick. Mr. Reis notes that the foster parents are relatively inexperienced and are only beginning to appreciate the high level of care that Patrick requires. He requests a total of 30 hours of support per week so that the foster mother can have some space from Patrick and for facilitating Patrick taking Pow Wow lessons. The revised cost sheet for Patrick's care in that placement would be \$159.97 per day.
- ◆ August 17, 1999 - George Reis has a home visit at Patrick's foster home.
- ◆ August 19, 1999 - Patrick is upset and calls George Reis indicating that he feels like he might hurt himself or others and that he has thoughts of "acting like he did at Mutchmor". He indicates that he does not want to be at the home any longer. Patrick states that he is lonely and misses his family and that he needs structure. If necessary he might need to be locked up. George Reis advises Patrick that nothing can happen right away and that he should be patient and try to talk to his foster parents about these things. At the end of the conversation Patrick was calmer. George Reis also had a telephone conversation with Janice Schneider. She stated that Patrick had called another boy who had not called him back. She thought that Patrick seemed depressed about this. She also indicates that Patrick had disclosed to them that he was sexually abused as a child.
- ◆ August 20, 1999 - Patrick runs off from his foster home between 6 and 7 p.m. Patrick is upset and tells his foster mother before he runs off that he does not like it at her place. Janice Schneider calls George Reis to advise him of this and is told to give Patrick some time before calling missing persons. She indicates that she does not believe Patrick to be suicidal at this time. Patrick returns to the foster home on his own at 11 p.m. and goes straight to his room without any discussion.
- ◆ August 21, 1999 - Patrick calls George Reis and indicates that he is bored and that he wanted out even if it meant going back to Agassiz. He also states that he has feelings

of wanting to hurt himself and his foster parents. He says that he hates it at this placement. Patrick agrees to call the Mobile Crisis Team (MCT) and does so at about 2:35 p.m. John Andrade later brings him to Winnipeg for an interview with the MCT. Patrick acknowledges current suicidal ideation but when asked about a plan he says, "I'll keep that to myself." He is hostile and angry. He admits that his anger stems from his "living in the past", and seeing images that bother him about stuff that happened in the past but he refuses to discuss what the images are. Intake workers note that both Patrick and the foster father are visibly upset and there is an undercurrent of frustration and hostility. Patrick indicates that he dislikes being in a rural placement and that he feels bored and isolated. He indicates that he has not taken his medication that day. The assessment of the MCT intake worker is that the rural placement is likely in Patrick's best interest but the worker recommends that activities be pursued to combat the isolation and boredom that Patrick complains of. The worker concludes his report by stating it, "will be a long and difficult journey with this young man." Patrick is admitted to the Crisis Stabilization Unit. He stays there for four days.

- ◆ August 22, 1999 - Janice Schneider talks to George Reis and indicates that she and John Andrade are looking forward to having Patrick come back but that they do not want any physical aggression towards them.
- ◆ August 23, 1999 - According to a note on Patrick's probation file, probation officer Cindy Reid gets a phone call from Janice Schneider. She advises that on the weekend Patrick had taken off for two hours and had gone walking and they ended up taking him to the CSU. Janice Schneider advises that Patrick had said that there was a seven-inch blade in the garage and that as a result they feared for their safety. Ms Schneider also reported to Ms Reid that Patrick had not taken his medication for two days. She indicated that Patrick was feeling suicidal and had admitted to being sexually abused. Ms Schneider also advised that Patrick had a wire in his room made into a noose and that they had locked up any material that could be dangerous. At this time Ms Schneider was not sure if Patrick would be coming back to their home. The August 27th appointment was cancelled as Ms Schneider thought that Patrick would still be in the CSU at that time.
- ◆ August 23, 1999 - George Reis sees Patrick at the CSU. Patrick talks of being bored at the foster home and says he does not like John and Janice. Mr. Reis tells him that there is no place else for him to go at this time. Patrick agrees to give the foster home another chance. He indicates that he would like to leave the house more often so that he would have more to do. He states that he misses his family and gets upset when he has to leave. He agrees that he should not take his negative feelings out on the foster parents.
- ◆ August 25, 1999 - Patrick is released from the CSU back to the Schneider/Andrade foster home. There is a discharge meeting with members of the CSU, Janice Schneider, George Reis and Patrick. While Patrick is reluctant to return to the foster home, after talking for about an hour he agrees to give the placement another try and makes a commitment to keep himself safe and not to threaten his caregivers.
- ◆ Thursday, August 26, 1999 - Patrick commits suicide by hanging himself, in the barn at his foster parent's place.

- ◆ August 27, 1999 - individuals from MYS and social worker Cara Facette-Grondin, attend the Fontaine home to advise the family of Patrick's death. The Fontaines had already heard of his death from other family members. They request financial assistance for the family to attend Patrick's funeral. Sandra Fontaine comments that Patrick would still be alive if Child and Family Services had allowed him to live with the Fontaines.
- ◆ August 30, 1999 - Patrick's funeral is held and he is buried in Shamattawa.
- ◆ September 9, 1999 - a service is held by MYS at the home of Janice Schneider and John Andrade to celebrate Patrick's life.

"IT TAKES A WHOLE COMMUNITY TO RAISE A CHILD"

Patrick Redhead's story does not begin on March 16, 1984. It begins long before that. One cannot hope to understand the life and death of Patrick Redhead without looking at the circumstances of his birth, the history and circumstances of his family and of the communities that he was born into and where he lived. One cannot answer the questions to be answered at this inquest without recognizing the profound impact that this background had on the course of Patrick's life.

SHAMATTAWA FIRST NATION

Patrick was a member of the Shamattawa First Nation and was of Cree descent. While Patrick did not spend a great deal of time in that community, during his lifetime, all of his maternal relatives were members of the Shamattawa community. The nature of that community no doubt contributed to the problems that the Redhead family had.

David Monias, the Executive Director of the Awasis Agency of Northern Manitoba, testified as to the almost overwhelming difficulties faced by communities like Shamattawa in the 1980s and 1990s. Many of these difficulties still exist today. Mr. Monias was the regional childcare worker for the community of Shamattawa for a one-year period from 1991-1992. He related the myriad of issues that workers had to contend with, in trying to provide child protection and family support services in those communities.

Shamattawa is a community located about 150 miles north east of Thompson. It is accessible only by air for most of the year and by a winter road for about one month in the winter. In the early 1990s, the population of Shamattawa was about 600 people. At least half of the population, were children. Mr. Monias estimated that at one time as many as 2/3 of the children from that community, were in care. At the time he worked there he estimated that 160 - 170 Shamattawa children were in the care of the Awasis Agency. He himself had a caseload of 80 - 87 children. In addition to the 160 - 170 children in care there were also about 50 family files that were dealt with by the workers, where the children were still in the homes of their family but there were issues that required involvement by a childcare agency.

Mr. Monias agreed that it was fair to say that at the time he worked in Shamattawa there was some form of child protection concern with respect to the majority of the families in the community. It was not a healthy community. Solvent abuse, alcohol abuse, family violence and sexual abuse were and still are the predominant issues in the community. There was also and still is a very high suicide and attempted suicide rate in the community. According to Mr. Monias there are between three and five suicides in Shamattawa every year. There are many more attempted suicides. Mr. Monias testified for example, that in the month of April 2001, there were as many as seven suicide attempts each night during one particular period of time.

This is the community in which Martina Redhead and her siblings grew up. The problems in the Redhead family were not unusual in that community. It is a community where alcohol and other substance abuse were rampant. Family violence and sexual and physical abuse were common. From a family services and child protection perspective this was a very needy community. However, few resources were available in the community in the 1980's and 1990's.

At that time Awasis Agency childcare workers would be based in Thompson. They did not live in the community that they serviced. The agency was unable to find qualified workers who were prepared to live in the community. Thus workers would fly out from Thompson to their assigned communities for about three or four days each week. Awasis did not at the time have any office space in Shamattawa. Workers would have to work out of whatever space they could find, be it the client's home or yard, the local worker's home, an empty office in the Band Office or the nursing station. They did not have support staff in the community to keep files or type documentation. Client files were kept in the central office in Thompson. Dummy files or duplicate files, were kept by the local worker, in order to keep track of their notes. Because of this, workers' file notes may not always have been placed on the central file. There were break-ins at times and files were lost or misplaced. This may account for some of the gaps in the Redhead family files.

When Mr. Monias worked in Shamattawa there was only one local worker who lived in the community. This worker was on call 24 hours a day and took care of any apprehensions and emergencies during the weekends and at other times when the social workers from Thompson were not present in the community. Understandably the rate of burn out for such workers was high. There were only two childcare workers from Thompson assigned to Shamattawa at that time. Their caseload was very high. The circumstances in which they worked in the community were difficult. Sometimes there was no place for the workers to stay overnight in the community so they would have to fly in for the day and leave in the evening. Much of their workweek was spent traveling.

To compound these difficulties there were no foster homes available in the community, so when a child was apprehended unless he or she could be placed with relatives, the child had to be removed from the community in order to be placed in foster care. There were very few healthy families in the community, so children most often could not be placed in the community. Accordingly, children were scattered all over the

north and in Winnipeg. In order to meet with their clients, workers would have to fly to these other communities. Mr. Monias testified that in the early 1990s workers were basically left to juggle files as best they could and they were only able to operate in a crisis management mode.

Matters have improved a little in Shamattawa in the last decade. According to the evidence of Mr. Monias that community now has a population of nearly 1000 people. At least half of those are children. He estimates that up to 64% of the population are under age 18 and about 48 % of the population are under age 12. At the present time only about 46 - 48 children in that community are in the care of the Awasis Agency. The Awasis Agency now has its own building in Shamattawa. There is a supervisor, a childcare worker, a services to families worker, two youth development workers and other support staff. At the time of the Inquest there were nine Awasis Agency staff living in Shamattawa, although at one time Awasis had as many as 16 staff located there. A number of preventative programs have been implemented in order to deal with chronic sniffing and alcohol abuse and to promote positive parent/child interaction. Notwithstanding these improvements, however, many of the same problems still exist in that community and the resources to deal with some of the more serious child protection issues are still not available in that community or even in Thompson.

NELSON HOUSE FIRST NATION

Nelson House First Nation is located approximately 79 kilometres north of Thompson. It is accessible by road. Patrick's biological father is from Nelson House. While Patrick had no involvement with his father's family, he spent much of his early childhood in that community because of his mother's relationship with Anthony Linklater, whose family is from Nelson House.

In the early 1990's the Awasis Agency's operations in Nelson House were similar to those in Shamattawa. Nelson House is a much larger community than Shamattawa with an estimated population of 2500 in 1990 and about 5000 at the present time. As a result of this higher population there were and are more resources available in that community. In the early 1990's there would have been about 80 - 90 children from Nelson House in care, while at the present time the number is about 48. The Awasis Agency is no longer the child caring agency that is responsible for Nelson House. That community now has its own child caring agency as of May of 2001.

The problems in that community were and still are alcohol abuse, sexual abuse, physical abuse, neglect, and family violence. These problems were all a factor in the family of Ella and Anthony Linklater, where Patrick spent a great deal of time during his early childhood.

LYNN LAKE

Lynn Lake is located about 314 kilometres northwest of Thompson. It has a population of about 600 people and at the time that Patrick Redhead lived there the

population was about 800. This is a very high-needs community with a high rate of alcohol and drug use and sniffing. The community has a lot of social problems and a high rate of unemployment. Most of the population is on social assistance. It was described by resident Selena Threinen, as a community without much hope. Patrick Redhead spent a lot of time in this community in the early to mid- nineties.

THE FAMILY HISTORY OF PATRICK REDHEAD

• PATERNAL FAMILY HISTORY

The evidence suggests that Patrick's biological father never had any significant involvement in his life. Patrick's birth certificate does not even name his father. Patrick did not know who his father was for most of his life. In fact, it appears that Patrick thought for a number of years that Anthony Linklater Jr., who is the father of two of Patrick's sisters, was also his own father. Patrick's biological father is Patrick Murdo Linklater, who is from Nelson House. According to the evidence of Sandra Fontaine, Patrick Murdo Linklater has lived next door to her parents' place in Nelson House for a number of years. While Patrick knew him as a neighbour, for most of his life he did not know that this was his father. There is also no evidence to suggest that any of Patrick's paternal relatives ever played any role in his life.

Patrick Murdo Linklater was custom adopted and raised by John and Susan Spence of Nelson House. One of his adopted brothers, committed suicide in 1995 at age 38. His adoptive parents both died before Patrick Redhead was born. Patrick Murdo Linklater's natural father died in 1974 and his mother died in 1986. He had eleven siblings of whom nine are still alive. Three of his natural sisters have alcohol abuse issues, and two of these sisters have children who are or were at one time in the care of family services. Patrick Linklater also has alcohol abuse issues. When Patrick was in Agassiz in 1998 he described his real dad as an alcoholic who drinks every day and who has no job. Patrick indicated that he had met his father but that he had no feelings for him.

• MATERNAL FAMILY HISTORY

While the Awasis Agency was only established in 1983, David Monias testified that the Agency has family services files on many of Martina Redhead's family members. Patrick Redhead's maternal family tree is riddled with alcohol abuse and violent and tragic death. His maternal grandfather committed suicide by drowning in 1987 in Shamattawa. He was fifty-eight years old. His grandmother Sophia Redhead died in June of 1999 of injuries she received during a drinking party in Shamattawa when she was very intoxicated and someone threw boiling water on her. She was sixty-seven.

Patrick's mother, Martina Redhead had eleven brothers and sisters. One brother died in infancy. Of the remaining ten siblings six have died violently or because of alcohol abuse. One sister was shot and killed by a man in Shamattawa in 1984 at the age of twenty-seven. A brother was stabbed to death by his wife in Shamattawa in 1992 at the age of twenty-nine. At trial it was ruled to be self-defence because of the physical

abuse there had been in the relationship. Two brothers died on the same date in 1993 in Thompson, of alcohol poisoning. One brother was forty-two the other was thirty-eight. Martina's youngest sister committed suicide in Thompson in 1994 at the age of twenty. A brother drowned in Shamattawa in 1999 at the age of thirty-two. His death was alcohol related.

One of Martina Redhead's sisters has a number of children who are in the care of child and family services in Winnipeg. Only three of Martina Redhead's siblings are healthy and strong members of their community. One of Martina's sisters has been appointed the legal guardian of RR, one of Patrick's sisters.

Looking at this family legacy it is little wonder that Martina Redhead has battled a severe alcohol problem all of her adult life and has for most of that time been incapable of providing consistent or adequate parenting for her own children. None of Martina Redhead's children are in her care at the present time nor have they been in her care for any extended period of time in the past.

David Monias testified that the Redhead family history of alcohol abuse and violent and tragic death is very typical of many of the families in Shamattawa.

- **MARTINA REDHEAD'S CHILDREN**

Martina Redhead had at least seven and possibly eight children with at least five different men. None of the fathers of her children were involved for any length of time in the care of their children. One of these men, Rudy Scatch, was stabbed to death with a screwdriver in Cross Lake in about 1983. Patrick's father Patrick Murdo Linklater has his own alcohol issues to deal with. Anthony Linklater Jr. has alcohol abuse issues and has been accused of sexually abusing some of his nephews as well as Patrick himself. He has a lengthy criminal record including numerous convictions for assault related offences.

Zacheus Dumas had dealt with his alcohol addiction and had already been sober for several years when he met Martina. He was a stable and respected member of the community in Lynn Lake. The evidence suggests that during the time that Martina lived with him she was sober. It appears that this was one of the longest periods of sobriety that she ever achieved. Unfortunately, Mr. Dumas died suddenly of a heart attack in 1992, and Martina quickly turned to alcohol once again to cope with her grief. Alvin Bighetty also had alcohol abuse issues and he died of exposure while intoxicated in 1995.

Thus Martina Redhead did not have the kind of support and assistance from her partners that she would have needed to provide appropriate care for her children.

The evidence suggests that Martina Redhead's first child HR was in her care for only a very short time. It is not clear when he was apprehended, but he became a permanent ward of a child caring agency early in his life and had no involvement with his mother after that time. He has Fetal Alcohol Syndrome and while he is now an adult, he is not able to live independently.

The evidence suggests that Martina Redhead may have had another son, JR older than Patrick. His whereabouts are not known at this time. Patrick certainly indicated that he had two older brothers whom he had never met when he shared his life history at Agassiz. The evidence suggests that if there is another brother he was never in the care of Martina Redhead for any extended period of time if at all.

Patrick appears to have been in his mother's care when he was an infant, but in his early childhood Martina Redhead became involved in a common law relationship with Anthony Linklater Jr. She had two daughters with Linklater in 1987 and 1989. Sometime during this relationship Martina Redhead placed Patrick in the home of her in-laws, Ella and Anthony Linklater Sr. in Nelson House. Patrick spent much of his time in their home until he was about eleven years old. In fact according to information Patrick shared with his group when he was in custody at Agassiz Youth Centre, he did not even recall meeting his mother until he was ten years old. He was obviously mistaken on this point as he lived with his mother and Zach Dumas in Lynn Lake for a period of time in 1991-1992 when he was about 8 years of age.

The Ella and Anthony Linklater family also had alcohol, physical, and sexual abuse issues. The evidence suggests that there was physical and sexual abuse in that family when the Linklater children were growing up. This abuse led to Anthony Linklater Jr. beating up his father in the mid 1980's, which resulted in the father being confined to a wheelchair for the rest of his life. Ella Linklater was the person who was primarily responsible for childcare in her home most of the time. She has also struggled with alcohol addiction for much of her life. Anthony Linklater Jr. lived in the home off and on for periods of time when Patrick lived there. He is identified as having sexually abused at least two of his nephews as well as Patrick.

The rest of Patrick's siblings were each in the care of their mother off and on for only short periods of time. All of them are now permanent wards of a child caring agency or are under the legal guardianship of individuals other than their mother. The four youngest siblings are in stable homes where they have been for a number of years. Patrick's sister BR is a permanent ward of the Awasis Agency. She has Fetal Alcohol Syndrome. She has a lot of difficulties similar to those that Patrick had.

Martina Redhead had little or no contact with Patrick after he was apprehended in 1995. There is no question that the loss of his family had a profound impact on Patrick's life and was one of the pervasive issues for him in the last four years of his life.

- **PATRICK'S INFANCY**

The records filed at this inquest provide very little information about Patrick's infancy or early childhood. The evidence suggests that Patrick was in the care of his mother while he was a baby. According to medical records, Patrick appears to have been in the care of his mother for most of his first two years. In the first year of his life child

caring agencies had involvement with Patrick on at least two occasions. At these times he was apparently in the care of Martina Redhead.

On the first occasion when he was apprehended in August of 1984 he was only five months old. At that time he was essentially left by his mother without providing adequate child care arrangements. She was out drinking and could not be located for about a week. She was breast-feeding. Patrick was placed in a foster home for about a week and was then returned to his mother when she surfaced again. There is no evidence of any follow-up being done with her. A note on the family services file indicates that Martina Redhead was on her way to Nelson House and that the Awasis Agency would assume conduct of the planning for the child. The file does not indicate what if any assistance or counseling was provided to Martina Redhead at this time. One would have thought that some kind of follow-up was required in this situation but the evidence does not reveal that anything was done in this regard. This may however, be due to a gap in the files.

There is also a suggestion of some agency involvement in January 1985. It is not clear what this involvement was but a family file was apparently opened on that date. In November 1985 when Patrick was about 1 1/2 years old he was apprehended in Nelson House by the Awasis Agency. There is no indication on the file as to the reason for this apprehension. An application for a hearing filed in court in Thompson states that the child was in need of protection on the date of the apprehension. The evidence does not reveal what if anything happened to that application. A short time later Patrick was returned to his mother, who at the time was staying at Ella Linklater's home. The date of his return is not noted. There is no indication on the file whether any follow-up was done on this occasion.

There are some medical records in the files that detail some of Patrick's early encounters with the nurses in Nelson House. These entries suggest that he was well cared for and was a happy healthy and active infant.

- **PATRICK'S PRE-SCHOOL YEARS**

The evidence suggests that in his early childhood, pre-school years Patrick lived for a time with his mother but that at some point his care was taken over by Ella Linklater. This appears to have been a private arrangement made by Martina Redhead. When Patrick was three years old his sister BR was born. The evidence suggests that BR was also cared for off and on by her grandmother.

Some medical records from Nelson House suggest that Patrick was generally living in that community until at least the summer of 1991. Aside from the usual childhood ailments that are noted in the file there are also some visits to the nurse as a result of physical injuries. In April of either 1986 or 1987 (the note is not clear) Patrick was treated for a laceration to his head. It was reported that he fell off a chair and hit his head. He received three stitches. There is a reference in the file in July of 1988 to a near drowning. Patrick later reported to his teacher in Lynn Lake that he fell in the river and

nearly drowned but his older brother saved him. In September 1988, he was seen by the nurse for a head injury, and it was reported that he fell from a swing onto his face. He had a bleeding and swollen nose. In July 1991 he had a fishhook removed from his thigh.

None of these injuries or entries suggests that Patrick was the subject of physical abuse in the home. However, according to the evidence of Sandra Fontaine, when Patrick was a young child his mother assaulted him with a beer bottle hitting him on his head. He was taken to Winnipeg for medical treatment and when he returned he had a lot of stitches on his head. Sandra Fontaine recalls that after Patrick was out of the hospital an Awasis Agency social worker placed Patrick with Ella Linklater, who at that time was living in Thompson. Sandra Fontaine was living with her mother at that time. This incident is not documented in any of the files disclosed at this inquest. While Martina Redhead was convicted of an aggravated assault charge on August 26, 1986 the evidence does not reveal whether that conviction related to this incident.

In August of 1989 Patrick's baby sister RR was apprehended as she was malnourished and developmentally delayed. She was hospitalized for failure to thrive. She was six months old and weighed only eleven pounds. A few months later Ella Linklater told an Awasis Agency social worker, that Martina did not want to listen to the baby crying, and she had tried to give the baby away to anyone who wanted her when she was drunk.

In October of 1989 Patrick as well as his sister BR were living with Ella Linklater in Nelson House. Ella Linklater told an Awasis Agency worker that Martina Redhead abused Patrick, hitting and kicking him and making him stay in his room so that he would be out of her way. Patrick would have been five years of age at that time. There is no documentation on the file that suggests that this information was ever investigated further or that it was ever raised or considered during any subsequent incidents when the Agency was involved with Martina Redhead's family.

During many later disclosures to a number of different people over the years, Patrick reported that he was not only regularly physically abused by his mother, but that his grandmother and an uncle also physically abused him. He also disclosed that his stepfather Anthony Linklater Jr. sexually abused him. Sandra Fontaine testified that Patrick was already a troubled child by the time he was four years of age.

- **PATRICK'S SCHOOL YEARS**

Patrick initially attended school in Nelson House when he was living with Ella and Anthony Linklater. In December of 1990 there is an entry in the Awasis Agency file suggesting that there was an abuse complaint from the school respecting Patrick. The evidence does not disclose whether, or how this was investigated or followed-up. From at least the fall of 1990 Martina Redhead was living with Zacheus Dumas in Lynn Lake. While she was living with him, until his death in March 1992, she achieved perhaps the greatest period of stability and sobriety in her adult life. In December 1990 she had another baby, a girl MR. Sometime in the fall of 1991 Patrick came to live with his

mother and Zacheus Dumas in Lynn Lake. The reason for this move is not clear from the files.

By the time Patrick was living with his mother in Lynn Lake in 1991 concerns were already being raised in school regarding his aggressive and violent behaviour. He was only seven years old. The school psychologist noted that Patrick was obsessed with violence. He was often very aggressive with other students and teachers. He engaged in problematic behaviour on a daily basis. He frequently punched and kicked other students and teachers. He spent a great deal of time drawing characters that were involved in violent activities. He had a very short attention span and was extremely physically active in class. He was assessed as being developmentally delayed and his IQ was in the below average range. It is noted that he sometimes would inflict pain on himself. He was described at times as being totally out of control.

In late 1991 and in 1992 on a number of occasions Patrick disclosed at school that his mother physically abused him. On at least two occasions he had bruises. He indicated that his mother hit him with a shoe and with a broom. He disclosed similar physical abuse by his mother in the past. In February 1992 social workers in Lynn Lake discussed these abuse allegations with Martina Redhead and talked about using different options to discipline him other than physical discipline. Martina at that time indicated that she had some concerns about Patrick as he had been staying out all night and she had to look for him.

Patrick also disclosed at school in 1991 - 1992 that on one occasion he was sleeping with an Aunt Nora when a man stabbed her. He hid under the bed. He mentioned past abuse by his grandmother and an Uncle Arnold. He showed his teachers two scars. He also indicated that his mother would leave him to baby sit his two young sisters while she went out to bingo. A note from a social worker on April 23, 1992 indicates that Patrick needs some one-on-one counseling and needs support and monitoring due to "extreme emotional problems". However she goes on to note that he will be left in the home with the mother. In March 1992 Martina's common law husband Zacheus Dumas died. In May 1992 she had another baby ZR. A homemaker was put in the home for several hours each week to help Martina Redhead to cope sometime that spring.

On May 15th 1992 Patrick and his sister RR were apprehended by Family Services in Lynn Lake. His sister had bruises on her back and she and Patrick indicated that her mother hit her. Patrick was also complaining of physical abuse by his mother and he was said to be out of the control of his mother. He was eight years old at that time. Patrick was placed in a foster home for a few weeks but for some reason was returned to his mother in early June. There is no satisfactory explanation as to why Patrick was returned to his mother and how the issues that led to his apprehension in the first place were addressed, if at all. RR was placed in a foster home. At the end of July 1992 Martina Redhead went back to live in Nelson House. The Lynn Lake Family Services file was closed and the case was transferred to the Awasis Agency.

The evidence suggests that shortly after her return to Nelson House, Martina Redhead resumed her common law relationship with Anthony Linklater Jr. A file notation in August 1992 indicated that Martina was abstaining from alcohol but Anthony continued to drink. Their apartment in Thompson was being renovated and in the meantime they were all living at Ella Linklater's house in Nelson House.

By September 1992 the school in Nelson House was indicating that Patrick was engaging in violent behaviour to himself and the other students and teachers. When spoken to by a social worker, Patrick stated however, that no one hits him at home, not even his mother. By the end of September 1992 Martina Redhead had returned to Lynn Lake and her two youngest children were apprehended due to her continued alcohol abuse and inadequate care. Patrick remained at his grandmother's place in Nelson House.

In February 1993 there were more complaints about Patrick's behaviour in school in Nelson House. He reported to a social worker that he hurts himself and other children using sandpaper to scrape their knuckles. Ella Linklater told a social worker that it is no wonder that Patrick acts this way in light of the abuse he received from his mother. Ella stated that at times Patrick's mother would kick him all over his body.

In March 1993 there was a complaint that Patrick had stuck his finger in the bum of a girl in the washroom at school. In April 1993 Patrick was apprehended by the Awasis Agency from the home of Ella and Anthony Linklater. Patrick disclosed that his grandmother hits him all the time. He was placed in a foster home in Thompson for a little over a month. The Awasis Agency obtained a six-month order of guardianship for Patrick.

In May 1993 Patrick was involved in numerous acts of violence to students and teachers in Juniper School in Thompson. On one occasion he pulled a knife on another student. His foster mother asked that he be removed from her home, as she did not have time to deal with his behaviour. Patrick was placed in another foster home in Thompson for a few weeks. In early June 1993 he was placed in Shamattawa at the home of Sophia Redhead, his maternal grandmother. The evidence does not indicate what investigations were done if any to determine that this home was a suitable placement for Patrick.

In December 1993 the RCMP in Nelson House investigated a serious incident in school where Patrick tried to choke another student in class with a snare wire, that he wrapped around her neck. Patrick was only nine years old and could not be charged with a criminal offence so the matter was referred to the Awasis Agency. The police officer noted at the time that this was a very serious incident. There is no indication in the files of any intervention by the agency at this time.

In January 1994 Patrick was back with his mother staying at the Crisis Centre in Shamattawa. The evidence is not clear as to how he came to be with his mother. Staff at the Crisis Centre reported that Martina Redhead was abusive to her children and that she would hit Patrick with a broom. The Awasis Agency apprehended all four of her children. Patrick was placed back with his maternal grandmother. A note on the Awasis

Agency file indicates that the children are not to be placed back with the mother until a thorough investigation has been done and appropriate action has been taken. Yet only five months later in June 1994, Patrick was placed back with his mother without any indication that an investigation of any sort had been done or any action taken.

On January 14th 1994 Patrick was taken from the Sophia Redhead home as it was reported that his mother, who was staying at that residence, was abusing him. Both she and the grandmother were drinking and Martina admitted to hitting Patrick. Patrick was taken to the Shamattawa office of the Awasis Agency for the weekend and while he was there he was abusive to himself and the worker. Patrick was placed in a foster home in Thompson for a few weeks. In early February Patrick was placed in a specialized foster home in Ilford. This was to be a short-term emergency placement for only a few weeks until alternate plans could be made for him but he ended up staying there until June 1994.

While in Ilford Patrick continued to act out violently in school to the teachers, students and himself. In the middle of June Patrick was placed in yet another foster home in Thompson. Then, for reasons, which are not clear from the evidence, on June 20th 1994 Patrick was returned to his mother who was back in Lynn Lake. There is no indication in the records that the thorough investigation and appropriate action, that was indicated to be required in January before her children were placed back with Martina Redhead was ever conducted.

Some time in 1994 Martina Redhead started living with Alvin Bighetty. Patrick continued to cause problems at the Lynn Lake School and in the community, where he was involved in criminal activity on a number of occasions. He was only 10 years old. Dr. Mundy the school psychologist assessed Patrick due to his unpredictable behaviour in school. He was assessed as being in the mentally deficient and borderline range. He scored in the 93rd percentile for self-destructive/identity problems.

In early 1995 Alvin Bighetty died. Once again Martina Redhead turned to alcohol to cope with her grief and her loss. Dr. Mundy again assessed Patrick in view of his ongoing violent behaviour in school. His anger profile showed that he was quick tempered with little provocation and that he was impulsive and lacking in anger control. He frequently experienced anger and had intense angry feelings. Dr. Mundy indicated that in her opinion Patrick should be placed in a level four home. The evidence is not clear as to why this suggestion was not acted on at that time. A referral to MYS was not made until a year later in January 1996.

In February 1995 the Redhead children were apprehended for one day when their mother left them alone while she was out drinking. They were returned to her the next day after she was cautioned. By April 1995 Patrick and his sister BR were back in Nelson House with their grandparents. The evidence is not clear as to how or why this occurred. In July 1995 Martina Redhead had another baby, the son of the late Alvin Bighetty.

By the fall of 1995 Patrick was back in Lynn Lake with his mother. On September 15, 1995 Patrick was staying at the Friendship Centre Receiving home in Lynn Lake. The reason is not entirely clear. The RCMP brought him back to the Friendship Centre. He was extremely intoxicated and he was taken to the hospital to ensure that he did not have alcohol poisoning. Later that day Patrick was returned to his mother when she returned to town. Once again there is no indication in the evidence of any overall plan underway at that time to assist this very needy child.

In October 1995 a number of Patrick's siblings were apprehended from Martina Redhead as she was intoxicated and there was a party at her house. This was the last time the children were apprehended from her and they were not again placed in her care after that time. At this time Patrick was back in Nelson House. He was not registered or going to school. In November 1995 Ella Linklater indicated that she could no longer keep Patrick and requested that he be removed from her home due to his behaviour. Patrick was escorted to Lynn Lake, where he was apprehended by the Lynn Lake Family Services and was placed in the Marie Colomb foster home. This was Patrick's last apprehension by any child caring agency. From November of 1995 until his death in August 1999 he was in the care of the Thompson Region Family Services first as a temporary ward and then as a permanent ward.

Again in 1995-1996 there were daily behaviour problems in school and Patrick was sent home several times for fighting and hitting other students and teachers. He was now seeing a Life Skills Counselor in school on a daily basis to deal with his aggression. The Colomb foster home placement broke down at the end of December 1995. Apparently the foster mother had learned that there were allegations in Nelson House that Patrick had been sexually touching young girls. This allegation was never confirmed. Patrick was placed in another foster home and for a short time in the Friendship Centre Receiving Home in Lynn Lake.

In January 1996 the school psychologist Dr. Mundy reiterated her view that Patrick needed a level four home with a 24-hour structured environment. She indicated that in the year and a half that she had worked with Patrick she had observed no improvement and in fact he had regressed both socially and academically. She expressed the view that if he was not cared for appropriately he would harm himself or others.

Patrick was taken to Thompson on January 12, 1996 and was placed in the Marymount North receiving home. He started attending Juniper School in Thompson. His school experience was negative. He was verbally abusive to his teacher and threw tantrums in class. During his time at Marymount, Patrick was frequently running from his placement. His behaviour was noted to be difficult with an inability to trust or bond with any of the workers. He had no sense of consequences. Patrick continued to act out in a violent manner with little provocation. On one occasion he was upset because his hair was standing up and he started throwing furniture around and throwing items at the staff. In January 1996 he drew pictures of erect penises all over the walls of the facility.

In March 1996 a placement was finally found for Patrick in a specialized foster home with Macdonald Youth Services in Winnipeg. Selena Threinen testified that she was so happy that she danced for joy around her office when she heard that an appropriate placement had been found. On April 1, 1996 Patrick was placed in the home of John Anthony and Leslie Ball in Winnipeg. He was then 12 years of age.

His first several months at the Anthony/Ball residence probably represents the most stable time period of his life up until that point. For several months he thrived in that placement. It was intended that this would be a permanent placement for him until he was ready to go into independent living. He attended school and did very well. He was described as a respectful pleasant student who behaved appropriately in most situations. While there were some problems with his behaviour at times, generally the foster parents described Patrick as delightful to have around. He was noted to have an excellent, happy-go-lucky, appreciative, cooperative, and helpful attitude.

Patrick was enrolled in swimming and diving classes. A local aboriginal artist gave him art lessons. His special needs teacher taught him to hoop dance and gave him a gift of hoops. He went canoeing and camping and spent some time at the family cottage and at camp in the summer of 1996. He complied with the curfew that was set by his foster parents. He responded well to the structure and clear guidelines in the home. In December 1996 Patrick was made a permanent ward of Thompson Family Services.

In January 1997 Patrick returned to Nelson House for a visit and to give evidence in court. This visit and the pending birth of the foster parents' first child appeared to resurrect Patrick's family issues and he began to run and act out. There were a lot of angry outbursts and many tears. He again had a lot of difficulty dealing with his anger. He admitted that acting out and running away had always got him moved in the past and that was what he now wanted. He wanted to go back to Nelson House to live with his grandmother. In March 1997 Patrick's file was transferred from social worker Selena Threinen in Lynn Lake to Susan McNeil in Winnipeg.

Throughout April and May of 1997 Patrick continued to run and at times was living on the street and was away from his placement for several days at a time. He became involved with the Indian Posse street gang. He was committing criminal offences and was involved in the abuse of alcohol and drugs. He was now 13 years of age. At the end of May he threatened a respite worker in the foster home with a knife. He was then discharged from the home. While he was on the street his Aunt Sandra Fontaine saw him and spoke to him. This chance encounter brought the Fontaine family into Patrick's life for the first time. Patrick was arrested in early June 1997 and was in custody for the first time at the Manitoba Youth Centre. He was released on bail a few days later and was placed at a MYS level-five 2-bed residence on Kent Street.

- **PATRICK'S ADOLESCENCE**

On June 17, 1997 Patrick was placed at the home of Sandra and Norman Fontaine. While there was no close biological relationship between them Patrick

regarded them as his aunt and uncle. Sandra Fontaine is the paternal aunt of two of Patrick's sisters. Patrick remained at the Fontaine home until August 15, 1997 when he was placed in a Thompson group home.

While at the Fontaine home, Patrick was the only child in the home. At times his running behaviour continued but not to the same extent it had before. There were also some incidents of violence. Sandra Fontaine testified that Patrick was an angry young person because of the way he had been raised. She indicated that throughout the time he was with them he was always angry with his mother.

Ms Fontaine stated that Patrick often played with knives and had a fascination with knives. On one occasion he locked himself in his room with a knife and pushed his bed against the door. On that occasion he was mad at her because she would not allow his friends from the gang to be at the house. Ms Fontaine kicked the door in, as she was worried that he would hurt himself. She testified that she would hide the knives but he would always find them again. She also stated that Patrick would use knives to damage his action figures and at times would heat a knife on the stove and then use the hot knife to disfigure his toys.

Sandra Fontaine testified that during the time Patrick stayed with them he talked to her about his mother's physical abuse and told her that he had been touched by a man. Ms Fontaine indicated that she thought that Patrick needed counseling to deal with his anger and that she wanted to take counseling with him. She asked the social worker about counseling and was told that there was no money for that type of counseling.

Concerns were raised by the social worker about the lack of structure in the home. Sandra Fontaine testified that she had a hard time being strict. She and Norman Fontaine disagreed about the lack of structure as he thought Patrick should have tighter controls. She indicated that she asked that Patrick be moved, as she could not deal with his anger. She testified that she was afraid that Patrick might hurt himself or her. The decision was then made for Patrick to be placed in a group home in Thompson.

Sandra Fontaine agreed in her evidence that she thought that it was in Patrick's best interests to be moved to Thompson. She traveled with him by bus to Thompson to bring him to the group home. She indicated that after she left Patrick in Thompson in August 1997 she did not see or hear from him until he called them from Agassiz at the end of May 1998. She was not able to give any reason in her evidence as to why she did not call or visit Patrick while he was in the group home placement in Thompson.

From August 15th to September 11th 1997 Patrick was placed at Nekenen, a short-term residential facility in Thompson that was operated by MYS. He was then moved to Hudson House a long-term MYS group home. He was at this placement until January 12th 1998. In August 1997 his file was transferred to a new social worker, Klaus Buller in Thompson.

During the time he was in these group placements in Thompson Patrick's running behaviour and aggression escalated. He was frequently AWOL and was away for several days at a time. He was involved in assaults on other residents and on staff. He caused damage to the facilities on a number of occasions. He was charged with a number of criminal offences. When he was AWOL he did not take care of his health and he lost weight. When he returned to the home he often had many self-inflicted cigarette burns on his arms. He was increasingly involved in alcohol and drug abuse. His attendance at school was sporadic and was characterized by bad language, disrespect and rude and angry outbursts.

As an aid to treatment planning for Patrick his social worker Klaus Buller arranged for an assessment by Darcy Cantin a psychologist. She found that Patrick's overall cognitive abilities fell in the borderline range and his verbal/language functioning fell in the intellectually deficient range. In terms of personality functioning, Patrick was noted to have an extremely negative sense of self-worth. He did not expect his interactions with other people to be positive. He had pervasive feelings of anger. Dr. Cantin recommended that Patrick receive individual psychotherapy to help him deal with his family of origin issues and to help him process and express his emotions.

Staff at Hudson House tried various methods of motivating Patrick and tried to engage him in meaningful relationships and activities with very little success. Staff found Patrick to be guarded and mostly dishonest and untrustworthy. He had unpredictable mood swings and behaviour shifts. He seemed to have a complete inability to make any connections to his adult caregivers. Despite all their efforts Patrick remained untrusting of the adults in his life making any intervention very difficult. He continued to have episodes of violent outbursts with no apparent instigating factors.

On January 12, 1998 Patrick was arrested and remanded in custody to the MYC. While in custody he was assessed by Dr. Fisher and he acknowledged occasional episodes of suicidal thoughts in the past. Patrick was sentenced for a number of criminal offences on February 17th 1998 and was placed on probation. He was released from custody and was returned to Hudson House. From this point in time until the date of his death Patrick was continuously involved with the youth criminal justice and corrections systems. Patrick always had a probation officer assigned to him and was bound by a number of strict conditions, including abstention from alcohol and drugs and attending counseling.

Within days of Patrick's return to Hudson House on February 17th, his AWOL and other misbehaviour commenced again. He was away for long periods of time, and at times, would run to Nelson House. He strongly resisted one-on-one counseling for anger and any attempts made by the staff at his placement to connect with him. He missed his appointments with the Addictions Foundation of Manitoba (AFM). He continued his use of drugs and alcohol. He failed to do his community service work. He disregarded virtually all of his probation conditions. He was suspended from school on a number of occasions. He was in possession of weapons at school.

Staff at Hudson House had to concentrate their resources on monitoring and containment of Patrick rather than support and counseling. They encouraged Patrick to attend sweats and to pursue his artistic talent but again with only short-term positive results. Patrick became increasingly uncooperative and unattached and his AWOLs increased in length and frequency. As probation officer Wendy Gowan noted in her Pre-Disposition Report dated May 22, 1998 at page 4:

"For the most part, Patrick showed no motivation to care about anything except what could give him immediate gratification, and with no conditions attached."

In March 1998 Patrick started talking about wanting to die. He made statements to various people to the effect that he didn't care about his personal wellbeing. He said that he would be better off dead. In April 1998 he was back in custody for a number of criminal offences. He talked to his social worker, Klaus Buller at length about committing suicide. He indicated that his life was nothing but a blank picture and that his life would never be good. He stated that he felt that he wanted to die at age 16. He admitted to self-inflicted cigarette burns. He also talked about the physical abuse he received at the hands of his mother and how desperate he had been to get out of her home.

Patrick was discharged from Hudson House in April 1998. He was in custody at the MYC. While there he is described as being short-tempered and rude and in need of immediate gratification. He was disruptive and had to be restrained on a number of occasions. On May 23rd 1998 he drew a picture of himself with a noose around his neck and threatened suicide indicating that he would kill himself before the year 2000. He was sentenced on May 26th, 1998 to 8 months of secure custody followed by a year of supervised probation.

Patrick was transferred to Agassiz Youth Centre in Portage la Prairie where he served his sentence until January 25th 1999. While in Agassiz he was placed on a medium suicide risk level on a number of occasions for suicidal thoughts. He was described as having a tendency to be immature and as being hurtful and aggressive. He was referred to Dr. Skinner and Patrick saw him on a number of occasions. The Fontaines and other family members visited him three times in the summer of 1998. Patrick talked to his peer group and to Agassiz staff about the physical abuse he received from his mother, his grandmother and uncle. He expressed the view that he did not have a very good life. He took a number of counseling programs related to anger management and drug and alcohol abuse. He did not initially successfully complete the programs and needed to repeat them. His discharge summary, however, indicated that overall Patrick had done well while at Agassiz and that the programs he had taken had helped him to deal with his aggression.

Placement plans for Patrick's release were not finalized until a few weeks before he was released from Agassiz. He did not know where he would be going even four days before his release. This uncertainty about his future placement was very stressful and

distressing for him. It was anticipated that he would be placed in the Mutchmor group home with MYS. However, there was no bed available at that facility on his release from Agassiz so he was placed at the Crisis Stabilization Unit for three days as an emergency placement. He was then placed in the Williamson group home for a week on an interim basis until a bed became available at Mutchmor. A bed was created for him at Mutchmor.

On February 6, 1999 Patrick was placed at the Mutchmor group facility for an extended three-month pre-placement to determine if this placement would be appropriate for him. Patrick was also involved with a probation officer and an Intensive Support and Supervision Program (ISSP) reintegration worker. Patrick was at Mutchmor for about a month and three weeks. During that time he visited at Sandra and Norman Fontaine's home on a fairly regular basis. He was also AWOL at times, behaving aggressively with other residents and abusing alcohol and drugs. Again as in his previous placements he had great difficulty connecting with or trusting his adult caregivers.

On March 26th 1999 an incident occurred at Mutchmor which precipitated a violent outburst by Patrick and led to the breakdown of that placement. Patrick apparently had asked for a haircut and then did not like the haircut he received. He became angry and out of control damaging property and assaulting a number of staff at Mutchmor. He was arrested and remanded into custody at MYC. On May 19th 1999 Patrick was sentenced to two months open custody to be followed by 22 months of supervised probation. He was transferred to Agassiz at the beginning of June 1999.

Mutchmor staff indicated that they did not want him back, as the other residents were scared of Patrick, the staff could not manage him and he himself did not want to be there. A referral was eventually made to the SIP program of MYS to try to develop a specialized placement for Patrick. Patrick was noted by Agassiz staff to be upset at various times as he did not know where he would be residing upon his release from custody. Patrick again saw Dr. Skinner on a few occasions, as he was depressed and expressing suicidal ideation. Medication was prescribed for him. He disclosed that his stepfather had sexually abused him when he was eight or nine years old. He told the staff and his peer group at Agassiz that when he gets out of Agassiz he would hang himself.

On July 18th 1999 Patrick was released from Agassiz. He was 15 years old.

- **THE ANDRADE/SCHNEIDER FOSTER HOME PLACEMENT**

On July 18th 1999 Patrick was placed at the foster home of Janice Schneider and John Andrade in a rural area near Dugald, Manitoba. This placement was arranged by MYS through their Specialized Individual Placements (SIP) Program. On July 26th Patrick's social worker, Klaus Buller had to leave work on an unanticipated leave of absence. Patrick's case was then looked after by Buller's supervisor Kathy Wightman for about the next month, until it was transferred to social worker Cara Fawcett-Grandin, in Winnipeg a short time before Patrick's death.

George Reis was hired by David Sullivan of MYS to be the case manager for Patrick and to provide 10 hours of support per week for Patrick and the foster parents. Mr. Reis was given a cell phone and the idea was that he would be available to Patrick and the foster parents 24 hours a day seven days a week. Mr. Reis however, was also working elsewhere for MYS as well as at the Marymount group home and Mr. Sullivan was aware of this.

Ms Schneider and Mr. Andrade were inexperienced at fostering and in fact Patrick was the first child they had ever fostered. MYS and the social worker had chosen their home, as it was in a rural area and was some distance from the City of Winnipeg. It was hoped that this would result in less AWOL behaviour and would keep Patrick away from the lure of the streets, gang involvement, criminal behaviour and the use of drugs and alcohol.

During the first few weeks at this home Patrick seemed to like the placement. Things were going well. He visited his aunt and uncle in Winnipeg on a number of occasions. When he came back from these visits, however, he was usually very sad and upset and there was some negative behaviour. This was discussed with Patrick and it was decided that it would be better at this time if he did not visit his aunt and uncle as often until he had been stabilized in this placement. Patrick apparently agreed with this decision at the time. It was agreed that once he had settled in a little bit into the placement then he could go for visits more often and for a longer period of time. In fact Ms Schneider testified that they talked to Patrick about inviting the Fontaine family to come out to their home for a barbecue and to visit. Patrick mentioned that his aunt and uncle did not have a vehicle at that time.

Within a short time, however, the pattern Patrick had fallen into in the past was repeated. He no longer wanted to be at this placement. He complained of being bored and wanting to be elsewhere. He indicated on a few occasions that he wanted to run away. On August 8th Patrick walked away from his foster parents when they were going for supper in Winnipeg and they could not find him. This incident was apparently precipitated when Janice Schneider advised Patrick that she would not be taking him shopping for new clothes right away. The following day Sandra Fontaine called Janice Schneider advising that Patrick was with her. John Andrade picked Patrick up that afternoon. When Patrick returned to the foster home on August 9th he advised Ms Schneider that he had consumed drugs while he was gone.

On August 13th Patrick's caseworker George Reis wrote to Kathy Wightman of Thompson Region Family Services requesting approval of an increase in support hours for Patrick Redhead. He noted that the foster parents were relatively inexperienced and were only now beginning to appreciate the high level of care that Patrick required. He requested approval of 30 hours of support per week.

In a monthly report for MYS completed by Janice Schneider on August 15th, 1999 she indicates that Patrick has some deep trust issues and appears to have an immense amount of pain. She states that she and John Andrade will discuss issues bothering

Patrick with him. He shows signs of crying but won't do so. She noted that when Patrick comes back from visiting his aunt and uncle he is sad and is in an unusually temperamental mood. She indicated that he would only be visiting occasionally, as it is hard for him to deal with at this time, and that this has been discussed with Patrick. She reported that Patrick is very hard working and does his chores without complaint and has started to do his community work hours. He is looking forward to starting school, as he wants to learn. Ms Schneider testified that overall she thought that Patrick was doing quite well at that time.

During his placement at this foster home Patrick had involvement with a number of other people who were available as a support for him. In addition to the support provided by George Reis, Patrick was also meeting with Cindy Reid, his probation officer as well as Dr. Skinner. There was also a suggestion made that Patrick's former foster parents, John Anthony and Leslie Ball could be used for some respite. However, when Ms Schneider raised this with Patrick he indicated that he did not want anything to do with them and that he didn't like those people.

On August 19th Patrick called George Reis and stated that he did not want to be at this foster home any longer. He indicated that he was having thoughts of hurting himself or of acting like he had at Mutchmor. Patrick contracted with George Reis that he would call him if he had these feelings again before he acted on them. Patrick also stated that he was lonely and had nothing to do and that he missed his family. Patrick indicated that he needed structure and that if necessary he might need to be locked up. Patrick advised Mr. Reis that he had run away from the foster home and had become high on drugs. At the end of the telephone conversation, Patrick was calmer and it was agreed that George Reis would check back with him the following day to see how he was doing. According to the evidence of George Reis, the biggest problem that Patrick seemed to have with the foster home was that it was away from the City of Winnipeg and that he was bored and had nothing to do there.

Later in the day on August 19th, George Reis spoke to Janice Schneider to obtain more information about what had happened. Ms Schneider indicated that Patrick had not run away in the past few days and had not consumed drugs. She stated that Patrick had called another boy who had not called him back. She was of the view that this seemed to depress Patrick. She also advised that Patrick had disclosed to her that he had been sexually abused as a child. He became more upset when disclosing this information. Mr. Reis told Ms Schneider about Patrick's statement about hurting himself or possibly others.

On August 20th Ms Schneider called George Reis and advised that Patrick had run off from the house between six and seven in the evening. She was told to give Patrick some time before she called missing persons. Ms Schneider advised that Patrick was upset when he left and that before he left he told her that he did not like it at her place. At that time Ms Schneider did not think that Patrick was suicidal. Patrick returned to the foster home at about 11p.m. August 20th and he went straight to his room and did not discuss what was bothering him.

On August 21st Patrick called George Reis again and stated that he was not feeling well. According to notes taken by Mr. Reis, Patrick was feeling like he wanted to hurt himself and his foster parents. Patrick told Reis that he hated it at the foster home and that he needed more structure. He indicated that he was bored and that he wanted to get out of there even if it meant going back to Agassiz. Patrick also told George Reis that he wanted to hurt John and Janice. Patrick promised that he would call the Mobile Crisis Team and Mr. Reis before he did anything. He was told that he could be admitted to the CSU for a short break through the Mobile Crisis Team. Janice Schneider later confirmed with George Reis that Patrick had threatened her.

According to the evidence given by Ms Schneider, on August 21st Patrick seemed out of sorts. He did not want to stay at their home and wanted to be in the city. He felt isolated and he expressed a concern about him being safe and about their safety as well. He indicated to her that he needed to be in a safe place. When she asked him what he meant by that, Patrick stated that he did not want to hurt himself or them. At one point during this conversation Patrick also said that he wouldn't care and it wouldn't bother him if he killed them. According to information provided by Ms Schneider to the probation officer, Cindy Reid, Patrick also made a reference during the conversation to there being a seven inch blade in the garage. As a result Ms Schneider feared for their safety. She noted as well that Patrick had not taken his medication for two days.

Patrick called the Mobile Crisis Team on August 21st and told them that he was feeling as if he might not be able to keep himself safe tonight and that he was having some suicidal thoughts. It was arranged that John Andrade would bring Patrick into Winnipeg to meet the Mobile Crisis Team. Patrick met with the MCT and was noted to be hostile and angry. He admitted current suicidal thoughts but when asked about a plan he indicated that he would keep that to himself. He stated that his anger stems from his living in the past and seeing images from his past that bother him. He refused to discuss what these images were.

Patrick was admitted to the Crisis Stabilization Unit on August 21, 1999. He remained there until August 25th. While he was at the CSU he was compliant and cooperative and there were no problems. During the time he was there he refused on one occasion to take a phone call from Janice Schneider and on at least two occasions he asked to call his foster parents and then changed his mind and did not do so. In his discussions with staff at the CSU Patrick indicated that he felt that his foster parents were too bossy and didn't listen to his point of view. He was of the view that they were just concerned with themselves. He expressed the opinion that people did not understand what it is like to be away from family and to be caught up in the system. He stated that when he turned sixteen he would be moving out.

Staff at the CSU suggested to Patrick that he discuss these concerns with his foster parents so that they could work on improving matters at the home. He then indicated that he was unable to talk to the foster parents about his problems and that John Andrade made him paranoid. During a later discussion Patrick indicated that he did not

want to return to the foster home and when asked why he stated that they were "snobs". When asked if there would be any problem living there if the foster home was in the city he indicated there would not be.

On August 23rd George Reis met with Patrick at the CSU. Patrick was much calmer and he talked about being bored at the foster home and about not liking John and Janice. George Reis told Patrick that there was nowhere else for him to go at this time and Patrick agreed to give the foster home another chance. Patrick also indicated that he missed his family and that he was usually upset when he had to leave them. He stated that he would like more visits with his aunt and uncle.

Janice Schneider and John Andrade indicated that they were willing to have Patrick come back again and were looking forward to having him back. They were willing to continue to work with him and to try to make it better. Ms Schneider did express to Mr. Reis that they did not want any physical aggression towards them.

On August 25th Patrick was released from the CSU after a meeting with George Reis, Janice Schneider and staff from MYS and the CSU. Patrick was described as being reluctant to return to the foster home and he spoke about not liking his foster father and the chores he made him do. After meeting for about an hour Patrick was in a better mood and agreed to give the foster home another try. He returned home with Janice Schneider and appeared to be fine at that time.

Paula Moynihan, the Clinical Follow-up Facilitator with the CSU in August of 1999, testified that she had some conversations with Patrick while he was at the CSU. She had discussions with him about how he was feeling and how to keep himself safe once he was discharged from the unit. She testified that during the discharge meeting Patrick spoke about wanting to manage his own behaviour and that he did not want to be constantly watched by his foster parents. He expressed the feeling that he was under a magnifying glass all the time. During this discussion they talked about various ways that Patrick could handle his stress on his own. He indicated that he wanted to be allowed to leave the house and go for walks and take time outs if he needed to.

Ms Moynihan also testified that the reluctance that Patrick was expressing about returning to his foster home is not at all unusual when children are in a new placement. Kids in this position frequently have a hard time at the beginning of a placement and if there are any problems they immediately want to scrap the placement and get out.

Ms Moynihan indicated that while Patrick was at the CSU and at the time of his discharge he was not expressing any continuing intention to harm himself, nor did his behaviour in the unit while he was there demonstrate any signs of depression or suicidality. In her view the situation had been stabilized. Patrick was specifically asked if he was feeling any compulsion to hurt himself and he indicated that he was not. They also discussed what to do if he felt that way again. It was made clear to Patrick during the discharge meeting that the Mobile Crisis Team was available to him if he had any further feelings that he wanted to harm himself in the future.

The events of August 26th have been detailed previously in this report. When Janice Schneider called Mr. Reis he was not available to assist her, as he was working at the Marymount group home that day dealing with another crisis. Mr. Reis testified that on the evening of August 26th he picked up a voice mail message from Janice Schneider at his home phone number. She indicated in that call that she was having trouble with Patrick and that he had broken an ornament. Mr. Reis did not get this message until after Patrick had died. He indicated that he did not have his cell phone with him that day as it had been misplaced. Ms Schneider called the MCT and it was decided that the RCMP would be called and a team sent out to the Schneider home to assess the situation and to try to respond to the needs of the foster parent and Patrick. By the time the team attended, Patrick had already been found by his foster parents and had been taken to the hospital by ambulance.

THE QUESTION OF A CORD FOUND UNDER PATRICK'S BED

There is one other issue dealing with the events leading up to Patrick's suicide on August 26th 1999 that I must comment on. In a number of reports including John Robson's report and the report of the investigator from the Chief Medical Examiner's Office, reference is made to the fact that a cord was apparently found under Patrick's bed by the foster mother on the day of, or shortly before Patrick's death. This information appears to stem from notes made by an intake worker with YECSS when Janice Schneider called the CSU at 3:20 p.m. on August 26th.

According to notes made on the intake form, in that call Ms Schneider indicated that Patrick had had an angry outburst, had smashed an expensive piece of crystal and she wanted someone from MYS to pick him up. According to those notes Ms Schneider also stated that she had locked Patrick out of the house. In the notes of that conversation it is indicated that there is no suicidal ideation present and the assessment of suicide risk is low. The following comment is also made: "o ideation voiced, Janice speculating, found cord underneath his bed today."

Ms Schneider was asked about this when she testified at the inquest. She was puzzled by this information and stated quite emphatically that she did not find a cord or a rope under Patrick's bed at any time and that she has no idea where that information came from. John Andrade was also asked about this matter when he testified at the inquest and he stated that he had no recollection of ever hearing anything about a cord being found under Patrick's bed.

Some notes made by probation officer Cindy Reid may shed some light on this issue. She testified that when she returned to work on August 23, 1999 she had a voice mail message from Janice Schneider who had called on the weekend reporting that Patrick had been taken to the CSU. Ms Reid called Ms Schneider back and made notes of their conversation as well as of the information that had been conveyed in the voicemail message.

According to these notes Ms Schneider advised the probation officer that Patrick had taken off for two hours on the weekend and had gone walking. She also stated that Patrick was feeling suicidal and had made a comment about there being a seven-inch blade in the garage. The foster parents feared for their safety. Patrick had also disclosed to Ms Schneider that he had been sexually abused in the past. She reported that Patrick had been taken to the CSU and had been admitted. The August 27th appointment with Ms Reid was cancelled as Ms Schneider expected that Patrick would still be in the CSU at that time.

Either during the conversation on August 23rd or during the voicemail message, Ms Schneider told Ms Reid that Patrick had a wire in his room made into a noose. She also stated that she had locked up any material that could be dangerous. Unfortunately, Ms Schneider was not asked about this conversation with Ms Reid when she testified at the inquest. This is quite understandable as Ms Schneider testified well over seven months after Ms Reid did so. Accordingly, no further details are known about this wire, including when it was found and its exact description. For example, we don't know whether this wire was a miniature noose a few inches in length or whether it was long enough to be actually used by a person to hang himself. Nor do we know what Ms Schneider was referring to when she indicated that all materials that could be dangerous had been locked up.

Ms Reid's notes were made as she was listening to the voicemail message and as she was having the conversation with Ms Schneider on August 23rd. Thus it is clear that this wire had been found on or before August 23rd, as that was when the notes were made. Based on Ms Reid's notes, it seems quite likely that a wire was found in Patrick's room in the days before his death.

I suspect that the references to a cord being found under Patrick's bed and about a wire in the shape of a noose being found in Patrick's room in fact relate to the same occurrence. The intake person from YECSS who made the note about the cord did not testify at the inquest. Ms Schneider testified that she has no recollection of a cord or rope being found. In fact she denied that she had found such an item. She was not asked about the wire, which she apparently told Ms Reid about.

The evidence at this inquest is not such as to allow me to reach any definitive conclusion about any cord or wire having been found in Patrick's room shortly before his death. I suspect that an item of this sort was found. However, having regard to all the evidence at this inquest I am satisfied that whether or not such a wire or cord was found, the actions of Patrick's caregivers in this regard were not a factor in his death.

Patrick had a history of suicidal ideation. In the past he had made threats of suicide by hanging and on one occasion had drawn a picture of himself with a noose around his neck. The risk of suicide had been identified on a number of occasions over the last few years of Patrick's life and many steps had been taken to ensure Patrick's safety. Absent placing him in a locked facility with 24-hour a day monitoring I am not satisfied that anything further could have been done in the last few days of his life to

prevent Patrick's suicide. The finding of a cord or wire in his room would not change this conclusion.

THE HISTORY OF PATRICK'S SUICIDE THREATS AND SELF-HARMING BEHAVIOUR

As noted above Patrick's history of suicide ideation and self-harming behaviour was well known and well documented. During most of the last two years of his life Patrick was in placements where his actions, behaviours, comments, and even feelings if he shared them, were written down in meticulous detail almost on a daily basis. This wealth of information, however, was not always made available to the other agencies involved with Patrick. While I am satisfied that this lack of communication was not a factor in Patrick's death, such a lack of communication might well be critical in other cases.

Even as a young child Patrick at times engaged in self-harming behaviour. He was only eight years old in 1992 when teachers at his Lynn Lake school observed that not only was Patrick very aggressive to other students and teachers, but he would also inflict pain on himself. A few months later, teachers at the school in Nelson House made similar observations. They noted that Patrick would hit himself as well as other classmates and teachers. A social worker talked to Patrick at his school in Nelson House in February of 1993 and Patrick told her how he used sandpaper to scrape the knuckles of the other children and himself, but he said that this did not hurt.

When Patrick was staying at the Awasis Agency office in early 1994 he engaged in violent behaviour to himself, banging his head on the desk, then laughing and saying that it did not hurt. He ran away from the worker into -43 degree weather without a jacket or boots on. When Patrick was in the placement in Ilford later in 1994, his teachers reported to the social worker that Patrick had been hurting himself with a pencil.

In a November 1994 assessment by Dr. Mundy, the Lynn Lake School psychologist, Patrick scored in the 93rd percentile for self-destructive/identity problems. In January 1996 Dr. Mundy indicated that in the year and a half that she had worked with Patrick he had not improved and in fact had regressed, and she was of the view that if Patrick was not cared for appropriately he would harm himself or others.

In later reports and notes by his social workers, caseworkers, and probation officers reference is made on a number of occasions to numerous self-inflicted cigarette burns and cuts that Patrick had on his hands and arms. Patrick admitted that when angry he would hurt himself in this way. Patrick acknowledged to Klaus Buller at an admission conference in August of 1997 that scars on his hands and arms were self-inflicted cigarette burns. While Patrick was in group placements in Thompson in 1997-1998 he was frequently AWOL for long periods of time. During these times he did not look after himself and would lose a great deal of weight and have numerous infected sores on his arms from cigarette burns.

In November 1997 a psychological assessment by Darcy Canton concluded that Patrick's sense of self-worth was extremely negative and he did not expect his interactions with other people to be positive.

In January 1998 when Patrick was in custody he came back to the MYC from Thompson with a number of burn marks and large scratches on his arm. He indicated that a cellmate scratched him with a plastic knife as a result of a game of chicken that Patrick lost. He denied any suicidal intent but admitted that he wanted to hurt himself at the time.

On January 26th 1998, Patrick was assessed by Dr. Fisher in view of the scratches on his arm. Patrick acknowledged occasional episodes of suicidal thoughts in the past. He stated that some of his family members had made suicide attempts.

When interviewing Patrick for a Pre-Disposition Report in February of 1998 Patrick advised the probation officer that at times he would feel depressed and that he had some suicidal thoughts.

On his 14th birthday in 1998 Patrick became upset for some reason and threw his cake around the room. After he had calmed down he talked about dying. A day later at school Patrick mentioned how dumb he was and that he wanted to die. In April of 1998 Patrick was AWOL for a number of days and when he was brought back to the home he was in poor physical condition wearing filthy clothes. During this time Patrick was noted to frequently make statements that he doesn't care about his personal wellbeing. On one occasion when he was brought back to his residence he talked about being better off dead.

On April 21st 1998 while he was in custody, Patrick had a lengthy conversation with his social worker Klaus Buller. He indicated that he wanted to end his life in one of three ways. These were, to provoke someone to kill him; to hang himself off a tree in the bush with no notice and no note; or to die in his sleep from a heart attack and die a peaceful death. Patrick indicated that his life will never be good, and that "life is nothing but a blank picture." He stated that he wanted to be known as "the Devil's Kid" and wanted to go to Hell so that he could watch people burn, especially those that he did not like. He stated that he has a feeling that he will want to die at age 16 and that living until age 16 is long enough.

In an Inmate Security Assessment completed at the MYC in April 1998, Patrick admitted that he has thoughts of dying sometimes and that he has many self-inflicted cigarette burn scars. He also admitted to sometimes burning himself with a lighter.

On May 23, 1998 while in custody at the MYC Patrick wrote on his door in felt marker, threatening suicide and promising to kill himself before the year 2000. He had also drawn a picture of himself with a noose around his neck.

Later in May Patrick reported in an Inmate Security Assessment at Agassiz that an aunt had hanged herself in 1994 and that three of his cousins had made suicide attempts by hanging in the past year and before that as well. Patrick reported that he tried to hang himself twice in the past month. He indicated that he had a rope and was going to hang himself but was too scared. This was the first report of any actual suicide attempt by Patrick. Patrick also stated that he often thinks about hanging himself when he is alone in the bush but that he does not think of doing so while he is in custody. He reported that he had thoughts of suicide four or five days before. He was placed on a Medium Suicide risk level. He later indicated that he had a plan to commit suicide on May 24th. He could not or would not say why he picked that particular day.

On June 2, 1998 when Patrick provided a detailed life history to his group at Agassiz, he admitted some self-abuse and some suicide thoughts but indicated that there had been no serious attempts to kill himself. He reported having a lot of suicide thoughts of late. He stated that he felt as if he had not had a good life. On June 10, 1998 Patrick scratched himself on the inside of his arm. He refused to disclose why he had hurt himself.

On December 9, 1998 while at Agassiz Patrick had thoughts of killing himself but no plans. He had written suicidal thoughts in his journal the previous night. He indicated that he felt bad about his family members committing suicide. He stated that he felt lost and lonely, but refused to talk to anyone about what was bothering him indicating that he trusts no one and no one trusts him. He was placed on a medium suicide risk level. He saw Dr. Skinner a few days later and at that time was assessed as a low risk for suicide.

On February 1, 1999, Patrick had a discussion with a member of the staff at the Williamson Group home. Patrick identified anger as a major issue for himself and stated that he hurts himself when he is angry or having what he called, "backflashes". When he is angry he advised that he is not safe to be left alone. He wanted to have staff keep him "in view" but also to "leave him alone". He told the worker that he has been suicidal at times.

In May 1999, when Patrick was back in custody, in an Inmate Security Assessment it is noted that for Patrick thoughts of family lead to thoughts of suicide. Patrick indicated that he still had thoughts of suicide but when asked if he had a plan he stated, that he had no plan but that he "simply wishes to be dead sometimes."

On June 2, 1999 when he was transferred to Agassiz, Patrick indicated to staff that he has thoughts of suicide every now and then when he gets angry. He denied any current suicidal ideation.

On July 5, 1999 Patrick saw Dr. Skinner. He indicated that he had felt sad, angry and hopeless for several months. He stated that he had experienced insomnia and episodes where he heard voices calling his name. He was concerned that he would "lose it." Patrick stated that he would contact someone if he were to feel at risk of harming himself. Low dose antidepressant and anti-psychotic medication was prescribed for him.

On July 11, 1999 Patrick told his group at Agassiz that he felt like killing himself. He felt that there was no one for him and stated that when he gets out of Agassiz he will hang himself. He confirmed that he had no plans to hurt himself while at Agassiz. A note on his file states, "he will not do anything at Agassiz but will kill himself after his release. Worker must be aware of this on his release." Patrick was placed on medium suicide risk level. The following day he was in better spirits and made a commitment not to hurt himself.

Patrick saw Dr. Skinner on July 13, 1999. He indicated at that time that he does not want to die but he had a number of concerns including violent dreams and uncertainty about his future. Patrick confirmed that he would speak to someone if he were to feel himself at risk of harming himself. His suicide level was reduced to low. Dr. Skinner assessed him as not being actively suicidal at that time.

On July 16, 1999 notes on Patrick's file at Agassiz indicate that Patrick was worried about his own actions when he gets released. He told his group that he had fantasized about killing himself for a long time and this time he had formed a plan. Later he denied any suicidal ideation and was described as being "future oriented."

On August 19, 1999 while at the Schneider/Andrade foster home, Patrick called his caseworker and indicated that he felt like he might hurt himself or others.

On August 21, 1999 Patrick again called Mr. Reis and stated that he had feelings of wanting to hurt himself or his foster parents. When Patrick was interviewed by the Mobile Crisis Team he acknowledged current suicidal thoughts but when asked about a plan he indicated that he would keep that to himself. He was admitted to the CSU and stayed there for four days.

On August 26th, the day that Patrick committed suicide, he made no comments or threats providing any indication that he would harm himself. While Patrick had previously expressed suicidal thoughts on many occasions and had done so very recently, the evidence suggests that this was a very impulsive suicide. Dr. Skinner testified that based on his understanding of what happened on August 26th, Patrick's suicide appears to have been a very quick and unpremeditated act. It did not appear that it had been planned. He suggested that if Patrick had been interviewed even a short time before there would not likely have been any thought of suicide.

COMMUNICATION AND INFORMATION SHARING

One of the overriding themes that emerged from the evidence at this inquest and the issues raised by counsel on behalf of the parties who were granted standing, is the need for improved communication and better information sharing when agencies are dealing with high risk children such as Patrick Redhead. Better and ongoing communication and information sharing is needed in a number of different respects, including, but not limited to: communication and information sharing **between** various

agencies involved with a child; communication and information sharing **within** agencies; communication and information sharing between the guardian agency and the child, and between child caring agencies and the child's family. In Patrick Redhead's case communication and the sharing of information could have been improved in all of these areas.

COMMUNICATION REGARDING PATRICK'S SUICIDE THREATS

At this point I am particularly addressing the need for improved communication in relation to the specific suicide threats that Patrick made in the last few months of his life. There was certainly a misunderstanding by some of the people involved with Patrick after his release from Agassiz in July of 1999, as to the precise nature of the suicide threats that he had recently made.

A review of Patrick's history of suicide ideation demonstrates that the suicide threats that Patrick made in the last year or so before his death were becoming much more specific. Threats that he would kill himself before the year 2000, and that he would kill himself after he was released from Agassiz were made. Only a week before his release from Agassiz in July of 1999, Patrick very specifically indicated that he would hang himself **after** he was released. This information was documented in his file at Agassiz and was passed on to Patrick's social worker via e-mail in a message dated July 13th.

In that message Mr. Tom Alexander a staff person at Agassiz, inquires what the plans are for Patrick's placement upon his release, and notes that Patrick is scheduled to be released in only five days. He advises Klaus Buller that:

"Due to Patrick's telling staff that he will commit suicide after he leaves Agassiz it is necessary that I have as much lead time as possible to arrange transport by our staff to a point where his new staff can pick him up."
(Exhibit 146)

Notwithstanding this very clear communication from Agassiz staff, some of the persons involved in planning for Patrick's placement after his release from custody and in caring for him upon his release, were apparently not aware of the nature of this very recent suicide threat.

David Sullivan who was the Acting Coordinator of the SIP program with MYS in July of 1999 testified that he was not aware that suicide was a serious issue for Patrick at the time of his release from custody. He indicated that he was made aware of Patrick's suicide threat in July by staff at Agassiz, but his understanding of the specifics of that threat was that Patrick would commit suicide **if he did not get out of Agassiz**. Mr. Sullivan testified that he was not aware that Patrick's threat of suicide was in fact the very opposite of his misunderstanding, namely, that Patrick had stated that **he would commit suicide after he was released from custody**.

The e-mail to Klaus Buller from Tom Alexander was forwarded to David Sullivan on July 14th. Mr. Sullivan acknowledged receipt of this message, but maintained that his understanding was that as long as Patrick was released on his early release date then there was no real threat of suicide that MYS had to be concerned about. His view was that the threat of suicide was related to Patrick not being able to leave Agassiz.

Mr. Sullivan testified that he based his understanding of the nature of Patrick's suicide threat on a telephone conversation that he had with a member of the Agassiz staff prior to July 14th. He stated that he raised this issue with Karen Fast, a clinician with MYS who was involved with Patrick, and asked her to determine how much of a risk Patrick was in terms of suicide. He indicated that Ms Fast spoke to Patrick about this. She then advised Mr. Sullivan that Patrick was not acutely suicidal and that he was a low risk at that time as he was looking forward to moving into his foster home.

After Mr. Sullivan received the e-mail on July 14th he apparently did not note that the information in that message was clearly contrary to his own understanding of the suicide threat that he had based on his previous telephone conversation with staff at Agassiz. As a result of his misunderstanding, he did not bring the information in this e-mail to the attention of Karen Fast, Janet Ingersoll, the foster parents or anyone else at MYS.

Karen Fast was the clinician for the Mutchmor residential treatment program at the time Patrick was there in early 1999. She had also been involved with him for a brief time while he was in the Ball/Anthony foster placement in 1997. Ms Fast continued to stay in contact with Patrick while he was in custody after March of 1999 and had weekly contact with him while he was at the MYC.

She testified that she learned sometime in July that Patrick was suicidal. She received this information from staff at Agassiz in a phone call. She indicated that she did not pursue the exact nature of the suicide threat, she was just told that staff at Agassiz were concerned that Patrick was suicidal. She did not ever see anything in writing documenting any suicide threat.

Ms Fast spoke to Patrick and contracted with him to keep himself safe. She testified that he was happy and excited about his placement. After Patrick went into the Schneider/Andrade foster home, Ms Fast did not have any further clinical involvement with him. She did attend a transfer meeting on July 30th where Janice Schneider advised that the placement was generally going well. The issue of suicide was not discussed at that time. Had the information in the e-mail been shared with the other people at the transfer meeting on July 30th, I suspect that the issue of suicide would have been more at the forefront of concern for persons involved in planning for Patrick at that time.

Janice Schneider also testified that she had very little information provided to her about Patrick's suicide risk or his suicide threats in the recent past. In fact she was provided with very little information at all about Patrick's general history and background. She testified that when Marion Marr from MYS first approached her partner

and herself in June of 1999, to place Patrick at their home, there was some information provided to her on the issue of suicide risk. She was told that Patrick had had some thoughts of suicide at Agassiz in June, but that some good work had been done with Patrick, staff had seen a great improvement in him and he was stable. At the time Patrick was placed in her home, based on the information that she had been given, she did not feel that there was any real potential of suicide and as she put it, she did not give it a second thought after speaking to Marion Marr.

Ms Schneider testified that until August 21st when Patrick talked about not feeling safe and stated that he might harm himself, he had not made any threats of suicide nor talked about harming himself while he was at her home. It is clear from Ms Schneider's evidence that she was never told that Patrick had threatened to kill himself after he was released from Agassiz. Nor was she told that these threats had been made only a week before Patrick was placed in her home or that his threats of suicide involved a threat of hanging himself. The suicide risk was not addressed at the transfer meeting on July 30th, that Ms Schneider and a number of individuals from MYS attended.

It is my view that it would have been helpful for the purposes of planning in Patrick's case if the people involved in that planning and in caring for him on a daily basis, had been made aware of the specific nature of Patrick's most recent suicide threats. Such information should have been shared with all the people who were involved with Patrick. It is clear from the evidence before me, that misunderstandings can easily occur where people rely on information conveyed to them in brief conversations. Where a child is involved with the child and family services or corrections systems, information dealing with suicide risk should be conveyed to all persons involved with that child and this should be done in writing, including the specific nature of any suicide threats that have been made.

According to the evidence of Paula Moynihan, who was the Clinical Follow-up Facilitator for the CSU in August 1999, basically the only information that the CSU had about Patrick's recent suicidal ideation was the information that the Mobile Crisis Team had received at the time of his intake. Apparently the only files that the staff at the CSU have access to are contacts that the Youth Emergency Crisis Stabilization System has had with the youth in question. While the CSU staff discuss the case with the youth's caregivers and caseworkers, the CSU does not have a written family or social history on the youths who are admitted to the unit.

In Patrick's case the CSU had some prior contact with Patrick as he has been at the unit in January of 1999 for a few days. On that occasion, however, he was not there because of any suicidal ideation or crisis on his part. He was placed there when he was released from Agassiz on an emergency basis, as the guardian agency had no place else to put him at that time.

It is clear from the evidence at this inquest that the function of the CSU is only short-term crisis stabilization and not long-term treatment planning. It is my view, however, that even short-term crisis stabilization could be done more effectively if the

persons involved had more detailed background information provided to them on the youths that are admitted to the unit, where such information is available. In this regard I am particularly concerned about children who are in the care of a child caring agency, where there is often a great deal of written information about the child's history that should be readily available.

The Children's Advocate, Janet Mirwaldt testified that in her view it would be helpful for the CSU to have access to background information on youths that are admitted to the unit. Often when a youth is admitted to the CSU this is in the middle of a crisis. At present they are often relying on second or third hand information about the child's background.

The information provided to the CSU should also include details of specific suicide threats that have been made by the youth in the recent past. Where the youth is a ward of a child caring agency, such information should be provided in writing by that agency.

Although Patrick was in the CSU for four days in August 1999, no effort was made during that time to contact Dr. Skinner who had been seeing Patrick regularly, to advise him of this admission. In a case where a child admitted to the CSU has been seeing a therapist in the recent past, that individual should in my view, be notified of that admission. Dr. Skinner testified that he would have liked to be informed when Patrick was admitted to the CSU. He indicated that had he been aware of Patrick's admission he would probably have made arrangements to see him.

In fairness it should be noted that the CSU was likely unaware that Patrick had been seeing Dr. Skinner. This illustrates the need for the CSU to have access to more comprehensive background information on the youths that are admitted to that facility.

Mr. Frost, who appeared at this inquest as counsel for a number of government departments, including the Department of Corrections, suggested an appropriate recommendation respecting the sharing of information related to suicide ideation expressed by youths that are in the custody. His suggestion is that correctional facilities should provide to the child and family services agency that has an order of guardianship over a child a copy of any incident reports that document suicide ideation by the child while in the correctional facility. As well he suggests that the correctional facility should provide a copy of any follow-up psychiatric or psychological report where appropriate and in accordance with applicable privacy legislation.

I agree with this suggested recommendation, but I would go further. It is my view that where a child is in the care of a child caring agency or is involved with the corrections system and expresses suicide ideation, information in this regard should be provided in writing to all caregivers and agencies that are involved with that child.

RECOMMENDATIONS

- ❖ **Where a child is in the care of a child and family services agency or is in custody at a youth correctional facility, information respecting suicide ideation should be documented and exchanged in writing with all other caregivers and agencies that are involved with that child. Any follow-up psychiatric or psychological reports should also be provided where relevant, and in accordance with applicable privacy legislation.**
- ❖ **It is recommended that when a child that is placed in a foster home has a history of suicide ideation in the last year prior to the placement, specific details in this regard should be included in the background information that is provided to the foster parents.**

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Where the information about suicide ideation originates from any agency or individual other than the child caring agency that is the guardian of the child, it should be sufficient for that information to be provided to the guardian agency. It should be the responsibility of the guardian agency to ensure that all persons involved with the child are notified and provided with the information.

If these recommendations had applied in the case of Patrick Redhead in August of 1999, it would have meant that all persons involved with him through MYS, including Karen Fast, Marion Marr, David Sullivan, Janet Ingersoll, Janice Schneider, John Andrade, George Reis, and the staff at the Crisis Stabilization Unit, would have been aware of the specifics of the suicide threats Patrick had made while he was in custody at Agassiz in July 1999. They would also have been aware of previous suicide threats, as this would have been documented and the information exchanged in the past.

The person responsible for Patrick's file at the guardian agency, be it Kathy Wightman or Cara Facette-Grondin, would also have been aware of this information. As well, while Patrick was serving his sentence, staff at Agassiz, the MYC and the MATC would have been aware of any previous suicide ideation by Patrick while he was not in their custody.

I am satisfied that these recommendations are appropriate based on the nature of the evidence I heard at this inquest, and that they might serve to reduce the likelihood of future suicide deaths of youths involved in the child welfare or correctional systems. I am also satisfied however, that the implementation of such recommendations would not have changed the course of Patrick Redhead's life in the last few years nor have prevented his suicide.

COMMUNICATION BETWEEN AGENCIES

During Patrick's childhood, at various times two different child caring agencies were involved with him and his family. Martina Redhead was very transient, moving

back and forth between Lynn Lake, Nelson House, Thompson and Shamattawa. Two different agencies were responsible for these communities and were involved with the family at one time or another. In Nelson House and Shamattawa the Awasis Agency of Northern Manitoba was involved. There were also different workers in the two communities. In Thompson and Lynn Lake it was the Thompson Region Child and Family Services agency that was responsible, but there was a separate office in Lynn Lake. Appropriate communication did not always occur between these agencies.

One example of inadequate communication based on the evidence at this inquest is what occurred in 1992. Patrick was living with his mother in Lynn Lake. After the death of Martina Redhead's common law husband Zacheus Dumas in March of that year, Family Services in Lynn Lake had continuing involvement with the family. A homemaker was put into the home to provide assistance for 15 hours a week. On May 15 of 1992 Patrick and one of his sisters were apprehended due to physical abuse by their mother and due to the fact that Patrick was out of control. A few weeks later, on June 3rd Patrick was returned to his mother "under supervision". Documents were apparently filed in court, as the agency intended to seek a three-month order of supervision.

However, at the end of July 1992 Martina Redhead left Lynn Lake and moved to Nelson House to be closer to her family. The agency's application for supervision was withdrawn in Court. A letter was sent to the Awasis Agency in Nelson House on August 25th 1992. That letter contains only a very brief description of the Lynn Lake Family Services Agency's involvement with the Redhead family. Very little detail is provided about the problems that Patrick had in school and in the community or about his allegations of physical abuse.

No documentation was enclosed with this letter. There was, for example, no reference to the complaint of physical abuse that Patrick had made at school in December of 1991 when he alleged that he had been physically abused in the past by his grandmother and uncle. The very lengthy psychological report that had been prepared in April of 1992 regarding Patrick, by psychologist Rhonda Nemeth, which was on the Lynn Lake Family Services file also was not provided to the Awasis Agency. Nor was there any reference to Patrick's violent behaviour in school and in the community. The letter simply referred to him, "acting out in school" and stated that Patrick was suspected to have caused some bruising on his sister RR. There was also no reference to the conclusion that one social worker in Lynn Lake had reached in April of 1992, that Patrick, "needs support and monitoring due to extreme emotional problems".

All this information should have been shared with the Awasis Agency so that it could have taken the necessary steps to ensure that the children were properly cared for and safe while they were in Nelson House. The information about physical abuse by his grandmother might have been of interest to the Awasis Agency worker in September of 1992, when she was told that Patrick had been left by his mother at the home of Ella Linklater. The psychological report completed in April 1992 would certainly have been of interest to the Awasis Agency in April of 1993 when a supervisor suggested that Patrick and his sister BR needed to be assessed by a psychologist.

While on the one hand the Lynn Lake agency did not share this detailed information, by the same token the Awasis Agency workers, knowing that there had been ongoing involvement with the Redhead children in Lynn Lake in the previous year, also did not seek to obtain any further information from that agency.

This is just one example of many where better communication and information sharing between agencies would have assisted in the long-term planning that was needed for Patrick and his siblings, to insure that they were protected and properly cared for. Such communication might also have helped to avoid a duplication of work by social workers with the two different agencies.

Another example of poor communication between agencies relates to information about Patrick's natural father. Workers with the guardian agency, namely Thompson Region Family Services apparently did not know that Patrick's natural father was Patrick Murdo Linklater until sometime in 1997. Until then it was thought that Anthony Linklater Jr. was Patrick's father. However, as early as March of 1993 information on the Awasis Agency file indicates that it was known to that agency that Murdo Linklater was Patrick Redhead's father. The sharing of this information at an earlier stage would have been of assistance to the workers involved with Patrick and would also likely have been helpful to Patrick himself.

In her report dated December 1999, Dr. Edmund refers to another example of poor or inadequate communication between agencies. Based on her review of MYS files on Patrick, she notes that there was often a poor connection with the placing agency. She states that this did not appear to be dependent on any one particular worker, and that "various staff in each MYS program repeatedly reported difficulties communicating with a placing worker." She concludes that:

"This compromised MYS access to historic information about Patrick's past background, about successful versus less than effective treatment, etc. and it also compromised clear direction in planning his care. This resulted at times in MYS staff processing and planning 'in the dark', without necessary parameters or guidance. This also resulted in murky decision-making and unreliable lines of authority."

Janice Schneider testified that in the almost six weeks that Patrick stayed in her home she had no direct contact or communication at all with the guardian agency. The only contact that she had was with MYS personnel. It is my view that there should have been some direct contact between the guardian agency and Patrick's foster parents, notwithstanding that MYS had been contracted to provide case management services for Patrick on behalf of the guardian agency. I note that Klaus Buller did have contact with Patrick on July 21st and with George Reis on July 23rd but there was no direct contact with Ms Schneider or Mr. Andrade.

These examples illustrate the importance of and need for communication and information sharing, between all agencies and persons that are involved with a child like Patrick Redhead. The proposed restructuring of the child welfare system in Manitoba under the AJI-CWI may alleviate some of the difficulties referred to in certain of the examples noted above. Under such a restructured system a child caring agency will continue to have jurisdiction over the child no matter where in the province that child may be. Under such a system the fact that Patrick moved back and forth between Nelson House and Lynn Lake would not change the family services agency that was responsible for his case.

COMMUNICATION WITHIN AGENCIES

The evidence also suggests that communication and information sharing could be improved within agencies. One example has already been referred to, namely, the information of Patrick's suicide ideation not being appropriately or accurately communicated between various individuals working within MYS. There are a number of other such examples in the evidence at this inquest.

When the Awasis Agency placed Patrick in a foster home in Ilford in early February of 1994 there was a certain lack of communication within the Agency. According to the social worker in for the Awasis Agency in Ilford, her understanding was that this was a short-term placement for only two weeks until an alternative placement could be found. The worker writes to the Awasis Agency in Thompson in March of 1994 indicating this understanding and states that they are willing to work with this child but they need more input from his caseworker and better communication in planning for Patrick's future counseling and treatment for his troubling behaviour. There appears to be some frustration on the part of this worker in Ilford who has had a child placed in a foster home in her community for a month without adequate communication from the placing worker.

The worker in Ilford also refers to information that she has just received concerning Patrick and states that "it is very serious." One presumes or hopes that this 'serious' information was elaborated on and investigated at some point, but there is no further reference to this in any of the materials filed at this inquest. This may be due to poor note taking or to the loss of a portion of the file.

Another issue of inadequate communication within agencies arises in the context of caseworkers going away on vacation or on other types of leave. Dr. Edmund, who was commissioned to do a review of the MYS file after Patrick Redhead's death, testified about the lack of communication within MYS when various persons went on vacation. She noted that while other persons were placed in an acting position to cover the responsibilities of the person who was away, this was not always adequately communicated to other persons working within MYS, particularly the front line workers. Thus it was not always clear to everyone who was doing what in terms of planning for Patrick.

The evidence certainly suggests that there was a great deal of changing of positions and responsibilities within MYS in the spring and summer of 1999. This resulted in a situation where the one person who was personally familiar with the Schneider/Andrade foster home and who had prepared the placement plan for Patrick at that home, was not working at the time that Patrick was actually placed there. Furthermore, there was also some confusion as to who was going to be developing a plan for Patrick which resulted in delay, and in the plan not being finalized until a short time before Patrick's release.

Patrick was in custody as of March 26th 1999 when the assault occurred at Mutchmor. A bed was held for him at Mutchmor for a number of weeks while it was determined whether he would return there upon his release from custody. He was sentenced on May 19th to two months open custody. His release date was known to be July 18, 1999. On April 30th Patrick's social worker Klaus Buller asked Janet Ingersoll to develop a placement plan for Patrick within the Specialized Individual Placement (SIP) program of MYS. Janet Ingersoll was the Residential Treatment Home Coordinator with MYS. She had been on a leave from October 1998 until early January 1999. When she returned to work she was asked to be the Acting Coordinator of the SIP program on a part time basis, because the SIP Coordinator had left. Accordingly, from early January until early May 1999 Ms Ingersoll was in charge of the SIP program.

When Klaus Buller asked her to develop a placement plan in the SIP program for Patrick, Ms Ingersoll advised him that she would be leaving the program but would pass on this request to the new Acting Coordinator of SIP who was David Sullivan. She also indicated that she would ask Mr. Sullivan to prioritize this referral.

According to Ms Ingersoll's evidence she prepared a memo on May 4th, attached this to Patrick's file and left it for the new SIP Coordinator along with three or four other referrals. A copy of the May 4th memo was part of a booklet of documents that was filed as Exhibit 138 at this inquest. There is no question that this memo was written and should have been sufficient to give notice of the need to give priority to the development of a placement plan for Patrick. The memo briefly sets out Patrick's history with MYS. It also indicates that Ulysses Desrochers, the Executive Director of MYS, has made it clear in the past that MYS has a responsibility to Patrick and that if the residential program did not work for him then they have to create a placement for him that would work. Ms Ingersoll stated that Patrick was a priority for the development of a placement.

The evidence suggests that somehow this referral was lost in the shuffle of Acting Coordinators. David Sullivan testified that he did not see this memo and did not become aware of the need to develop a placement plan for Patrick through SIP until a month later, in early June when he received an e-mail message from Janet Ingersoll inquiring as to the status of the referral for Patrick.

Mr. Sullivan became the Acting Coordinator of SIP on May 4th 1999. This was intended to be only a short-term position. A coordinator's job is not only to deal with the operation of his or her own program on a day to day basis, but also to take part in the

agency management team and in agency meetings. It was decided that Mr. Sullivan would deal with the day to day operations of the SIP program and that Irmie Nickel, who was the Coordinator of YECSS, would take on responsibility to sit on the agency management team representing the SIP program. Ms Nickel would thus attend management meetings representing SIP and would report back to Mr. Sullivan on the decisions made at the meeting. This situation added yet another thread to the communication web at MYS in the summer of 1999.

Mr. Sullivan testified that he only became aware of the need to develop a plan for Patrick on June 3rd when he received the inquiry from Ms Ingersoll. There was then an exchange of e-mails between Mr. Sullivan and Ms Ingersoll. Mr. Sullivan in particular demonstrates some frustration with the lines of authority and communication within MYS. In an e-mail dated June 3rd he indicates that SIP has not done anything for Patrick while he has been the SIP coordinator. He states that he had gone to all the staff at the beginning of the week to find out who was writing what proposals and who has time to take some on, and Patrick was not identified. Mr. Sullivan expresses the view that Patrick was not even a referral any longer. He then makes some other comments suggesting that communications about Patrick's referral had not been made through the proper channels.

Ms Ingersoll responds on June 8th indicating her dismay that Mr. Sullivan was not aware that Patrick was an active and prioritized referral to SIP. She also indicates that she had put this in writing to him before she left SIP and that she will be on the spot on this one because she made a commitment on behalf of MYS to prioritize Patrick's referral. She also notes that Ulysses Desrochers had directed that Patrick's case be treated as a priority. The evidence is not clear as to why Mr. Sullivan was unaware of this referral in view of the clear memo that had been left for him on Patrick's file.

Mr. Sullivan testified that he had not had any prior involvement with Patrick Redhead. According to a memo he wrote on June 11th initially the plan was to match Patrick with another referral and create a two-bed shift-staffed unit. This apparently was not pursued for some reason. That reason is not clear from the evidence. Mr. Sullivan asked Marion Marr, who was the supervisor of the Proctor Home Program, to develop a proposal for placement for Patrick. Marion Marr prepared a written proposal dated June 30th 1999 for Patrick's placement in the Proctor Home Program with Janice Schneider and John Andrade.

Ms Marr was the only person with MYS who was personally familiar with Ms Schneider and Mr. Andrade. Unfortunately before Patrick was placed in that home, Ms Marr went on an emergency medical leave. Accordingly, Ms Marr was not available to oversee the placement, and be a support to Patrick and the foster parents while he was at the foster home. For that reason Mr. George Reis was hired to take on the role of case manager of Patrick's case for 10 hours a week.

There were some further changes in personnel in the SIP program in the next few weeks. David Sullivan went on vacation at the end of July. In his absence Janice

Murphy was the Acting Coordinator of SIP. Sometime in August, only a few days before Patrick's suicide, Louise Newans became the new SIP Coordinator. Accordingly when she attended the Fontaine home on August 27th to advise the family of Patrick's death she had had no prior involvement with Patrick's case.

I have outlined the changes in personnel at MYS in the summer of 1999 in some detail as, in doing so it becomes obvious why there might have been some confusion about the lines of communication within that agency at that time. This certainly impacted on the planning for Patrick and on the information that various individuals at MYS had about Patrick at any given time. Because of this confusion the plan for Patrick was not finalized until a short time before Patrick's release from custody. This added considerably to Patrick's anxiety in the weeks before his release.

Janice Schneider also expressed some concern in her evidence about the fact that she and Mr. Andrade had been given so little information about Patrick and his background. She testified that if she had to do it over again she would definitely want a lot more information about a child who was placed in her home, including a detailed social history. She indicated that this information might have helped them to gain some insight into Patrick and assisted them in dealing with him. The information that they were given was more of the day to day practical things that they needed to know, about his medications, his probation conditions, who his worker and his probation officer were, the community work he had to do and other details of that type. Detailed information about Patrick's background was not provided.

As I have noted previously, the foster parents clearly should have had further information about Patrick's past and recent suicide ideation. I am also satisfied that they and Patrick might have benefited if they had been provided with some additional background information about Patrick.

Dr. Edmund in her report dated December 1999 also refers to ineffective information sharing within MYS. She notes there was "variable compliance with intake, review and transfer protocols, incomplete record keeping, inadequate consultation between former and future care-givers with poorly rationalized follow-up on the recommendations of staff previously experienced with Patrick's responses to care." She states that teamwork was seriously weakened in the summer of 1999 and that many staff members did not know what was happening. She attributes this to some extent to a "pattern of indirect communication" that is used fairly often at MYS. She concludes that:

"The results of this paucity of information were compromised continuity of care and case management and the loss of a wealth of information which could maximize treatment benefit or success."

Changes in personnel at Thompson Region Child and Family Services in the summer of 1999 also contributed to some confusion and demonstrates the need for a better system of communication. Klaus Buller was Patrick's social worker and had been for about two years. On July 26th, 1999 he went on an unexpected leave of absence. His

supervisor, Kathy Wightman dealt with his files, including Patrick's file for the next few weeks. Not everyone involved with Patrick was aware of this change in social workers and even Patrick indicated that he did not know who his social worker was. Mr. Buller's leave was unavoidable and could not have been anticipated. But his sudden absence illustrates yet again the need for better information sharing and communication within agencies.

At the time that Klaus Buller left on his leave of absence on July 26th the Thompson Region Family Services agency had a drastic shortage of social workers. Ms Wightman testified that the social worker positions in Lynn Lake and Leaf Rapids were both vacant at that time. As well two other social workers on Mr. Buller's team in Thompson were away in the summer of 1999. One worker had resigned and that position had not yet been filled and the other worker was on sick leave. The other two social worker teams in Thompson were also each short one position. The result was that there was no one to assign to many of Mr. Buller's files.

Ms Wightman had herself returned from vacation leave on July 26th. She had a brief conversation with Mr. Buller about his cases before he left and then prioritized those cases and assigned social workers to the files that she regarded as having the highest priority. Ms Wightman considered that in view of MYS involvement in case managing Patrick Redhead's file, and in providing supports for him, as well as the fact that at the end of July Patrick's situation in the foster home was stable, that his file did not need to be immediately referred to another worker. As the supervisor Ms Wightman took over responsibility for all the files that were not assigned to any other worker including Patrick Redhead's file. While she was generally aware of Patrick's file she did not have the time to read the entire file in detail. She testified for example that she was not aware that Sandra and Norman Fontaine had expressed an interest in having Patrick placed with them.

In mid-August 1999 Patrick's file was transferred to a social worker in Winnipeg, namely, Cara Facette-Grondin. However, a few days after the case was transferred she went on vacation and did not return until August 23rd. On that day she came into physical possession of Patrick's file. She never had an opportunity to meet with Patrick before he died.

COMMUNICATION BETWEEN THE GUARDIAN AGENCY AND THE CHILD

The circumstances just outlined in terms of the changes in Patrick's social workers in the month before his death, also raises the issue of appropriate communication between a guardian agency and a child in their care. There is a need for ongoing and direct communication between the guardian agency and the children in their care. This is particularly important where the child is a permanent ward of the agency. That communication was sadly lacking in the last month of Patrick's life. The evidence suggests that in that month Patrick had no direct communication with his guardian. This was a particularly crucial time for Patrick, as he had just been moved into a new

placement. In these circumstances, ideally, there should have been regular direct contact between him and his social worker.

It should be noted that Klaus Buller did in fact call Patrick at the foster parent's home on July 21st in response to a message from Patrick. At that time Patrick indicated to him that he liked the placement and the people but he needed clothes. Mr. Buller then arranged for Patrick's clothing to be obtained from Mutchmor and authorized \$230 for additional clothing to be purchased. This appears to have been the last direct contact that the guardian agency had with Patrick.

While face to face contact and communication is preferable, I recognize the added difficulty of having this kind of contact where the social worker is in Thompson, almost 800 kilometers away from the child, as was the case with Patrick, for more than the last year of his life. On one occasion, Mr. Buller was denied permission by his supervisor to attend to Winnipeg to take part in a case conference respecting Patrick. It was suggested that instead he could participate by telephone or a worker from Winnipeg could attend in his place. It was clear that this refusal was based on funding not being available for that purpose.

Some accommodation must be made in these situations to allow for several face to face contacts each year. Ongoing contact the rest of the time could be had by telephone. I recognize that funding and resource issues arise in this context, but these must be addressed. Guardian agencies are standing in the place of a parent, and appropriate funding must be allocated to allow the agency to be a good parent.

In this regard I agree with a recommendation that was made by John Robson in his report. He suggested that the Thompson Region Child and Family Services should discuss, review and change where necessary, their role as guardian to permanent wards. He indicated that the test should be to answer this question: "If I were this child's parent and the child could not live with me in my home, what steps must I take to assure the child is loved and safe", and that the guardian agency should act accordingly. He also expressed the view that the guardian agency should not play a passive role, even where other residential or treatment agencies are involved with the child.

In my view, all child caring agencies should examine their role as guardians to permanent wards and insure that appropriate contact and communication including face to face contact takes place between the agency and the child.

It was not only in the summer of 1999, when Mr. Buller had to leave work very suddenly, that the communication between Patrick and his guardian was lacking. Similar issues arose while Patrick was in custody at Agassiz and the MYC in 1998 and 1999. There was very little face to face contact with his social worker during that time. As was noted previously, in the final weeks and days before his release Patrick became very anxious and upset about his lack of knowledge about where he would be placed when released. This anxiety might well have been alleviated if there had been more face to face contact with his social worker.

Again I am aware that this lack of face to face contact was beyond the control of Patrick's social worker, who did the best that he could with the workload that he had and the resources that were available to him. Mr. Buller went out of his way to have some contact with Patrick while he was in custody whenever it was possible. He saw Patrick each time that Patrick was brought to court in Thompson. He also visited Patrick at the MYC on one occasion and attempted another visit when he was in Winnipeg on some personal business. Mr. Buller also made a number of telephone contacts while Patrick was in custody. As well when Patrick was in custody in May of 1999 arrangements were made for his previous social worker, Susan McNeil to attend court with him.

While the communication and contact between Patrick and his social workers was not always ideal because of workload, funding, and distance, it must also be acknowledged that many of the people involved with Patrick made extra efforts to stay in touch with him and to show him that he was cared about. When Patrick was in Thompson in 1996, Selina (Cullinan) Threinen in Lynn Lake was his social worker. She made considerable efforts to stay in contact with him regularly by telephone. Even when he was at the foster placement in Winnipeg later in 1996, she replied to a letter that Patrick wrote to her and expressed interest in his activities that summer. When his grandfather died in September of 1997, Klaus Buller, his social worker at that time, wrote Patrick a letter to extend his sympathy at the loss of his grandfather. He also expressed the wish that he had known about the funeral soon enough so that arrangements could have been made for Patrick to attend if he wished to do so. Mr. Buller made a number of home visits while Patrick was in placement in Thompson.

MYS workers from various programs also kept in touch with Patrick even after his discharge from those programs. Staff from the Northern Residential program wrote to him and telephoned him while he was in custody after his discharge from their program, encouraging him to do well. MYS personnel involved with Patrick while at Mutchmor also kept in contact with him while he was at the MYC and Agassiz in 1999. For example, Karen Fast saw him in person on a weekly basis while he was at MYC from March to May of 1999. Grant Barthelette visited with Patrick at Agassiz on at least one occasion and also phoned him on a number of occasions. Other staff at Mutchmor also visited with Patrick while he was in custody at the MYC from March to June of 1999.

These contacts and communications are worthy of acknowledgment in this report. These were the acts of kind, compassionate, and committed people who were trying to do the best they could for Patrick. Much of the responsibility for the lack of regular communication between workers and Patrick is more a function of the limitations of the system in which they worked, rather than any lack of caring and commitment on the part of the workers.

COMMUNICATION BETWEEN AGENCIES AND THE CHILD'S FAMILY

Many of the questions raised at this inquest on behalf of Sandra and Norman Fontaine, relate to issues of inadequate communication between Thompson Region Child and Family Services and the Fontaine family. While Patrick was in custody at Agassiz in 1998 he raised the question of being placed with the Fontaines in Winnipeg on his release from custody. The Fontaine family had visited Patrick while at Agassiz on three occasions. Patrick raised the question of placement at the Fontaines with Klaus Buller in telephone conversations in August and September 1998. Mr. Buller explained to Patrick in September that his behaviour would have to change significantly before he could be placed in a family setting. Certainly by the fall of 1998 Mr. Buller was aware that Patrick was interested in being placed at the Fontaine home. At that time the plan was for Patrick to be placed in the Mutchmor residential treatment facility in Winnipeg.

On March 8, 1999 Mr. Buller made a note in his file of a telephone conversation he had with Norman Fontaine where he expressed interest in providing a placement for Patrick on a fostering or subsidized guardianship basis. Mr. Fontaine provided some information about his family situation at that time. He indicated that they lived in a big house on Polson and that Ella Linklater had been living with the family for three months and had not been drinking during that time. He advised that two of Sandra's sons were in Ella's care and that a nephew and a niece of Sandra's were also living in their home at that time. Mr. Fontaine stated that Patrick was visiting at their home daily except when he was being disciplined for AWOL behaviour. Mr. Fontaine also advised that there had been a previous home study done in 1997. Mr. Buller had not seen this study.

Mr. Buller suggested that Mr. Fontaine write a letter outlining the family plan and advising of their interest in fostering Patrick. Mr. Buller also indicated that no commitment was made to Mr. Fontaine at that time. On March 18th 1999 Mr. Fontaine sent a lengthy letter to Mr. Buller expressing his interest in being a placement for Patrick and outlining the family circumstances and future plans. This letter was marked as Exhibit 97 at this inquest.

In this letter Mr. Fontaine provided some further details about his home and the family members living there at that time. According to the letter, at that time the persons living in the home aside from Mr. and Mrs Fontaine were: Ella Linklater, two of Sandra's teenaged sons, a teenaged nephew, and a niece CL who was 10 years old. Mr. Fontaine mentioned that they were also trying to arrange to have CL's eight-year old sister come to live with them. He noted that Patrick had been at their home almost every day over the previous two months and that Patrick tells them they are his only family and he wants to come to live with them.

By way of this letter Mr. Fontaine requested that the agency consider having Patrick come to live with their family. Mr. Fontaine also noted in the letter that the size of the family, especially having four teenaged boys, would demand some resources. He

indicated that Patrick is in their home every day, while MYS are receiving a substantial per diem for his stay there.

In a telephone conversation with Grant Barthelette of Mutchmor, on March 22nd Klaus Buller is advised of Patrick's recent AWOLs, drug use and assaults in the group home. Mr. Barthelette advises that Patrick is not making a commitment. During this conversation Mr. Buller also provides information regarding the letter received from Norman Fontaine. On the same date Mr. Buller speaks to Patrick and advises him that there is no family placement in the plans until his AWOL and drug abuse behaviour stops and he is attending school regularly. According to Mr. Buller, this did not surprise Patrick, as he had heard the same thing before.

While it was made clear to Patrick that a family placement was not in the plans for him at that time, this apparently was not communicated to the Fontaines by the agency at that time. Norman Fontaine's letter of March 18th was never formally answered. Notations in the family services file and in reports written about Patrick, clearly indicate that a move to the Fontaines was not being considered by the agency at that time or in the foreseeable future. Unfortunately this was not communicated to the Fontaines in a timely way. Nor was a detailed explanation offered to them. I am satisfied that if such a communication had taken place and if more information about Patrick's situation had been shared with the Fontaines, many of the later misunderstandings could have been avoided.

In fairness it should also be noted that within a week of receiving the letter from Mr. Fontaine, Patrick was again in a crisis situation as he was back in custody for assaulting Mutchmor staff. It is understandable that at that time Mr. Buller's attention was focussed on Patrick. However, over the next few weeks the effort should have been made to respond to the letter.

Mr. Fontaine testified that he had put a great deal of thought and effort into this letter and had tried to set out the family situation as best he could. He clearly was offended by the agency's lack of response to this letter and perceived this as being part of the agency's general insensitivity towards his family. An open and frank discussion and exchange of information at that time, in my view, would have prevented the perception that the Fontaines were left with, that their plan for Patrick and what they had to offer to help Patrick was not valued by the agency.

Mr. Fontaine testified that he tried on many occasions to contact Mr. Buller but he was always busy. He did manage to speak to Mr. Buller some time after he sent the letter, and they had a brief discussion about the letter. According to Mr. Fontaine the only thing he was told was that he didn't know all the trouble that Patrick had been in and that there had been other plans made for Patrick. Mr. Fontaine expressed great dissatisfaction with the very limited explanation that he was given at that time for the agency not considering their home as a placement for Patrick.

In his evidence at the inquest, Mr. Fontaine referred on a number of occasions to this lack of communication from the agency while Patrick was alive and the sense that they had that the family was left out of plans that were made for Patrick. He also expressed the view that the agency was insensitive in their dealings with the family.

For example he suggested that the way in which the family was told the news of Patrick's suicide was insensitive. He was particularly bothered by the fact that the workers who attended his home on August 27th had initially gone to their old address. This was yet another illustration in his view of the lack of communication and lack of knowledge by the agencies involved with Patrick, about his family. It should be noted that two of the three people who attended the Fontaine home that day had never met Patrick and had only within days become involved in his case. They were Cara Facette-Grandin and Louise Newans. This does demonstrate the need for comprehensive information to be on a child's file, so that at any time anyone who needs to, can access that information.

Mr. Fontaine also described as insensitive, the fact that a few weeks after Patrick's funeral his belongings were brought to their home by MYS. On the face of it one would think that this kind of action should be seen as being sensitive to the family rather than otherwise. When Mr. Fontaine was asked to expand on this, he indicated that his feelings stemmed largely from the lack of communication while Patrick was still alive. His sense seemed to be that it was too little too late, and that he would have appreciated more communication while Patrick was alive, rather than after he was dead.

Mr. Fontaine stated:

"...I have always felt that had somebody come to me at some point in time and say, well, what do you think about this or what do you think about that, he's having trouble here and all that, then we would have been doing something as he was alive. But then, once he's dead..."

And a little later on in his evidence he testified:

"I just felt that the insensitivity was due to the fact that it came after his death. During the times he was alive, when he was either incarcerated or in a youth home or whatever, if there had been some kind of communication where, I could have offered something somewhere, I think that I wouldn't have felt the way I did when the death was announced the way it was."

It may well be that Sandra and Norman Fontaine would in any event, have disagreed with the plans that the agency had made for Patrick if those plans had been discussed in more detail with them. They seemed to feel very strongly that Patrick would have been better off in their home. However, I am satisfied that if there had been more communication with the Fontaines, and if more of an explanation had been provided to

them as to why the agency did not feel that their home was an appropriate placement for Patrick in March or July of 1999, many of their concerns would have been addressed.

If there had been better communication between the agency and the Fontaine family, some of the concerns the agency had about the home as a potential placement might also have been addressed. For example, file notes indicate that one of the concerns the Thompson Region family services agency had about the Fontaine home as a placement for Patrick, was the fact that a known sexual abuser, Anthony Linklater Jr. was rumored to be hanging around that residence. Discussion with the Fontaines would have alleviated this one concern, as the Fontaines clearly testified that they did not allow Anthony Linklater in their home and that he respected their wishes in this regard. I don't expect that this information would have changed the agency's opposition to the Fontaine's plan for Patrick. However, this again demonstrates the need for improved communication with the families of children who are in care.

The Fontaines also raised issues of poor communication from MYS staff while Patrick was placed at Mutchmor in 1999. They testified that Patrick had been coming to visit at their house almost on a daily basis for several weeks. Evidence from the daily logs kept at Mutchmor suggests that while the visits were frequent they were not on a daily basis. However, not much turns on this discrepancy. Sandra Fontaine suggested to a worker who dropped Patrick off one day that if Patrick would be at her home for a meal he should bring lunch along with him. She indicated that they had a large family and a lot of people to feed. It was acknowledged that on one occasion Patrick did bring some food with him, however, a short time after that the visits stopped. Sandra and Norman Fontaine appeared to connect these two events.

Sandra Fontaine testified that she thought that the visits had stopped because she asked that Patrick bring food along. She later testified that when she called Mutchmor she was told that the visits had stopped because Patrick was AWOL and was misbehaving. A short time after this the visits stopped altogether for several months as Patrick was in custody again. The evidence suggests that both Norman and Sandra Fontaine somehow formed the opinion that Patrick was stopped from visiting because MYS was being asked to send food along on these visits. This clearly was not the case at all. However, once again this misconception could have been avoided by better communication on both sides.

Norman Fontaine testified that they did not know where Patrick was at the end of March of 1999 when he stopped visiting. It was suggested to Sandra Fontaine that she had contact with Patrick while he was at the MYC in March or April of 1999. She indicated that she could not recall this. A notation on Klaus Buller's file indicates that in a conversation with Patrick on March 30th Patrick advised that he had spoken with Sandra and Norman. There are also clear notations in the MYS files that Sandra Fontaine was told that Patrick was in custody at the MYC. In fact she was told that her name had been placed on the visitor's list at the MYC and she was noted as saying that she planned to visit Patrick. On this point it is my view that they are simply mistaken in their recollection.

On the issue of communication between the child caring agency and the Fontaines one further time period must be considered. From mid-June to mid-August 1997 Patrick was placed at the Fontaine home. He was moved to a residential treatment home in Thompson on August 15th. Sandra Fontaine accompanied Patrick to Thompson on the bus and saw him settled in at the Nekenan facility. Patrick was there for almost a month before he was transferred to Hudson House, also in Thompson and also operated by MYS.

During the time Patrick was in Thompson from August 1997 until almost the end of April 1998 there was no contact whatsoever between Patrick and the Fontaines. It was not until May 31, 1998 when Patrick called them from Agassiz that they had any further contact with him. In this timeframe, responsibility for the lack of communication between the agency and the Fontaine family cannot be attributed solely to the agency. During this time Sandra and Norman Fontaine were well aware of where Patrick was placed. They made no effort to contact him during this time.

Sandra Fontaine testified that she did not know why she did not call Patrick. She stated that she had provided her phone number for the group home to call if anything happened but they never called. She agreed that she was simply waiting for a call from them. There is no indication that during this time period there was any effort to send any cards or letters to Patrick, even at Christmas time.

It is my view that where there are family members who have expressed some interest in a child who is in placement, the child caring agencies involved with the child should be proactive in seeking out ongoing contact. In a letter from Susan McNeil to MYS in August 1997, she refers to the role the Fontaines have played in Patrick's life and suggests that they would be appropriate for ongoing contact "with guidance and clear direction from the assigned worker." In a case transfer report also written by Susan McNeil she states:

"Although Norman and Sandra Fontaine are not able to foster Patrick long-term, they have both requested on-going contact. This could take the form of letters, phone calls or occasional visits. The Fontaines may on occasion, travel to Nelson House to visit Sandra's children. **Phone calls would need to be covered by the Agency due to financial restrictions of this family.**"

This information should have alerted the Agency to the need to arrange for calls from Patrick to the Fontaines, instead of waiting for calls from them.

It should be noted, however, that while there was no contact between Patrick and the Fontaines or the Agency and the Fontaines while he was in Thompson, the Agency did make some effort to arrange a number of visits between Patrick and some of his siblings during that time.

RECOMMENDATIONS TO ADDRESS ISSUES OF BETTER COMMUNICATION AND INFORMATION SHARING BY AGENCIES INVOLVED IN CARING FOR CHILDREN

The evidence at this inquest demonstrates the need for a better system of communication and better information sharing in many parts of the child and family services system. Child caring agencies should examine their policies, practices and standards to insure that appropriate communication takes place within the agency, between the agency, other agencies and service providers involved with the child, between the child and the guardian agency and between the child's family and the child caring agency.

Better information sharing between all parties and agencies involved in the care of a child is crucial. When a child like Patrick moves through the various systems, there is a wealth of information that is generated respecting that child. All too often that information is not readily accessible to everyone who is working with the child. This needs to be changed. Sharing of such information is likely to enhance the chances of treatment and placement success and to reduce failures. A child like Patrick may be involved in a number of different systems, such as the child welfare system, the youth justice and corrections systems and the education and mental health systems. In such circumstances a mechanism must be available to ensure that all persons working with that child in each of these systems communicate with one another and share information respecting that child.

A number of the counsel appearing at this inquest suggested that one of the recommendations that should flow from the evidence, is the creation of some sort of central or moving file which follows a child through the various stages of the child caring system and/or the correctional system. Such a file, it is suggested should be accessible at all times to all persons and agencies who are working with the child. I agree that this is an appropriate recommendation.

Developing such a central file system will require careful planning. There are a number of problems involved in such a broad exchange of information. The solutions may not be easy. There are issues of privacy and confidentiality that must be considered. In order for information to be widely available, accurate and thorough note taking on the part of caregivers will be required. This means that people in the system have to have the necessary training and adequate time to properly complete their files.

The information must also be accessible in a convenient and readable format. This is particularly demonstrated by much of the information that was exchanged between the parties at this inquest. A great deal of that information was in the form of handwritten notes, logs or reports. There were literally hundreds if not thousands of pages of such material in this case. The tedious task of going through this material and attempting to read bad handwriting on even worse photocopies of notes, which counsel and the Court engaged in, in this case, is not practical on a day to day basis. A better system must be developed. It may mean that additional clerical staff will need to be hired to type

handwritten field notes and to enter those notes in the file. I will mean that staff will need access to appropriate computer systems so that information can be readily compiled and shared.

As was noted by Mr. Newman, who appeared on behalf of MYS, modern technology is such that files can be easily stored and moved around. With the use of computer technology it seems to me that the kind of central file that is envisioned by this report could readily be created. With appropriate search mechanisms in place, the type of information that a particular person is seeking in a file should be readily accessible without the need to read the entire file. For example, if a worker was accessing Patrick Redhead's file with a view to finding information about his suicide ideation, by typing in the appropriate key word, a summary similar to the one set out previously in this report should be available in a matter of moments.

The Court heard brief evidence about the existence of the Child and Family Services Information System (CFSIS). This is a computer based case management database system, which is used by some of the province's child caring agencies to manage their caseload. This system is not yet province wide although the hope is that it will be eventually. Klaus Buller uses this system to make his notes on his clients. He testified that the current system has some drawbacks at this time in terms of the nature of the information that can be inputted. However, this system may be capable of being adapted to provide the kind of moving file that is contemplated by this report.

I am mindful of the fact, however, that such a system would only work if all workers had access to computers. Moreover, there would be additional difficulties in those parts of the province where the Internet is not yet available. This would certainly affect some of the northern communities.

Notwithstanding all of these drawbacks, I am confident that in this age of computer technology an appropriate information sharing system can be developed which would allow all agencies working with a child like Patrick to have access to a central file containing all the information that has been gathered by other agencies. While in the beginning the development of such a system would require additional resources, in the long run, time and money would be saved, as there would be much less duplication of services and the ability to have a much more coordinated approach to the care of a child.

A similar recommendation was made in the Report of the Aboriginal Justice Inquiry of Manitoba. The Commissioners noted in that report that "all child and family services agencies need modern information systems to enable them to communicate with other agencies, to track cases and to share information through some network." (At page 538) A recommendation followed that governments provide resources to allow for appropriate organizational and management support and particularly for the purpose of developing computer systems that will permit quick and effective communication, tracking of cases and information sharing.

CONFIDENTIALITY

The Child Welfare System

The issue of confidentiality of records must be considered. Section 76(3) of the *Child and Family Services Act*, provides that a record that is made pursuant to that Act is "confidential and no person shall disclose or communicate information from the record in any form to any person." Some exceptions are listed, including the giving of evidence in court, by order of a court, to an agency or a person employed by an agency, or to the children's advocate, among others. Section 76 (3) (g) also sets out an exception where "a disclosure or communication is required for purposes of this Act". This section, when interpreted in light of Section 48 of the Act should be broad enough to allow the sharing of information by the agency with a correctional facility or probation officer or other persons or agencies involved in the care of the child.

Section 48 of the Act provides that where the Director of an agency is the guardian of a child the Director or agency shall have the care and control of that child, be responsible for the maintenance and education of the child, and act for and on behalf of the child, among other things. This section should allow for the broad sharing of information, in order for the agency to properly fulfil its mandate to protect and care for the child and ensure that the best interests of the child are met.

The Child and Family Services Authorities Act, which received Royal Assent in August of 2002 and which is to come into force on proclamation provides in section 31 that the Lieutenant Governor in Council may make regulations, after the minister has engaged in consultation with the new Authorities. The areas where regulations may be made include information sharing, information technology systems and confidentiality and security of personal information. In particular section 31(1) (q) - (s) provide the authority to make regulations for the following purposes:

- "(q) respecting information management by authorities and others, including
 - (i) standards that information technology and systems must meet, and
 - (ii) the creation, retention, storage, transmission and destruction of records;

- (r) respecting the sharing of information between authorities and agencies and other service providers;

- (s) governing the confidentiality and security of personal information and personal health information ... the retention and disposal of records containing such information, and access to those records;"

The restructuring of the child welfare system in Manitoba, which is currently underway, presents an ideal opportunity to develop the appropriate information sharing system that is needed by all systems and agencies that are involved with a child like Patrick Redhead. Appropriate regulations can be made to ensure that confidentiality and privacy is protected.

Confidentiality issues should be able to be resolved so as to ensure the best interests of the child. If necessary, the information sharing system could be developed so as to provide for different levels of access to the information on the file so that confidentiality could be protected as much as possible.

The Youth Criminal Justice System

Confidentiality and privacy provisions also exist in the youth justice and corrections systems. These will need to be considered and addressed as well if the kind of information sharing system that is contemplated by this report is to be implemented. Once again an excellent opportunity to address these issues exists at the present time, in view of the changes that are imminent in the youth criminal justice system. *The Youth Criminal Justice Act* (YCJA) received Royal Assent in February 2002 and is expected to be in effect as of April 1, 2003. This Act represents a substantial change in philosophy from *The Young Offenders Act* in many respects.

The YCJA for example allows a youth justice court to refer a young person to a child welfare agency for assessment to determine whether the young person is in need of child welfare services. As well the YCJA provides in section 19 that a "conference" may be convened to provide advice "on appropriate extrajudicial measures, conditions for judicial interim release, sentences, including the review of sentences, and reintegration plans." A "conference" is defined as "a group of persons who are convened to give advice in accordance with section 19." This notion of a conference appears to be broad enough to allow an exchange of information between the different systems that are involved with a young person.

The YCJA contains a number of provisions respecting the confidentiality of records kept under that Act and access to those records. These provisions limit the information that can be shared about a youth that is charged and found guilty of a criminal offence. However, sections 119 to 128 of the Act refer to the persons and organizations that may have access to such records. These include a person participating in a conference or in the administration of an extrajudicial measure if this is required for the administration of the case. See section 119(1)(j). Access to records respecting a young person may also be provided to:

"a member of a department or agency of a government in Canada, or of an organization that is an agent of, or under contract with, the department or agency, who is

- (i) acting in the exercise of his or her duties under this Act,

- (ii) **engaged in the supervision or care of the young person, whether as a young person or an adult, or in an investigation related to the young person under an Act of the legislature of a province respecting child welfare."**
(Section 119 (1) (n) YCJA.) (Emphasis added.)

Section 125 (6) of the YCJA provides for disclosure of information to other persons who are engaged in the supervision or care of a young person. It reads as follows:

" The provincial director, a youth worker, the Attorney General, a peace officer or any other person engaged in the provision of services to young persons **may disclose to any professional or other person engaged in the supervision or care of a young person** - including the representative of any school board or school or any other educational or training institution - any information contained in a record kept under sections 114 to 116 if the disclosure is necessary ...

(b) to ensure the safety of staff, students or other persons;
or

(c) **to facilitate the rehabilitation of the young person."**

(Emphasis added)

These YCJA provisions appear to be broad enough to allow for the sharing of a wide range of information between the youth criminal justice system, the child welfare system and the education system. In view of the imminent change in the law governing the youth criminal justice system in Canada I will not refer specifically to the confidentiality provisions of *The Young Offenders Act*.

RECOMMENDATIONS

A number of recommendations flow from the review of the evidence at this inquest related to communication and information sharing by agencies and other systems and persons involved in the care of a child.

Communication and Contact

- ❖ **It is recommended that child and family services agencies examine their policies, practices and standards, and make any necessary changes to insure that appropriate and ongoing communication takes place:**
 - ❖ **within the agency;**
 - ❖ **between the agency and other agencies or service providers involved with a child;**
 - ❖ **between the child and the guardian agency; and**
 - ❖ **between the child's family and the guardian agency.**

- ❖ It is recommended that child and family services agencies discuss, review and change where necessary, their role as guardians to permanent wards. The test should be to answer the question posed in John Robson's report: "If I were this child's parent and the child could not live with me in my home, what steps must I take to assure the child is loved and safe". The guardian agency should act accordingly. The guardian agency should not play a passive role, even where other service providers are involved with the child.
- ❖ It is recommended that where the family of a child in the care of an agency, are prepared to offer a home for the child, and the agency's plan does not include placement in that family's home, the agency communicate this decision and provide a clear explanation for that decision to the family.
- ❖ It is recommended that child and family services agencies establish better and ongoing lines of communication with youth correctional facilities, where a child who is in the care of the agency is in custody, in order to ensure better planning and reintegration into the community when the child is released.
- ❖ It is recommended that the Director of Child and Family Services develop standards regarding the appropriate communication between a child in care, the guardian agency and any service provider when the child's social worker leaves work on an extended leave of absence.
- ❖ It is recommended that social workers with a guardian agency maintain ongoing and regular contact with a child in their care even where a service provider is managing the child's case on a day to day basis. Such contact should include regular face to face contact.
- ❖ It is recommended that social workers with a guardian agency have direct and ongoing contact with foster parents who are caring for a child even where a service provider is managing the child's case on a day to day basis.
- ❖ It is recommended that where a child that is admitted to the Crisis Stabilization Unit, is under the care of or seeing a psychologist, psychiatrist or mental health therapist, that individual be notified of the child's admission.

Information Sharing

- ❖ It is recommended that the Departments of Family Services, Corrections, and Justice develop an appropriate computer based information sharing system that would allow for the creation of a comprehensive cumulative file on a child or young person who is receiving services from these departments. In accordance with applicable privacy legislation, this system should be accessible at all times to all persons and agencies that are providing services to the child or young person.

- ❖ **It is recommended that once such an information system has been developed, consultation take place with other departments that are involved in providing services to children and young persons, namely the Departments of Education and Health, to ensure that appropriate information can be shared with those systems as well. During such consultation, protocols and standards should be developed respecting appropriate access to this information.**
- ❖ **It is recommended that federal and provincial governments provide appropriate resources to child and family services agencies, for the purpose of developing computer systems that will permit them to communicate effectively and to share information with other agencies and systems that are involved in providing services to a child.**
- ❖ **It is recommended that workers with child and family services agencies receive adequate training to ensure that proper notes and files are kept. If necessary, additional clerical staff should be hired to type any hand written field notes of workers to insure that these notes become a part of the file.**
- ❖ **It is recommended that child and family services agencies and service providers provide foster parents with detailed information in writing about any child who is placed in their home. Foster parents need not be included in the list of persons who have access to any central file on the child, but the information that is provided to them should include a detailed social history.**

If a comprehensive information sharing system is developed as is recommended above, the recommendations that follow will be unnecessary. However, in the expectation that it will take some time for such a system to be developed and be accessible to everyone, I make these more specific recommendations to address the need for information sharing in the short-term.

- ❖ **It is recommended that the Department of Corrections ensure that Pre-disposition reports that have been prepared respecting young persons that are serving a custodial sentence are provided to the correctional facility where the young person is serving the sentence. These reports should be available to all personnel working with the young person, including staff at the Manitoba Adolescent Treatment Centre.**

Even short-term crisis stabilization could be done more effectively if the persons involved had more detailed background information available to them.

- ❖ **It is recommended that where a child that is a ward of a child and family services agency is admitted to the Crisis Stabilization Unit detailed background information, including a social history, be provided to the CSU by the guardian agency or service provider. This information should include the details of any suicide threats that have been made by the youth in the recent past.**

PLANNING AND CONTINUITY OF CARE

Another general theme that emerged from the evidence at this inquest is the importance of effective long-term planning for children who are in the care of a child and family services agency as well as the need for there to be some continuity in the care of such children. Long-term planning should also have a multidisciplinary approach where the child is involved with a number of different systems. The evidence at this inquest suggests that at many points in Patrick's life agencies involved with him were focussed on crisis management as opposed to effective long-term planning and case management.

In her December 1999 report, Dr. Edmund refers to the fact that long-term planning for Patrick's care was lacking and that this:

“...too often resulted in hastily integrated treatment planning based more on immediately available resources than on Patrick's needs or treatment goals or on the specific skills of treatment personnel.”

She testified that in her opinion the most serious difficulty in Patrick's care was the lack of "client oversight", the lack of treatment planning, the lack of understanding of what his developmental and traumatic needs were and not providing for those needs. By lack of client oversight she indicated that she meant a lack of appropriate case management. It was her view that there are two main reasons why agencies generally do not or cannot do adequate case management. The first relates to an issue of resources. When social workers have case loads that are too high they are only able to do crisis management as they never have enough time to devote to proper case management. The second reason relates to proper training in case management. She expressed the opinion that the average social worker does not have adequate training in case management.

The evidence at this inquest reveals that Patrick Redhead had numerous placements during his short life and for the last several years before his death he was never in one place for any extended period of time. He had more than 20 different placements from the time he was eight years old until his death at age 15. Some of these placements were for only days or weeks at a time and others were for a number of months. In addition he was in some of the same placements on a number of separate occasions. Accordingly he was uprooted many, many times. For most of the last years of his life he had no continuity in his life and really no place that he could call home.

In her evidence, Dr. Edmund described the impact that such a loss of continuity has for a child. She testified that when children are not given a stable home and stable caregivers, "they are unable to develop the personality resources and the coping mechanisms to deal with life itself." They do not develop emotion management techniques or social skills. In her words, "this very strongly compounds the damage, which is done by trauma to a child." She noted that especially when a child gets into early adolescence, and adolescence, these kinds of skills are terribly important because that is the time when a child would normally be becoming independent and would not

depend on caregivers to moderate their feelings for them. These deficits in skills become very important to further development and adjustment in adolescence.

The loss of continuity felt by Patrick Redhead is graphically illustrated by the comments made by a then nine-year old Patrick to a social worker in Nelson House in 1993. At that time he was living with Ella and Anthony Linklater. He tells the worker that he is lonely most of the time because his mother does not come to see him and when she does come she is drunk. He indicates that his dad is in Winnipeg and that two of his sisters are in Shamattawa and a brother is in Lynn Lake. He says that he is "all alone." He talks of the time when he lived in Lynn Lake and when he had his own room with bunk beds and turtle blankets and a TV and VCR. He asks if the worker can get someone to pick these things up for him.

Children that are moved from one placement to another often lose not only any continuity in terms of caregivers and relationships but they may also lose other more physical things like their rooms, their clothing, their toys and other items that are familiar and might be of some comfort to the child.

CRISIS MANAGEMENT

During the early years of the involvement by child caring agencies with Patrick Redhead, the evidence suggests that there was neither effective case management nor any apparent long-term planning for his care. His case appears to have been dealt with on a day to day basis with crisis management driving the decisions that were being made. This lack of appropriate oversight of his case was compounded by the fact that he was involved with two different agencies as he moved back and forth between Nelson House and Lynn Lake. This situation also resulted in very little continuity in any part of his life, in terms of his caregivers, his place of residence, his school or his workers.

The evidence suggests that when the Awasis Agency was involved with Patrick in the 1980s and early 1990s the sheer volume of cases that workers were required to handle overwhelmed their ability to do anything more than focus on crisis management. At that time the agency was understaffed and underfunded. Workers were stationed in Thompson and flew into reserve communities to deal with their cases. Workers had upwards of 80-90 cases. Many of the cases involved allegations of or suspected sexual abuse. Many of the workers were inadequately trained.

There was no office in many of these communities where files could be maintained. Notes were often not made properly or did not make their way onto the file. There was a complicated system of maintaining two files on each case, one a "dummy file" kept by the local worker and the other a file kept in the regional office in Thompson. Over the years some files have gone missing or have been destroyed as a result of fires and break-ins.

All these factors may explain why there is no information about the reason for the apprehension of Patrick as a child in need of protection in November of 1985 in Nelson

House. This may also explain why there is no record at all of any involvement by the Awasis Agency when Patrick was apparently seriously assaulted by his mother with a beer bottle resulting in injuries to his head when he was about three or four years old. This may explain why a number of complaints about Martina Redhead abusing Patrick which were made to Awasis Agency workers as early as 1989 were apparently not acted on. These complaints were again made to Awasis Agency workers in 1993 and 1994. Notwithstanding these complaints of abuse, and without any apparent further investigation, Patrick was placed back with his mother by the Agency in June of 1994. By this time it should have been very obvious that Martina Redhead was not capable of providing appropriate care to Patrick or any of her other children.

Ms K. Dunlop Q.C. appeared as counsel at the inquest on behalf of the Awasis Agency of Northern Manitoba. It is her submission that with as many as 2/3 of the children in Shamattawa in care at one time in the 1990s, many with serious abuse issues, Patrick's case did not stand out as one of the more urgent cases. Whatever the reason, the evidence clearly suggests that in his early years there was no case management or long-term planning done for Patrick while he was in the care of the Awasis Agency.

This lack of any long-term planning for Patrick is very evident when he was in the care of the Awasis Agency after being apprehended in April of 1993 from Ella and Anthony Linklater. He was initially placed in a foster home in Thompson for just over a month. He was then moved to a different foster home for a few weeks and then was placed with his maternal grandmother in Shamattawa for about six months. There is no indication of any investigation being done to determine the suitability of this home for Patrick who was already known to have serious emotional and behavioural problems.

Patrick then continued in the care of the Awasis Agency under a Voluntary Placement Agreement from January until July of 1994. During that time he was placed in three different foster homes. Two of these placements were for only a few days or weeks. One placement in Ilford was for just over four months. The apparent intention was to place Patrick there for only a few weeks until alternate arrangements could be made. However he ended up staying there until June 16, 1994.

The evidence suggests that none of these placements were well planned or intended to be anything more than a temporary arrangement. There is nothing in the evidence that indicates what the treatment goals of the agency were at that time or how these placements were intended to meet those goals or Patrick's needs.

On June 20th 1994 Patrick was returned to his mother. This placement was made notwithstanding that a note on the agency file indicated that he was not to be returned to his mother until a thorough investigation had been done of abuse allegations and appropriate action taken. There is no indication of any investigation being done or any action being taken. There is no indication that there had been any changes in Martina Redhead's lifestyle that would have made her an appropriate caregiver at that time. Despite the documented abuse of Patrick by Martina Redhead and the evident and serious problems that Patrick had by this time, there was no long-term plan in place for Patrick's

care. The evidence suggests that the Agency simply did not know what else to do with Patrick so he was returned to his mother.

During the various times when Patrick was involved with Thompson Region Child and Family Services in Lynn Lake in the early to mid 1990s the situation was similar. Lynn Lake childcare workers had involvement with Patrick on numerous occasions in 1991 and 1992, particularly after the death of Martina Redhead's common-law husband Zach Dumas in March of 1992. Complaints of physical abuse of Patrick by Martina Redhead were noted on their file. In April 1992 a worker noted that Patrick needs support and monitoring, "due to extreme emotional problems but will be left in home with mother." There is no indication of any long-term planning being done to address these extreme emotional problems. Nor is there any indication of any of the support that Patrick needed being provided to him by family services.

In May 1992 Patrick and his sister RR were apprehended from their mother. Physical abuse was an issue. Patrick was placed in a foster home for a few weeks. Notwithstanding that the school psychologist noted an improvement in Patrick's behaviour in school while he was in this more structured home, Patrick was returned to his mother in early June. Once again there is no suggestion of any case management or long-term planning to address Patrick's needs and to ensure his safety while he was with his mother. When Martina Redhead moved from Lynn Lake at the end of July 1992, Patrick moved with her and the Lynn Lake file was closed and the case was transferred to the Awasis Agency.

While the evidence does not clearly indicate what the situation was in Lynn Lake prior to 1994, Selena Threinen was the only social worker in that community from January 1994 until September 1998. Ms Threinen testified that at times she had a caseload of as many as 101 children. She was responsible not only for the community of Lynn Lake, but also for two other communities. She was on call 24 hours a day seven days a week. As she lived in Lynn Lake where everyone knew her, she did not have the luxury of going home and getting away from her work. Clients would phone her at home and show up at her home at all hours. This situation was very stressful and again left her very little time to do any meaningful long-term planning for all the children in her care.

Ms Threinen worked with Martina Redhead for several months after the death of her common-law husband Alvin Bighetty, from January to October 1995, in an attempt to assist her to deal with her issues of alcohol abuse, and neglect and abuse of her children. She referred Ms Redhead to an aboriginal agency for grief counseling. She made a referral to the Addictions Foundation of Manitoba for alcohol abuse counseling on three occasions. When these efforts were ultimately unsuccessful, some of the Redhead children were apprehended in October and Patrick was apprehended in November of 1995.

Even if Martina Redhead had managed to deal with her addiction issues in 1995, in light of Patrick's high-needs, it is highly questionable whether he could properly have been placed in his mother's care at that time. Accordingly, appropriate long-term

planning for Patrick in January of 1995 should probably have involved placement other than with his mother or grandmother. The Lynn Lake School psychologist, Dr. Mundy, had in fact suggested as early as February of 1995 that Patrick should be placed in a level-four home. Yet it was not until January of 1996 that he was referred to McDonald Youth Services for the development of a specialized placement where his needs could be met.

When Patrick was apprehended in November of 1995 he was initially placed in two short-term foster homes in Lynn Lake. In January of 1996 he was placed in the Marymound Receiving home in Thompson. Once again this was to be a short-term placement. During this time, however, Ms Threinen was working on a long-term placement plan for Patrick. She was looking for a specialized foster home placement where the foster parents had the necessary specialized training to deal with all of Patrick's needs. Such homes were not available either in Lynn Lake or in Thompson at that time. A specialized foster home was found in March of 1996 and Patrick was placed in this home in Winnipeg in April 1996. While there is evidence of some long-term planning during the time that Ms Threinen was involved with Patrick her efforts were hampered by her overwhelming caseload as well as the lack of available resources to meet the complex needs that Patrick had by this time.

Dr. Edmund testified that if the children on a worker's caseload are low-needs children, a caseload of perhaps 50 children would be very reasonable. However, for a social worker dealing with high needs children like Patrick, a caseload of 20 would be more appropriate. Such a caseload would allow the worker to devote about 2 hours each week to each child and would allow for appropriate case management and long-term planning.

In fact the evidence of David Monias was that at the time of the inquest, the Awasis Agency had one social worker who was devoting all of her time to only one child, namely Patrick's sister, BR. BR is also a very high needs child who has many of the same problems that Patrick had. This arrangement was made in order to attempt to adequately address all her needs.

Dr. Edmund and other witnesses at the inquest testified about the incredible stress experienced by social workers and the resulting high rate of burn out for front line workers. This sometimes results in what Dr. Edmund referred to, as "compassion fatigue". Ongoing stress and ongoing failure may at some point result in a sense of hopelessness and frustration on the part of the worker, with the child, the family or the system.

Dr. Edmund testified that better stress management, better support and better training is needed for front line workers to avoid the loss of these workers due to burn out. She made a recommendation in her report in this regard in relation to MYS as follows:

"Implementation of a clinical support, supervision and consultation network and improved access to these services. These functions should be distinct from management or evaluative supervision and have as their goal, the improvement of professional competence and treatment effectiveness within the agency. This could include, but not limited to, regular plus as needed client-related consultation to assist in treatment planning and implementation, ongoing training opportunities and requirements, clinical evaluation or effectiveness data, and stress management measures etc."

This recommendation is in my view an appropriate one for all child caring agencies.

RECOMMENDATIONS

- ❖ **It is recommended that in order to move away from a crisis style management to a situation where childcare workers have adequate time to properly manage their cases and to provide appropriate long-term planning for the children in their care, family services agencies ensure that workers have a reasonable caseload. Where a caseload consists of high needs children, a caseload in the range of 20 cases per worker should be the goal of the agency.**
- ❖ **It is recommended that family services agencies provide ongoing training opportunities and requirements for childcare workers. Such training should include improved and ongoing training in case management.**
- ❖ **It is recommended that family services agencies, in consultation with their workers, develop appropriate stress management measures, including the implementation of a clinical support, supervision and consultation network and improved access to these services.**
- ❖ **It is recommended that family services agencies and service providers incorporate adequate respite and emergency support as part of the plan in a specialized foster care placement.**

LONG-TERM PLANNING

Lack of long-term planning was also evident at times in the later years of Patrick's involvement with child caring agencies. For example, when Patrick was in custody serving an eight-month sentence in Agassiz in 1998 - 1999 plans for his placement upon his release were not finalized until just before he was released in January of 1999. As a result there was a lot of additional stress, anxiety and uncertainty for Patrick, as he did not know where he would be going on his release. This lack of planning also led to Patrick being placed in two short-term placements at the CSU and at a residential home on Williamson for a few weeks until he could be placed at Mutchmor for an extended pre-placement.

The social worker, Mr. Buller's intentions were good. He had arranged through the Provincial Placement Desk for Patrick to be referred to the Mutchmor program, in August of 1998. Mr. Buller was of the view that once this referral was made, Patrick was prioritized for placement at Mutchmor. However, there was a lack of communication and a lack of understanding of the process of such a referral by the Placement Desk. Just because someone was prioritized for placement at the Mutchmor program did not mean that he would automatically be placed there. All that this meant was that Patrick would be considered for placement.

After the initial referral of Patrick's case in August of 1998, the Placement Desk also referred another boy to Mutchmor, and that individual was ultimately placed there. Mutchmor staff at that time, thought that Patrick was no longer an active referral to their program. It was only a few days before Patrick's release from Agassiz that Wayne Barr, the program manager at Mutchmor was made aware that Patrick was still an active referral.

Lack of communication thus led to poor planning for Patrick. As a result of this lack of planning he had not gone through the extensive pre-placement procedure to ensure that the Mutchmor program could meet his needs. The lack of proper planning led to a scrambling at the last minute to find a place for Patrick to stay when he was released from Agassiz and led as well to a poorly planned transition process.

To some extent this lack of planning was also apparent in the summer of 1999 when Patrick was again due to be released from Agassiz. Patrick was in custody as of the end of March of 1999. In May of 1999 he was sentenced to two months of custody. People who were in charge of planning for him knew that he would be released on July 18th. Initially there was some thought that he might be able to return to Mutchmor. In fact the Placement Desk authorized the holding of the bed at Mutchmor for several weeks. A final decision was not made until mid-June. At that time it was decided that Patrick would not be returning to Mutchmor.

In the meantime in early May 1999 Janet Ingersoll of MYS had written a memo indicating that Patrick should be prioritized for the development of a placement through the SIP program. The fact that work on this placement plan did not start until early June has already been referred to previously. In the end result the placement at the Schneider/Andrade foster home was not confirmed until shortly before Patrick's release. Once again this led to a poor transition process. Ideally appropriate planning would have allowed for the foster parents to establish a relationship with Patrick through visits prior to his placement in their home. The last minute planning of this placement did not make this possible.

All of these examples illustrate the need for ongoing and continuous involvement by the guardian agency in the long-term planning for the placement of a child who is in care. Lack of such long-term planning may lead to a failure to adequately address the

treatment needs of the child and will lead to an inadequate transition to a new placement and to additional stress for the child who does not know where he will be going.

Dr. Edmund testified that a lack of appropriate planning and oversight might have an even greater impact on some children. The child might start to believe that he is not wanted and that he is unlovable. For a child such as Patrick with his low sense of self-worth and the many rejections he had experienced in his past this would be even more likely.

TRANSITION TO A NEW PLACEMENT

Children who are being moved from one placement to another have an added need for some certainty, familiarity and predictability. This is a particularly vulnerable time for children. It is important that transitions be planned in such a way as to alleviate the natural anxiety that children will feel in these circumstances.

Dr Edmund testified that in her review of Patrick's file she noted what she called insensitive behaviour. In particular she referred to the situation when Patrick was transitioning from one placement to another and she stated that this was frequently a chaotic process. Sometimes he did not know where he would be going and who would be picking him up. She indicated that his transition from Agassiz to MYS was in her words, "incredibly insensitive to any person's need for certainty or need for familiarity." The lack of an appropriate transition process would lead to needless anxiety and stress.

She recommended that transitions should be carefully monitored and planned. Special attention should be paid to the client's needs and special efforts should be made to prepare the client for transition. This process should begin well before the discharge from one placement to the next.

While on many occasions Patrick's transition from one placement to another was a chaotic process, the evidence also suggests that this did not occur because people dealing with his case were insensitive or uncaring. For instance in January of 1999 when it became obvious that Patrick would not immediately be able to go into Mutchmor, his social worker arranged for Sandra and Norman Fontaine to meet Patrick's bus so that he would see someone that was familiar to him. This was an attempt to be sensitive to Patrick's needs.

During Patrick's transition from Marymount North to his foster placement at the Ball/Anthony home in Winnipeg in March/April of 1996 considerable efforts were made by his worker Selena Threinen and MYS staff to ensure a comfortable transition. Almost a month before the move Patrick and his new foster father participated with workers in a telephone conference in order to allow Patrick to get to know something about his new placement. Mr. Anthony provided Patrick with his phone number and indicated that he could call whenever he wanted to. The foster parents also sent letters and photographs in order to provide Patrick with some information about themselves, their home and the other two boys who were placed with them.

When Patrick traveled to Winnipeg to meet his new foster parents, Selena Threinen went with him. In an ideal world Patrick would also have been able to visit his new foster home prior to his being placed there. This of course was not possible in view of the distances involved and the lack of resources to allow such a visit. However, this comes close to the kind of transition process that should be provided in all cases if at all possible.

Janet Ingersoll testified that changes in the transition process have been instituted in the residential program of MYS since Dr. Edmund's report. They have instituted a written transfer protocol for when a young person is going to be discharged from the residential program. This protocol requires that if the young person is being transferred to another program, that program must be involved in the planning for the transfer at least six months before the discharge, if it is a planned discharge. The young persons are introduced to the new people who will be working with them in the new program, six months before the planned discharge. A detailed transition plan has been set out for the staff to follow.

RECOMMENDATION

- ❖ **It is recommended that agencies involved in the placement of children pay special attention to the needs of these children during the process of transition from one placement to another. Transitions should be carefully planned and monitored to ensure the least amount of uncertainty and anxiety for the child.**

CONTINUITY OF CARE

The importance of continuity in the care of a child is self-evident. A number of witnesses stressed the crucial importance of continuity for a child in care. Dr Edmund testified that in dealing with the needs of a child, after ensuring that the child is in a place of safety, the number one consideration should be continuity of care. This means that there should be appropriate long-term planning so that a placement is matched to the needs of the child and is one where the child can be for a number of years if not until the age of majority. She testified that once a placement is found that is meeting the child's needs, it should be maintained "at all cost." This may mean putting in additional supports in order to maintain the placement.

Continuity of care is important to a child's ability to form relationships, and attachments and to trust the adults in her life. When a child is moved she needs to start all over again building relationships and attachments. It becomes very difficult for a child to do this if they are moved frequently and eventually the child may not be able to form any trusting relationships with adult caregivers.

The lack of such continuity in the care of Patrick Redhead at numerous times in his life has already been commented on. Some of the reasons for this lack of continuity have already been addressed. More specialized foster homes and residential treatment

beds are needed, in all parts of the province, but particularly in northern Manitoba. Social workers need lighter caseloads and more time to properly plan for the children in their care. Social workers need better training and better stress management measures. Systemic issues leading to social workers sometimes leaving their employment after a relatively short time need to be addressed. If all of these improvements were made continuity of care might be easier to achieve.

However, I recognize that the answer is not an easy one. Placements break down for a number of reasons, many of which may not be in the control of the worker. This happened on a number of occasions with Patrick. Recognizing that placements may not always be able to be maintained for the duration of a child's involvement with an agency, steps nevertheless can be taken to ensure some continuity in the care of the child.

In particular there is a need for some continuity of the key people in a child's life. The social worker from the guardian agency should usually be that key person in the child's life. Thus even if a placement breaks down and cannot be maintained, at least there will be one familiar and constant person in the child's life. As was noted by John Robson in his report, the social worker from the guardian agency is standing in the place of a parent and the need for that person to be "present" is "of the highest order."

Some recommendations have already been made to deal with the role of a guardian agency in relation to permanent wards. However, the issue of the continuity of social workers also needs to be addressed. Janet Mirwaldt, the Children's Advocate testified that connection between the child and the child's social worker needs to be assured. This connection is vitally important for children and youth. She indicated that children often tell her that what makes a real difference to them is a consistent caregiver and a strong and supportive worker. So if children must move and some relationships must be severed, children are better able to cope if they have a connection to their social worker.

When a child is placed in the same community where his or her social worker lives and works, maintaining contact between the worker and the child is usually not difficult. However, when a child from northern Manitoba is in a placement in Winnipeg as Patrick was for a number of years, additional difficulties are encountered. Patrick was first placed in Winnipeg in April of 1996. His social worker was Selena Threinen who lived in Lynn Lake, a considerable distance away. From April of 1996 until February of 1997 when his file was transferred to social worker Susan McNeil in Winnipeg, there were no face to face meetings between Patrick and his social worker. Although there is evidence of some letters being exchanged there was no other direct contact. Certainly Ms Threinen had ongoing contact with the MYS case manager, Deb Bomek. However, the vital connection between social worker and child was largely absent.

The evidence suggests that such contact is not generally possible because the worker does not have the necessary time to travel and there is no funding available for trips into Winnipeg for this purpose. As a number of witnesses observed, on the one hand it is very difficult to maintain contact with a child who is 800 kilometres or more

away. On the other hand if the file is transferred to a worker in Winnipeg, so that the worker can be "present" for the child, the continuity between worker and child is lost.

In the report of the special investigator, Jan Christianson-Wood, of the Office of the Chief Medical Examiner, the following recommendation is made:

"... that children in the care of Manitoba Family Services and Housing, Regional Operations, be assigned a local case worker immediately upon transfer to a placement in another geographic area."

Ms Mirwaldt was asked to comment on this issue. She testified that the best practices would dictate that there be a consistency of case manager and that the system should ensure such continuity and administratively support it. How that is achieved she indicated will depend on a number of factors and would have to be determined based on the circumstances of each individual case. She offered some suggestions as to how this continuity or consistency could be maintained where for example the child is in Winnipeg and the worker is in Thompson.

Ms Mirwaldt testified that it might mean that the social worker would have to travel to Winnipeg on a quarterly basis for case reviews. It might mean that the worker would have to travel to Winnipeg to visit the child. She indicated that a support system should be put in place administratively so that the worker would be able to do all these things. In other cases it might mean transferring the file to another worker in Winnipeg or even to another agency. The guardian agency would have to look at the specific needs of the child and consider how long the child is expected to be in the placement in Winnipeg. Another factor might be the length and nature of the relationship that the child has with the present worker.

All of these factors would be have to be looked at to determine whether the file should be transferred to another worker, or whether the existing worker should be administratively supported to allow real ongoing contact with the child. There might be a team approach for example. In some circumstances it might mean that there should be an additional social worker appointed in Winnipeg to act as a liaison with the worker in the north. The worker in Thompson would hold overall responsibility for the case management of the child's file and any family file if there are parents and siblings involved. The Winnipeg worker would act as a support to the child and a liaison to the case manager in Thompson. The Winnipeg worker would also work in conjunction with the service providers that are providing the residential care. All of these possibilities should be looked at in each case to determine what is the best practice for that particular child.

When Patrick was moved to Thompson in August of 1997 his file was transferred to social worker Klaus Buller in Thompson. Mr. Buller was Patrick's social worker until he left on a sudden leave of absence in July of 1999. During this two-year period Patrick was in and out of Thompson and Winnipeg on a number of occasions. He was initially in

residential group placements in Thompson. He was then in custody at the MYC. He then returned to the group home in Thompson. He was then sentenced to an eight-month custodial sentence, which he spent at Agassiz in Portage la Prairie. After his release from custody Patrick was in group home placements in Winnipeg until he was returned to MYC and Agassiz. Upon his release from custody in July 1999 he was placed at the Schneider/Andrade foster home.

While Patrick was in custody Susan McNeil who had been his social worker in Winnipeg in 1997 acted as a liaison for Mr. Buller and in that capacity she did see Patrick a few times. However, with only one exception, when Mr. Buller visited Patrick at the MYC in May of 1998, all contact was via telephone and there were no regular face to face contacts. The evidence suggests that in 1999 the guardian agency was considering a transfer of Patrick's file to Winnipeg, but the agency was waiting for his placement to stabilize before the transfer was made.

Ms Mirwaldt testified that the definition of "stable" in this context must be re-examined. She indicated that work in child welfare, particularly for highly vulnerable children, is often crisis driven. In these circumstances if the agency is waiting for the child to stabilize in placement before transfer of case management is administratively supported, then they may wait for a very long time. In Ms Mirwaldt's opinion, stability of the child in placement is an important factor but it should not be the sole factor nor the overriding factor that it often becomes when determining whether case management of a file should be transferred.

In the report of the special investigator, Jan Christianson-Wood, of the Office of the Chief Medical Examiner, she notes that at critical times during Patrick's placements in Winnipeg his worker was based in Thompson. As a result it was impossible for this worker to give Patrick the personal attention that a child experiencing difficulties should have. It was her view that the stipulation of case stability before a file is transferred should be dropped altogether.

In Patrick's case, his situation was not deemed to be stable enough for transfer until August 1999 when the file was transferred to Cara Facette-Grondin in Winnipeg. However, Patrick had a fairly long relationship with Mr. Buller and that relationship seemed to be positive. In these circumstances when the decision was initially made not to transfer the file, administrative support should have been available to allow Mr. Buller to travel to Winnipeg several times a year in order to visit with Patrick and to participate in a meaningful way in the management of his case.

Clearly this was an issue of funding. Mr. Buller did make a request on at least one occasion to be allowed to go to Winnipeg to participate in a treatment planning conference for Patrick in February of 1999. Wayne Barr of MYS was insisting that Mr. Buller attend to participate so that MYS would be aware of what the agency's goals were for Patrick and so that Patrick would have the opportunity to tell the worker what his goals were. Mr. Barr testified that he thought that it was really important that Patrick have a "physical person there that he knew and that was a part of his life, as opposed to a

bunch of new people planning for him." Mr. Buller was not able to attend the conference, as there was no funding available for this purpose.

Karen Fast also testified about the importance of continuity of care when children are moving from one placement to another. She suggested that some continuity could be maintained if a support worker or some other significant person to the child, who has worked with the child in a previous placement is allowed to transfer to the next placement for a period of time to allow for some transition. She indicated that the difficulty in this regard is that there must be a funding mechanism in place to allow the support worker to transfer a certain number of hours of support to the new placement. Such support hours would have to be considered within the per diem rate that is paid by the guardian agency.

RECOMMENDATIONS

- ❖ **It is recommended that when a child in the care of a family services agency is placed in a community that is some distance from his social worker, the agency must decide having regard to the needs of that specific child whether the file should immediately be transferred to another worker or another agency. If the decision is made to transfer the file the timing of transfer should not depend solely on the stability of the child's placement.**
- ❖ **It is recommended that when a decision is made not to transfer a file to the place where the child is in placement, funding be available to allow the social worker to participate meaningfully in case management for the child and to visit the child at least quarterly. Where a file is not transferred, a local social worker should be appointed in the place where the child is residing to act as a liaison with the case managing social worker and to ensure a free flow of information.**
- ❖ **It is recommended that children who are in the care of an agency should always be in a position to know who their social worker is and how that person can be contacted.**
- ❖ **It is recommended that the social worker that is responsible for a file be identifiable at all times to any outside agencies that are involved with a child.**
- ❖ **It is recommended that where a child is going to a new placement, consideration should be given by the guardian agency to providing some funding in the per diem rates to allow a support worker or other significant person who has previously worked with the child to transfer some hours of support to the new placement. This would allow for some continuity of care in the new placement.**

Another issue related to continuity of social workers arises when a social worker is away from work on some kind of extended leave, such as vacation leave or sick leave. This situation arose in the case of Patrick Redhead when in July 1999 his worker Klaus Buller had to take an immediate leave of absence. There was no backup system in place

for any other worker to take over Mr. Buller's files. His supervisor Kathy Wightman became responsible for all of his files, in addition to all her other responsibilities. In addition at the same time she was also dealing with other cases that she had taken over because other positions were vacant.

Holidays and other kinds of leave are inevitable and there must be an appropriate plan in place to have the absent worker's files looked after. Child caring agencies should have a back up system in place so that the worker who takes over responsibility for the case management of the file from the primary worker is familiar with the file and the child. Ideally the back-up worker would also be known to the child so that continuity would be maintained.

Dr Edmund offered a suggestion as to the kind of a system that could be put in place to address this problem. She suggested that there should be a primary case manager for every child in the system. Another worker would have secondary responsibility for that child. This secondary worker or "deputy" would have some knowledge of the child and the file. The two workers would work as a team with each one having the primary responsibility for a certain number of children and acting as the back up worker on the other worker's files. Thus when the primary worker was on vacation or some other kind of leave there would still be a worker who had knowledge of the child who could take over responsibility for the file.

RECOMMENDATION

- ❖ **It is recommended that family services agencies examine their practices and case management structures to determine whether a team approach to case management is possible. The team approach would provide that there be a primary caseworker for each child or file and a secondary or back up worker who would have some knowledge of the file and be familiar with the child. This secondary worker would be available to take responsibility for the file when the primary worker is on leave.**

MULTI-DISCIPLINARY APPROACH TO PLANNING

In the report of the special investigator, Jan Christianson-Wood, of the Office of the Chief Medical Examiner, the following recommendation is made:

"... that Manitoba Family Services, if it has not already done so, approach the appropriate provincial body to develop multi-disciplinary treatment teams for high needs children in care."

Patrick Redhead and many high needs children like him are involved in a number of different systems. The need for appropriate communication between these separate systems has already been addressed. A number of witnesses testified that what is needed for children like Patrick is a multi-disciplinary team or committee that would be able to develop a comprehensive care and treatment plan for the child. This would not involve

merely a matching of the child with the existing resources but a true paneling of the child's case where many people with different expertise in different fields would be involved in developing an appropriate plan for the child. Instead of fitting a child into a program the idea would be that a program would be developed to fit the child's needs.

Ms Mirwaldt testified that such an approach would stop the compartmentalizing of planning for those children who need care that falls outside of the child welfare system. She indicated that there is a rich history in Manitoba showing that this kind of approach can work in other contexts. She referred by way of example to the child abuse committees that exist in many parts of the province. She suggested that membership on the Provincial Placement Desk should be multi-disciplinary; that there should be representation on the Placement Desk from different agencies and departments involved with the child depending on the specific circumstances of the child. This committee should not be relying only on a written social history, but the social worker should be present in person to discuss the child.

Ms Mirwaldt noted that at the present time the Provincial Placement Desk does not necessarily have access to or authority over all the placement resources in the province. The multi-disciplinary team approach would allow for the sharing of resources and a more holistic approach in building a plan for the child.

Such an approach need not be used for all children in care, but only for those who like Patrick are high-needs and who are involved in a number of different systems. Such a multi-disciplinary committee might involve members from the justice or corrections systems. If a child was on probation the probation officer and or the ISSP worker might be on the committee. In some circumstances the police or the crown attorney might even be represented on the committee. If the child was or had been in custody his group leader from MYC or Agassiz would be on the committee.

In some circumstances the committee might include someone from the mental health system. The committee would likely include someone from the education system. The child's social worker would be on the committee. If there were a service provider like MYS involved with the child, representatives of that agency would be on the committee. The Children's Advocate office would also be represented. If there is an addiction issue the committee might include a representative from an organization like the Addictions Foundation of Manitoba. Such a committee would in the appropriate case also hear from the child as well as the child's family. Such an approach could also address the needs of the child's family. That family might require family therapy or addiction counseling. A sibling may require yet another type of service.

The child's case would then be presented to the committee and a comprehensive plan developed. This would take some of the load off of the social worker, because other systems that the child is involved in would share the responsibility for coming up with a workable plan for the care and treatment of the child. Such an approach would also be capable of addressing issues that other members of the child's family have and thereby assist in providing for the overall needs of the family unit. In such a system the kind of

counseling that Sandra Fontaine requested for herself and Patrick in the summer of 1997 would be available. Had such counseling been available at that time that placement might not have broken down.

The use of conferences with a mandate to provide advice respecting a young person involved in the youth criminal justice system under the YCJA appears to be an attempt to provide a multidisciplinary approach to dealing with young people. Such conferences can be convened at a number of different stages of the young person's involvement in the system. Conferences may be convened by a number of different persons involved in the system, including police officers, youth workers and prosecutors.

In the Report of the Aboriginal Justice Inquiry in 1991, the commissioners noted that aboriginal young people had not been well served by the separation of the child welfare and the youth justice systems. They pointed out that many aboriginal youths that become involved in the justice system are the products of a failed child welfare system. The commissioners concluded that what is needed is to have the justice system and the child welfare system develop a coordinated and cooperative approach to the problems of young people. They recommended that "child welfare and youth justice services be more fully integrated and coordinated so that all their services are available to young people charged with offences." (At page 572)

RECOMMENDATIONS

- ❖ **It is recommended that the Department of Family Services establish appropriate multi-disciplinary treatment teams to develop comprehensive care plans for high-needs children in care.**
- ❖ **It is recommended that the Director of Child and Family Services consider the feasibility of the Provincial Placement Desk having multi-disciplinary representation in order to develop comprehensive plans for high-needs children who are in care.**
- ❖ **It is recommended that the Provincial Placement Desk replace the regional representative on the Placement Desk if it has not already done so.**
- ❖ **It is recommended that the Provincial Placement Desk include representation from northern Manitoba.**
- ❖ **It is recommended that the Director of Child and Family Services consider the feasibility of the Provincial Placement Desk holding monthly or semi-monthly meetings in northern Manitoba so that northern social workers can attend in person to present their referrals.**

- ❖ **It is recommended that when the restructuring of the Child and Family Services system has been completed, each of the four new Child and Family Services Authorities have representation on the Provincial Placement Desk or its equivalent under the new system.**

TREATMENT PLANNING

There was a great deal of evidence at this inquest dealing with the various treatment programs that were tried for Patrick in the last three years of his life in an attempt to help him deal with the many issues that he had. For the most part Patrick did not engage in these treatment programs. In particular there was little or no success experienced by him in any of his residential treatment programs in Thompson or Winnipeg. On the other hand Patrick had some successes while in custody at Agassiz. The evidence suggests that Patrick did quite well in a secure custody setting once he had settled in. It is clear from the many comments Patrick made at various times to his social worker and caregivers that he felt safest when he was in custody.

John Robson suggested in his evidence that for troubled children like Patrick something other than the traditional treatment and behaviour modification programs should be tried. It was his view that non-behavioural treatment might be more appropriate for these children. Mr. Robson referred in particular to the "gentle teaching" philosophy of living that he is an advocate of and that he has practiced in his personal family life as well as in his consulting business. He expressed the view that Patrick and children like him have a need for "unconditional love, safety, gentleness, non-violence [and] non-behavioural treatment."

Mr. Robson described the gentle teaching approach as a philosophy of living where caregivers deal with troubled and violent people by showing them unconditional love and acceptance. He explained that the aggressive behaviour of many violent, angry and troubled people is likely a response to their own feelings of fear, rejection, loneliness, and hopelessness. The gentle teaching approach would be to form companionship and friendship and to teach gentleness. This teaching would occur in an atmosphere that would be non-violent and non-coercive. This approach does not treat the troublesome behaviour. Rather it offers unconditional love in a place of safety where caregivers would not use any restraint or implied violence or aggression towards the individual. The whole approach is based on the offering of a "gentle warm and safe environment...based on unconditional love and valuing". It is the belief of gentle teachers that if troubled people feel safe and loved the necessary behaviour changes will follow. On the other hand, if these children do not feel safe and loved then all else is useless.

Mr. Robson noted in his report that staff at the Marymount residential treatment facility participated in a workshop exploring the use of Gentle Teaching as an alternate approach to violent and troubled children in February 2000. This experience was apparently seen by the caregivers as extremely positive and hopeful. It was Mr. Robson's view that this approach could be of benefit to all people and agencies involved with these

children and that it was worthy of serious consideration. A document setting out the basics of the gentle teaching approach, prepared by John J. McGee, entitled "Mending Broken Hearts: Companionship and Community, A Handbook for those who Care for and About Others" was filed as Exhibit 162 at this inquest.

Many of the witnesses who testified at this inquest commented on the difficulties that care providers have in dealing with children like Patrick. It is my view that any reasonable alternatives that may help these children to become useful and contributing adults should be explored.

RECOMMENDATION

- ❖ **It is recommended that child caring agencies explore the use of alternative methods of dealing with high-needs children who are in care, including such approaches as the Gentle Teaching approach.**

HEARING THE VOICE OF THE CHILD IN PLANNING

Another general theme that emerged from the evidence at this inquest is the need for those who are involved in planning for a child in care, to hear the voice of the child. A number of witnesses emphasized the importance of the child having a central role in the planning process.

Standard 425 in the Child and Family Services Program Standards Manual requires that children of a certain age are to be involved in the planning process. Children under 11 are to be involved where appropriate, and every child that is 12 years or older should be involved in planning where possible. The standard states that "children participate in the planning process to the extent their age, maturity, and family relationships permit."

However, the Children's Advocate Ms Mirwaldt testified that she often hears from children that they feel that they have no say about what happens to them. They feel that "their voice is not given true and meaningful participation in the process." She expressed the opinion, that children do not have a sufficient voice in the system. She indicated that children are at an extreme power disadvantage. They have adults making decisions about their lives that they have very little input in. If children disagree with their worker about what is being planned for them the procedures for complaining are cumbersome and are often unknown to the children or their families.

Ms Mirwaldt testified that one of the reasons why the voices of the children are often not heard is because the adults in the system believe that they know better. This is not limited to the child welfare system but is a more generalized view in society as well. In her view it is important for children's views to be included and given meaningful consideration in planning. This should include presenting options to them and coming to a consensus about these options.

Ms Mirwaldt recognized that sometimes children want things that may not be in their best interests. But she stated that while the child's wishes might not necessarily be the deciding factor, the child's voice must be the "predominant voice." This is particularly the case when dealing with adolescents. She stated that if you don't listen to them when they are adolescents they will do what they are going to do anyway. She also indicated that in her experience the majority of young people that she has dealt with have achievable and realistic planning and they don't always make decisions that are not in their best interests.

John Robson also testified about the importance of the input of the child in the planning process. In his report he stated:

"Planning for any person's future always has the best chance of success if the individuals most affected are directly involved."

He recommended that permanent wards be actively involved in all stages of planning for their future and that where family or others supporting the child are available that they too should be actively involved.

Mr. Robson referred to the power of P.A.T.H. which stands for Planning Alternative Tomorrows with Hope. He explained that this is a planning tool that was developed about a dozen years ago. It starts with the child and those who love and support him and those professionals who are involved in some way with the child. All these people come together and help the child express his hopes and dreams for a better life and then are involved in formulating a plan to try to achieve that better life.

Instead of starting the planning process with a list of problems that need to be addressed and solved, as the traditional process often does, P.A.T.H. starts with the child's dreams, visions and goals for a better life and then works on practical steps to achieve those goals or dreams. During the dream part of the process there are no limitations. When the goals are stated they must be realistic and other persons participating in the process determine whether the goal is a positive one. From there all parties in the process work towards a plan to achieve those goals.

Mr. Robson testified that while he is aware that some childcare workers have taken the P.A.T.H. training, to his knowledge this is not a planning tool that is used by family services agencies. His assessment was that this methodology is not being used in the mainstream systems because it means that the professionals are required to give up control of the planning process.

The evidence suggests that in the last few years efforts were made by Patrick's caregivers to involve him to some extent in the planning process. Patrick was present during a number of case conferences where plans for his placement were discussed. However, there were also a number of case conferences that were held when Patrick was not included. Sometimes he was not present at these meetings because he was AWOL

from his placement or was in custody. At other times it is not clear why he was not included.

Aside from case conferences Patrick's social worker Klaus Buller also had numerous discussions with Patrick about placement plans. Patrick's participation in the planning process, however, would not generally accord with the "prominent voice" Ms Mirwaldt indicated is required, or the "child-centred" planning process that Mr. Robson advocated.

Patrick's foster parents, Leslie Ball and John Anthony noted in February of 1997 when Patrick was stating that he wanted to be moved from that placement, that he "needs to be included in the process of planning. Just being told what is good for him will not be effective." At that time Patrick was expressing the wish that he wanted to be moved from the foster home and that he wanted to live with his grandmother in Nelson House.

The placement in that foster home broke down in May of 1997. Patrick was then placed with Sandra and Norman Fontaine in June of 1997. This placement was certainly in accordance with Patrick's apparent wishes at that time. When that placement broke down in August and Patrick was told that he might be moving to Thompson, he was pleased. While these placement plans were discussed with Patrick and he apparently agreed with the plan at the time, the evidence does not suggest that he was involved in any depth in the planning process.

When Patrick was in Thompson at the Nekenan group home in September of 1997 prior to being placed at Hudson House, Klaus Buller told Patrick at an admission conference that there was also a bed available at Knowles Centre. Patrick at that time apparently was given a choice as to where he would be placed and he chose Hudson House. This suggests that at various times options were given to Patrick and he did have input in deciding where he would be placed.

While at Hudson House, Patrick was increasingly AWOL and involved in criminal behaviour. He however, indicated to his social worker at the time that this did not mean that he did not want to be in Thompson or at Hudson House. He was eager to return to that placement when he was released from custody. In his interview for a Pre-disposition report in February of 1998, Patrick was asked by the probation officer Ms Gowan about his future plans. At first he indicated that he would like to be placed with family, but then informed her that this plan might not be a viable one.

The evidence suggests that when Patrick was in custody in Agassiz in 1998-1999 he had very little involvement in the process of planning as to where he would be placed when he was released. It was apparent from the evidence of Janet Ingersoll and others that Patrick did not want to be in a group placement. He did not want to go to Mutchmor. She testified that the three-month pre-placement that was arranged for Patrick at Mutchmor was unusual. This arrangement was made because Patrick would not agree to the placement and this was seen as a compromise. It was hoped that during this period of

time, as he experienced the pre-placement, he would buy into the treatment and come to see Mutchmor as an appropriate long-term placement for him.

Ms Ingersoll certainly indicated that workers were concerned that Patrick's voice be heard in terms of this placement. She testified that they did not want to force Patrick or tell him that he had no choice but to be placed there or to engage in treatment. She stated in this regard:

"So it's a way of saying, yes, Patrick, we hear you. And what you say is important. And we do acknowledge that you don't want to be here. Let's just try it out for a little while and we won't make the final decision until you can really agree to being here."

Wayne Barr the program manager at Mutchmor also testified that Patrick did not want to come to Mutchmor and that they tried to impress upon him that he should give them an opportunity to show him what they were all about and to see what it was like. Mr. Barr indicated that they try to tell all their clients that they have a voice in their placement. Patrick agreed to give Mutchmor a try, but according to Mr. Barr and other witnesses Patrick continued to vacillate about being at Mutchmor. At times he said he was willing to try and wanted to be there and at other times he said he did not want to be there.

After he was back in custody from March to July of 1999 Patrick continued to be ambivalent about Mutchmor. At times he said he wanted to go back, at other times he did not. Karen Fast and Klaus Buller also testified that when Patrick was in custody from March to July 1999 at various times he expressed contradictory wishes to them regarding future placements for himself. At times he wanted to go back to Mutchmor as he had a girlfriend near there. At other times he wanted to be with Sandra and Norman Fontaine. Still other times he wanted to go back to a placement in Thompson.

When it was determined that Patrick would not be going back to Mutchmor and the SIP placement at the Schneider/Andrade foster home was arranged this new placement was discussed with Patrick sometime in July. He advised Mr. Buller that he was ready to go there. While there were discussions with Patrick about his future placement, and he expressed contradictory views about what he wanted, the evidence does not suggest that there was any meaningful participation by Patrick in the planning process for his placement prior to his release from Agassiz in July of 1999.

After Patrick had been at the Schneider/Andrade foster home for about a month he started indicating that he did not want to be in that placement and that he wanted to be with his family or somewhere else in the city. When he was in the CSU at the discharge meeting on August 25, 1999 he expressed reluctance to go back to the foster home. George Reis told him that there was no place else for him to go at that time. After about an hour of discussion Patrick agreed to give the placement another chance. Mr. Reis testified that if Patrick had been adamantly opposed to going back to the foster home then

they would have looked at some alternative but that situation did not arise because Patrick was prepared to try the placement again.

While the evidence suggests that in the last few years of his life there were numerous discussions with Patrick by various people about placement plans for him, for the most part he did not play a significant role in the planning process itself. However, it must be recognized that in the last two years before his death Patrick was in custody for over half that time. Meaningful participation in planning conferences would have been difficult in these circumstances. When he was not in custody Patrick was frequently on the run and on the streets for significant periods of time. This also interfered with his having any meaningful role in the planning process.

I also recognize that Patrick himself was not very clear about what it was that he wanted in terms of a placement. While he expressed the desire to be with family and to be back in the north, he appeared to accept that this was not a realistic plan for him at that time and that there would have to be some changes on his part before such placements could be considered. At various times Patrick expressed very different views of what he wanted in terms of placements for himself. Even his wish to be placed with the Fontaine family was not consistent. It was described at times as a "love/hate relationship" on Patrick's part.

The evidence of Janet Mirwaldt and John Robson is clear that children in care, particularly adolescents must have a greater voice in the planning and decision making process affecting their lives. Patrick was a difficult youth to plan for because of all the issues that he had. There were and are very few resources for children with Patrick's needs. It must be recognized that caring and compassionate people did their best in difficult circumstances to find an appropriate place for him. In the course of doing so Patrick's voice may not always have been a meaningful part of the process.

RECOMMENDATION

- ❖ **It is recommended that family services agencies examine their procedures, policies and practices and make any changes necessary to ensure that children in care have a prominent voice in the process of planning for their lives and that these children are made aware that their voices are being heard.**

While Program Standard 425 mandates that children are to be involved in the planning process where possible, it is clear from the evidence of the Children's Advocate that many children do not feel that their voices are being heard. Whether this perception reflects reality or not in every case, it needs to be addressed. Children should have and moreover should believe that they have a meaningful participation in the process of planning for their lives and deciding such things as where they will live, where they go to school and who their caregivers will be.

- ❖ **It is recommended that family services agencies examine and consider the use of alternative methodologies or planning tools for use in planning for high-needs children in care including the P.A.T.H. methodology.**

THE ROLE OF FAMILY IN PLANNING FOR A CHILD IN CARE

Program Standard 425 requires that the agency ensure the involvement of significant family members whenever possible. Program Standard 431.4 requires that the agency ensure that the child, the care provider, the family and significant others are invited to participate in planning conferences for the child.

After Patrick was apprehended in November of 1995 there were at that time no family members that the agency was aware of that could have been involved in planning for Patrick. His mother was an alcoholic who was incapable of participating in any meaningful way most of the time. His grandmother had asked that he be removed from her home, as she could not deal with his behaviours any longer. The social worker was in Lynn Lake, Patrick was in Thompson and his grandmother was in Nelson House. His mother was transient and her whereabouts were unknown at any given time.

In these circumstances it is understandable why the social worker did not involve Patrick's family in planning for him at that time. In an ideal world it would perhaps have been helpful if Ella Linklater had been asked to participate in some way in the planning process for Patrick. This might have been one way of maintaining that family connection which was so important to Patrick. Unfortunately this is not an ideal world, and having regard to Ella Linklater's own alcohol abuse issues, the distances involved, the caseload of the worker, available resources and funding such involvement was practically impossible.

Over the following three and a half years Patrick often indicated that he wanted to live with his granny. The evidence suggests that this would not have been an appropriate placement for him even if Ella Linklater had been interested in having Patrick placed with her. However, it might have been helpful to Patrick if there had been resources available to enable him to maintain his connection with his grandmother without being placed in her home.

At times inquiries were made by Patrick's social worker of childcare workers in Nelson House in order to arrange visits with his grandmother but it was indicated that this was not an appropriate place for Patrick to visit. The evidence suggests that this conclusion was likely correct. However, if funding had been available perhaps contact could have been arranged between them by bringing Ella Linklater into Thompson to visit with Patrick. There is no evidence that this was ever attempted or that funding would have been available for this purpose. I would suspect that it would not have been.

The point I wish to make is that with some creative planning and if funding had been available some family connection and involvement with Patrick could have been maintained. In the end result Patrick dealt with this issue himself by running from his

placements. On a number of occasions when he was placed in Thompson in 1997 - 1998 he ran to Nelson House where no doubt he did have contact with his grandmother.

After June of 1997 when Patrick was placed with Sandra and Norman Fontaine, childcare workers involved with Patrick were aware that these were people who were significant to Patrick and that they were interested in his case and wanted to be involved with him. When the placement with the Fontaines broke down, and Patrick was placed in residential care in Thompson his social worker, Susan McNeil noted on the file that this family wanted to have ongoing contact with Patrick. However, there is no evidence that the Fontaines were involved in any way in any planning for Patrick or that contact with them was facilitated in any way until after Patrick's release from Agassiz in January of 1999.

As of at least March of 1999 Patrick's social worker was aware that the Fontaines were again interested in having Patrick placed in their home. Mr. Buller also knew by the fall of 1998 that Patrick was interested in being placed with the Fontaines. It was made clear to Patrick that this was not an option at that time and that a family placement would not be considered until his AWOL and drug abuse behaviour stopped. Nevertheless no effort was made to involve the Fontaines in the planning process for Patrick in 1998 or 1999.

In fairness it must be noted that within a short time of the Fontaines expressing an interest in having Patrick placed with them, he was back in custody after assaulting Mutchmor staff. Mr. Barr testified that had Patrick remained at Mutchmor for a longer period of time there would have been a planning conference sometime toward the end of the pre-placement period. He indicated that Patrick's family would probably have been invited to participate in such a conference. That conference did not take place because Patrick did not complete the pre-placement process at Mutchmor.

Patrick remained in custody from March 26 until July 18, 1999. During that time there were a number of different people working on plans for Patrick upon his release. However, there was no effort made to involve the Fontaines in any planning for Patrick at this time. Even though the agency had no intention of placing Patrick in the Fontaine home at that time or in the foreseeable future, the Fontaines should have been involved in the planning of Patrick's next placement. Such involvement might well have assisted the agency in getting Patrick to buy into his placements both earlier at Mutchmor and later at the Schneider/Andrade foster home.

Norman Fontaine himself is a knowledgeable and experienced social worker. While he and Sandra Fontaine might not ultimately have agreed with the agency's plans for Patrick either in January of 1999 or July of 1999, their input in planning for him would in my view have been valuable.

RECOMMENDATION

- ❖ **It is recommended that family services agencies examine their procedures, policies and practices and make any changes necessary to ensure that family members or any significant persons expressing an interest in a child who is in care are allowed to have meaningful participation in planning for that child.**

THE ROLE OF THE CHILDREN'S ADVOCATE

The duties, powers and mandate of the Children's Advocate are set out in section 8 of *The Child and Family Services Act*. Janet Mirwaldt is the Manitoba Children's Advocate, and in that position she is an independent officer of the Manitoba Legislative Assembly, responsible for the delivery of advocacy services for children and youth under *The Child and Family Services Act* and *The Adoption Act*. Ms Mirwaldt testified that the role of the Children's Advocate Office is to animate the voice of the child or youth that is involved in the system so that the children's viewpoint is heard. This may involve mediation and communication between the child and the agency providing services to the child. This may involve advocacy on behalf of the child or the child's family or even the agency. This may involve actual investigation of a case that is referred to the office. The Office of the Children's Advocate tries to work cooperatively with agency workers to find a solution that is satisfactory to everyone. The Children's Advocate is also a member of the Children's Inquest Review Committee.

Ms Mirwaldt testified that as family services workers are becoming more familiar with her office there has been some change in attitude and at times workers themselves are calling her office to ask for assistance in advocating for resources or communicating with the young person who is in their care. By way of example Ms Mirwaldt referred to the involvement that her office had in advocating for Patrick's sister BR. In that case the Children's Advocate advocated very strongly on behalf of the child and the agency that BR needed to be moved into a secure setting. As a result of that involvement the worker in conjunction with staff at the Children's Advocate Office were able to find a placement for BR.

Ms Mirwaldt stated that it is the right of every child in care to speak to someone from the Office of the Children's Advocate if they feel the need to. The difficulty is that many children are not aware of that office. At the present time that office is very much dependent on family services workers to tell children about its existence. However, there is no requirement for family services workers to inform children or families in their care of the existence of the Children's Advocate. The Office of the Children's Advocate has also been doing some public education through residential care facilities, the MYC, schools and other groups in communities throughout the province to try to bring awareness to the public of the existence of the Office of the Children's Advocate.

The Office of the Children's Advocate has been in place since 1993. The evidence at this inquest suggests that Patrick Redhead was not aware of the existence of

the Children's Advocate Office or that this office could advocate for him if he disagreed with decisions that were being made by the guardian agency about his placement.

In the report of the special investigator, Jan Christianson-Wood, of the Office of the Chief Medical Examiner, the following recommendation is made:

"...that the Department of Family Services ensure that all children receiving emergency services intended to keep them in their home or placements are advised of the existence of the Children's Advocate and that they can request a review of their circumstances through that office."

She also noted that a "child's lack of power in dealing with the child welfare system can be balanced by the involvement of an advocate whose role is to ensure that the child's best interests and wishes are considered in the process." (Page 81 Exhibit 18)

Ms Mirwaldt expressed the view that the obligation to advise a child of the existence of the Children's Advocate should go even further. It was her view that all children who are old enough to understand should be made aware of the Office of the Children's Advocate. She expressed the view that it should become second nature to workers to inform children of the existence of the Children's Advocate.

Moreover, it was her view that it should be mandatory to notify the Office of the Children's Advocate when a child is placed in a secure care facility. This automatic notification would ensure that the advocate could reach out to the child if the child did not do so. Ms Mirwaldt stated that children in these facilities are likely to be very high-needs children and more likely to be in need of the services of her office.

RECOMMENDATIONS

- ❖ **It is recommended that the Department of Family Services ensure that all children who are in the care of a family services agency and who are able to understand are advised of the existence of the Office of the Children's Advocate and that they can request a review of their circumstances through that office.**
- ❖ **It is recommended that the Department of Family Services ensure that the Office of the Children's Advocate is notified upon the admission of any child in the care of a family services agency to a secure care facility.**
- ❖ **It is recommended that when a judge or master explains the rights of a child to legal representation, to children age 12 or older under Section 34 of the *Child and Family Services Act* that consideration be given to advising children of the existence of the Children's Advocate and that they can request assistance from that office.**

- ❖ **It is recommended that the Office of the Children's Advocate prepare a leaflet or pamphlet, if this has not already been done, setting out information about the Children's Advocate for use by childcare workers and others to notify children in their care of the existence of that office.**

CHILDREN'S INQUEST REVIEW COMMITTEE

One of the concerns raised by Norman Fontaine at this inquest was the current composition of the Children's Inquest Review Committee and the need for that committee to be more accessible. It was his view that the committee needs to have some input from the family of deceased children when those cases are being reviewed to determine whether a recommendation should be made for an inquest to be held. Such input could be either through a family member or an advocate on behalf of the family appearing before the committee to make representations. Mr. Fontaine was particularly concerned that the committee members have a better understanding of the cultural component and what aboriginal people must deal with in the system, and accordingly was of the opinion that there should be more representation on the committee from the aboriginal community.

Mr. Fontaine expressed the view that people with "vested interests" in the system, like the Crown, and Child and Family Services among others, are represented on this committee, while the family of the deceased child is not. He testified that when this committee was initially meeting to consider Patrick Redhead's case, he wanted to attend at the committee meetings in order to make representations on behalf of the family but this request was denied. He feels very strongly that this committee should be accessible to individuals who may have another viewpoint to offer and who may have some suggestions to provide to the committee for consideration.

The evidence suggests that the Children's Inquest Review Committee presently does have representation from the aboriginal community through the Assembly of Manitoba Chiefs. The Children's Advocate is also on that committee. Ms Mirwaldt testified that as the advocate she is able to bring the youth perspective to the committee. She indicated that there might be other perspectives that are needed that could be called in on a case-by-case basis if the community feels that additional information or representation is needed. She stated that this committee has a lengthy history and has been able to do its work well. It was her view that inquests are being called in the appropriate cases.

Ms Mirwaldt expressed the view that it would not be appropriate for a family member of a deceased child to sit on the committee when the death of the child is being considered. However, she indicated that the family's perspective is important and is of assistance to the committee. In her experience this kind of input from the family is being sought by the committee. Family input is usually obtained through the Chief Medical Examiner's special investigator who also sits on the committee. In some cases the Children's Advocate or other members of the committee can and have brought the concerns of the family to the committee. It was Ms Mirwald's view that questions about

the family are routinely being asked of the Chief Medical Examiner's Office by the committee members.

In the early 1990s for a period of time John Robson, was a member of the Children's Inquest Review Committee. He appeared at the committee meeting when Patrick Redhead's case was being considered in February 2000. It was his view that generally it would not be appropriate for family members of deceased children to be present to make representations to the committee. It was his view, however, that in Norman Fontaine's case, having regard to the latter's involvement in the child welfare system and knowledge of the system, it would have been helpful both for Mr. Fontaine and for the committee members to have heard his perspective.

It is my view that the perspective of the family of a deceased child is an important one for the Children's Inquest Review Committee to consider in their deliberations. While there is some suggestion that this perspective is already being obtained through general inquiries being made of the Chief Medical Examiner's special investigator, it is not clear to me that this is being done routinely in every case. Moreover, I agree with the Crown Attorney, Ms Dewar who appeared as counsel to the inquest, that in order to ensure that the family perspective is heard, contact should be made with the family rather than waiting for the family to contact members of the committee as Mr. Fontaine did.

RECOMMENDATION

- ❖ **It is recommended, if this is not already being done, that the Chief Medical Examiner designate the most appropriate member of the Children's Inquest Review Committee, on a case-by-case basis, to contact the family of the deceased child in order to obtain the perspective of the family. This committee member will then be in a position to share the viewpoint of the family with other committee members.**

FETAL ALCOHOL DAMAGE

The evidence strongly suggests that Martina Redhead is a chronic and severe alcoholic. She continued to consume alcohol during her pregnancies. She was often intoxicated during this time. There is no question that this maternal history of alcohol consumption has had a profound impact on most if not all of her children. Martina Redhead apparently continues to struggle with her alcohol addiction to this day.

In order to understand many of the behaviours and difficulties that Patrick faced during his lifetime, it may be helpful to examine in some detail the impact that maternal consumption of alcohol during pregnancy, has on the developing fetus and on the entire life of the child born thereafter. Much of the information, which is cited in this inquest report, in this regard, comes from a document entitled, "Fetal Alcohol Syndrome: Implications for Correctional Service", a report prepared for the Correctional Service of Canada in July of 1998. This document refers to almost six dozen sources of information on this subject, including various reports, studies, journal articles, lectures, and

handbooks. This document accordingly contains a helpful overview of the literature on the subject of FAS/FAE. Much of the information contained in this report was confirmed in many respects by a number of the witnesses who testified at this inquest.

FETAL ALCOHOL SYNDROME (FAS)

"Alcohol is one of the most toxic substances voluntarily consumed by humans. Alcohol is also capable of disrupting fetal development as it freely crosses the placenta in pregnant women who choose to consume alcohol during their pregnancies." Damage to a fetus resulting from maternal alcohol consumption during pregnancy has been observed since ancient times. However, it was not until 1973 that a pattern of physical features and behavioural deficits found in infants and children of mothers, who had consumed alcohol during pregnancy, was formally recognized as Fetal Alcohol Syndrome or FAS.

Fetal Alcohol Syndrome is only one form of alcohol related birth defect. In order for an individual to receive a clinical diagnosis of FAS, in addition to the identification of a positive history of maternal alcohol consumption during pregnancy, there are three core diagnostic criteria that must be present, namely:

- (1) prenatal and/or postnatal growth delay and growth retardation and/or small head circumference;
- (2) structural facial abnormalities; and
- (3) central nervous system impairments.

Children born with FAS have a reduction in body weight height and head circumference. The head is small because the brain has not grown as it would in a normal child. These features may differ depending on the amount of alcohol consumed during pregnancy.

Distinct facial structure anomalies referred to as facial dysmorphology, is the criterion that is most specific to a diagnosis of FAS. The characteristic pattern of facial abnormalities most commonly seen in children with FAS is:

- (1) short palpebral fissures (horizontal length of eyes);
- (2) epicanthic folds (abnormal skin folds in the inner corner of the eye);
- (3) a long and flattened philtrum (space between the nose and upper lip);
- (4) flattened maxilla (bones forming the jaws and mid-face); and
- (5) a shortened nose.

While children with FAS often display these physical features, as they grow older these characteristic features become blunted and it becomes harder to diagnose FAS. Whether the characteristic physical features are present or not, it is clear from the research, that central nervous system damage and brain dysfunction with all the other associated problems can still exist.

There are several different stages of embryo development during which alcohol will damage the central nervous system and increase the vulnerability of the brain to serious damage. The greatest period of vulnerability in the brain is uncertain, and it is indicated that all trimesters during pregnancy are critical for proper brain development. Thus prenatal exposure to alcohol for even one single day can be damaging to the brain of the fetus if high blood alcohol concentrations are obtained. Researchers are increasingly adopting the view that **there is no safe level of alcohol consumption during pregnancy**. Even small doses of prenatal alcohol exposure can be debilitating to fetal development and can cause permanent damage.

Central nervous system damage from prenatal alcohol exposure results in permanent impairments such as neurological abnormalities, behavioural dysfunction, developmental delays and intellectual impairment. Impairments include mental retardation or diminished IQ, learning disabilities, impairment of motor skills, seizures, developmental delays, behavioural deficits, memory deficits and attention deficit disorder. The brain damage suffered by the FAS individual while in utero is permanent. There is no cure.

As a result of these damaging effects on the developing nervous system, an abundance of research has indicated there are cognitive-behavioural difficulties in children with FAS. These problems include impairment of selective attention and decreased speed of information processing, delayed and disordered speech and language development, short term memory deficits, learning difficulties, and hyperactivity and impulsivity. Attentional problems are especially problematic because they have negative consequences on other cognitive functions like rehearsing and storing information in memory, and information processing.

"FAS individuals have profound and permanent learning and intellectual impairments. Although the range of intellectual functioning varies, FAS is now considered to be the leading cause of mental retardation in North America." Most average intellectual assessments of FAS children using a variety of IQ tests, estimate that they function at a level from 65 - 70 IQ point scores. Such poor intellectual functioning often results in serious academic difficulties.

The neurological and intellectual abnormalities in individuals with FAS unfortunately lead to a variety of serious secondary cognitive, emotional, behavioural and developmental problems. "These difficulties are consistent, disabling, and seriously affect their adaptive functioning over their lifespan."

FETAL ALCOHOL EFFECTS (FAE)

"It is important to recognize that there is a wide range of alcohol effects which extend beyond those individuals with FAS, and which can affect the fetus at many levels of maternal alcohol consumption." Research has concluded that there are more subtle forms of FAS, which have been termed Fetal Alcohol Effects or FAE. Individuals with FAE are "adversely affected by prenatal alcohol exposure but they do not meet the formal

criteria of FAS." The "behavioural, developmental and neurological problems associated with FAE strongly overlap with those of FAS." "Difficulties such as unevenness in academic abilities, learning disabilities, poor math skills, cognitive deficits, self regulation difficulties, and behavioural and social impairments are equally disabling in children with FAE as those with FAS." These children may face more serious problems because their symptoms may not be recognized as FAE.

Because FAE is not recognized in a formal diagnosis and is difficult to identify, it can go unrecognized in most clinical and research settings. "It is important to realize that despite this lack of recognition, FAE appears to be more common in individuals with prenatal alcohol exposure than is FAS... and that these effects are not necessarily milder forms of FAS because behavioural and functional impairments associated with FAE have serious, long-term consequences comparable to those of FAS." FAS and FAE should be considered to be equivalent in terms of function. FAE is not a lesser condition. It is sometimes referred to as FAS without the face.

BEHAVIOUR ASSOCIATED WITH FAS/FAE

Infancy

The main problems of a child with FAS during infancy are irritability, jitteriness, tremors, weak suckling response, problems with sleeping and eating, failure to thrive, delayed development, poor motor control and poor habituation.

Preschool years

This period is commonly defined as the period between 2 1/2 and 6 years of age. "Cognitive defects are frequently observed and attention deficit disorder with or without hyperactivity is often identified. Preschoolers with FAS exhibit hyperactivity, friendliness and fearlessness, language dysfunction, perceptual problems and behavioural disturbances." Some children with FAS/FAE are already out of control as preschoolers. "They may show violent behaviour, fire-setting, marked hyperactivity and incorrigibility. Furthermore, they often display language delays, motor impairments, significant developmental delays and unusual sexual behaviour. A common occurrence is problems with attention, impulsivity, distraction and memory."

School-Age Years

This period covers from 6 - 13 years of age. At this point many significant problems begin to emerge for children with FAS/FAE. "FAS/FAE children are described as unable to sit still in class and pay attention to school work. They have trouble dealing with multiple sensory inputs and significant problems in peer relationships." Furthermore, "children have also been reported to lack remorse, to fail to learn from mistakes, to lack judgement, to be unusually aggressive, and to be unable to maintain friendships." They are overwhelmed by stimulation and are unable to respond appropriately or protect themselves from overstimulation of competing and ambiguous

demands. Hyperactivity and distractibility is a significant contributor to poor educational performance. Apart from school-work an even greater problem arises because of a deficit of social skills. Interpersonal relationships with other children are difficult. A child with FAS/FAE may find it impossible to share, to wait his turn, to follow the rules or to cooperate.

Adolescence and Adulthood

"Adolescents with FAS/FAE are thought to have significant deficits in intelligence, learning, academic achievement, and social behaviour. These youth are at a much greater risk for substance abuse than others of this age group." "The majority of teenagers with FAS/FAE face increased failure and less satisfaction in academic classes, more social isolation, low self-esteem and depression." Adults with FAS do not generally function at a level that allows for self-sufficiency and independent living. Considering their level of adaptive functioning, a goal of independent living is difficult to envision.

Individuals with FAS/FAE have poor cause and effect reasoning, especially in social situations. Thus **these individuals overreact to situations with strong emotional reactions and display rapid mood swings set off by seemingly small events.** Their trouble in social situations is suggested by their unawareness of the social consequences of their behaviour, poor judgement in whom to trust and the need to be the centre of attention. These individuals often present management problems that are overwhelming.

These individuals function best in an uncluttered environment where there is order, structure and predictable routines. Establishing clear consistent rules and giving instructions in a simple concrete fashion works best. Ironically, these individuals often do well in a custody setting because of the structured environment.

FAS/FAE individuals will likely need a great deal of help with basic social and life skills as their adaptive functioning is very poor. Attention deficit, impulsivity and memory problems will make it difficult for them to acquire or hold employment and to achieve stable living. They show poor judgement and are at risk for victimization. They have difficulty learning from experience and their arithmetic disability leads to problems handling money, paying bills etc. Their problem solving is at a very low level. Similarly, their impulsiveness often gets them into trouble, they have poor tolerance for frustration and anger problems are frequently reported. Difficulties with abstraction leads to problems understanding consequences and their general disorientation makes it difficult for them to perceive social cues or take the position of another person. There is a high rate of substance abuse in this population and this problem makes other problems worse.

Individuals with FAS/FAE will have serious limitations on their abilities to understand, interpret, and remember information presented in typical treatment formats. They are likely to forget material from earlier sessions, have trouble applying abstract concepts to real life situations, and have difficulty reasoning by analogy or problem solving. Given these deficits, program facilitators will have to work in a very concrete

fashion with a great deal of repetition. Given the nature of FAS/FAE, simplified, highly structured real-life problem solving approaches are likely to be most beneficial to these individuals. Treatment should be carried out in very small groups or one-on-one as individuals with FAS/FAE are easily overwhelmed by excessive social stimulation.

Secondary disabilities are those that arise out of the interaction of the individual's primary disabilities and life experience. In adolescence and adulthood the difficulties experienced by individuals with FAS/FAE may include the following:

- (1) unpredictable and impulsive behaviour;
- (2) acting without consideration of consequences;
- (3) poor judgement;
- (4) aggressive and violent behaviour;
- (5) social relationship problems;
- (6) emotional problems;
- (7) difficulty with organizational skills;
- (8) difficulty in recognizing and setting boundaries;
- (9) communication problems;
- (10) lack of appropriate initiative;
- (11) unresponsiveness to subtle social cues;
- (12) lack of reciprocal friendships;
- (13) difficulty with money management;
- (14) being extra sensitive to sensory stimulation;
- (15) being unfocussed and easily distractible;
- (16) inability to attend to relevant data and inability to ignore irrelevant information;
- (17) misperceiving the intentions of others and thus being easily victimized;
- (18) memory impairments;
- (19) problems with abstract reasoning;
- (20) poor concentration and attention;
- (21) conduct problems such as lying and stealing and defiance;
- (22) poor adaptive functioning;
- (23) poor frustration tolerance;
- (24) inappropriate sexual behaviour;
- (25) substance abuse;
- (26) depression and suicidal ideation and attempts;
- (27) mental health problems;
- (28) trouble with the law; and
- (29) homelessness.

Depression is the most common mental health problem for individuals with FAS/FAE and many make suicide threats and attempts. These individuals are also at a heightened risk for involvement with the criminal justice system. Persons with FAS/FAE have difficulties linking events with their resulting consequences. These consequences include both the physical, e.g. getting burned by a hot stove, and the punitive, e.g. being sent to jail for committing a crime. Because of this, it is difficult for these individuals to

learn from their mistakes. Lacking sufficient cognizance of the threat or fear of consequences, these individuals are less likely to control their impulsive behaviour. Similarly, FAS/FAE individuals have trouble comprehending that their behaviour can affect others. As such, they are unlikely to show true remorse or to take responsibility for their actions.

There are high rates of criminality among individuals with FAS/FAE. Despite this, it is noted that their criminal activity appears largely impulsive rather than premeditated. It is suggested by some experts in the field that their maladaptive behaviours (e.g. impulsivity, attention problems) and cognitive deficits (e.g. difficulty sorting out cause and effect, trouble understanding consequences) lead them into trouble with the law.

Common risk factors that may increase the number of secondary disabilities experienced by individuals with FAS/FAE include a poor home environment, abuse and neglect, and familial upheaval. "The home environment seems to be one of the major factors that can influence whether a child with FAS/FAE ends up with secondary disabilities." Many children with FAS/FAE have a high degree of familial upheaval. Many are never cared for by their biological mothers and a high number live in multiple foster homes throughout their lives.

Being a victim of abuse or neglect is another common feature of many of these children. Children with FAS/FAE "are likely to come from disrupted or dysfunctional families whose instability can worsen the child's intellectual and social delays. **The continuity of the environment from birth is imperative for these children. They appear to suffer if they are changed from one environment to another.**" Emphasis added. It is also important that the environment not only be continuous but calm and supportive. Better social and emotional development appears to be related to stable home environments.

Common protective factors that may reduce the number of secondary disabilities, are a stable and supportive home environment, not having frequent changes of household, having received developmental disabilities services, being diagnosed before the age of six, and not being the victim of violence.

In conclusion, individuals with FAS/FAE are multi-problem individuals with few resources and many deficits and needs. Treatment will likely be difficult and without a great deal of support and supervision the prognosis is likely to be poor. To succeed within the limits of their capabilities individuals with FAS/FAE will require altered living and working environments throughout their lives. Caregivers, teachers and other persons involved with these individuals who are knowledgeable about FAS/FAE can make a huge difference.

To my knowledge, there is no national data for Canadian estimates of the incidence of FAS or FAE although tens of thousands of adults are estimated to be affected. For women who already have one child with FAS, their risk of reoccurrence is

very high. While the financial cost of FAS has not been tabulated in Canada, in the United States it is estimated conservatively that the cost is 1.4 million dollars across the life span of one child with FAS.

FETAL ALCOHOL DAMAGE AND PATRICK REDHEAD

Dr. Albert E. Chudley, a Clinical Geneticist at the Genetics and Metabolism Section, Health Sciences Centre in Winnipeg assessed Patrick for fetal alcohol damage in September 1996, when Patrick was 12 1/2 years old. The doctor indicated in his report dated October 3, 1996 that Patrick had been diagnosed as having Attention Deficit Disorder. He noted that there was a concern about FAE in light of the fact that Patrick's mother was presumed to drink during most of the pregnancy and is considered to be an alcoholic.

However the doctor stated that he had very little information regarding the pregnancy and neonatal and early childhood development. Dr. Chudley found that Patrick had no striking dysmorphic features. His impression was that Patrick had "learning disabilities with borderline mental handicap to mild mental retardation, behavioural problems, minimal dysmorphic features and a presumed history of excess alcohol exposure throughout the pregnancy." He recommended that psychological, psychometric, and psychoeducational assessments be repeated the next spring.

Dr. Chudley concluded that some of Patrick's problems were related to social disturbances and family breakdown, and some may be due to other genetic factors. He indicated that Patrick did not have FAS but stated that no doubt some of Patrick's difficulties were likely related to alcohol exposure. He also stated that it was not clear whether Patrick had Attention Deficit Disorder.

Much of the evidence I heard at this inquest demonstrates that Patrick displayed many of the behaviours and difficulties that are experienced by individuals who are affected by pre-natal alcohol exposure. The evidence is clear that even at an early age Patrick was easily distracted, unable to focus, had poor concentration, had a very short attention span, could not sit still, was easily frustrated, was impulsive, aggressive and defiant and was described as being out of control.

He frequently acted out in a violent manner to other children and to his teachers and caregivers. He was described as not comprehending the consequences of his behaviour, and as being unpredictable and having mood swings. Many people involved with Patrick over the years noted that his behaviour was much more manageable when he was dealt with in a one-on-one situation as opposed to a group setting where there would be more distractions and sensory stimulation. It is also noted that Patrick preformed better when he was given concrete instructions.

These behaviours along with the known history of alcohol consumption by Martina Redhead strongly suggests of only one conclusion, namely, that Patrick Redhead

had sustained brain damage as a result of pre-natal exposure to alcohol. This is also the case with a number of his siblings.

Patrick's brother HR who was born a few years before him has been diagnosed as having FAS. His sister BR who was born a few years after him has been diagnosed as having FAS. By July of 1992, workers who were involved with Patrick's sister RR referred to her as having FAS. The evidence is not clear if she has been assessed. At least two of Patrick's other siblings also display some behaviour consistent with FAS/FAE and at the time of the inquest were to be assessed for fetal alcohol damage. With this history it would be very unlikely that Patrick was not affected by his mother's alcohol consumption before he was born.

Dr. Edmund testified that she was surprised based on Patrick's behavioural description that he had not been diagnosed as FAE. She also testified that with aboriginal children FAS is particularly difficult to diagnose because their physiognomy is fairly similar to the FAS physiognomy. Many of the physical facial features that are characteristic of FAS are also similar to the normal facial features of aboriginal children.

Seen in the light of the damage caused by fetal alcohol exposure, many of the behaviours that Patrick displayed were inevitable. In his case, his poor home environment, the abuse and neglect that he experienced, his dysfunctional family situation and his unstable life only exacerbated the difficulties that he had and led to his developing many of the secondary disabilities that are referred to above.

Patrick did not have the benefit of any of the protective factors that may reduce the number of secondary disabilities for individuals who have fetal alcohol damage. He did not have a supportive and stable home. He was in many different placements throughout his life. He was physically abused. As was noted above, treatment for individuals like Patrick will be difficult and without a great deal of support and supervision the prognosis is likely to be poor.

The greatest tragedy of all is that FAS/FAE is totally preventable. There is only one solution to this problem. All possible efforts must be made to prevent FAS/FAE. This involves putting more resources into training and education of parents and childcare workers. Education as to the devastating effects of pre-natal alcohol exposure should start in high schools or even junior high where informational sessions on this subject should be a mandatory part of the curriculum of every student.

Prevention is the key to the lifelong and terrible effects that are the legacy of maternal alcohol consumption. Better efforts must be made to insure early diagnosis of this condition so that appropriate programs and placements can be developed to try to prevent many of the secondary disabilities that Patrick and other individuals like him end up with. This will require more in-depth training for childcare workers, teachers and health care workers to ensure that they are able identify children who are affected, at an early age.

More multidisciplinary teams like the Fetal Alcohol Syndrome Teams in Thompson and Winnipeg should be set up to ensure that children throughout the province can be assessed for fetal alcohol damage, and plans can be made to assist families and caregivers in dealing appropriately with the care of these children. Such teams must be adequately funded to ensure that all families have access to this expertise. The evidence at this inquest indicated that the team in Thompson is not funded to travel outside of the City of Thompson. Accordingly, children in other northern communities cannot be assessed unless they and their families can afford to travel to Thompson. For many families this may not be possible.

The Program Standards Manual for Child and Family Services in sections 221 and 222 deals with the services that are to be provided to expectant women. Reference is made to the worker initiating discussions with the expectant mother about suitable lifestyle choices. The relevant paragraph reads as follows:

"The worker should initiate a discussion about a suitable lifestyle, including proper nutrition, **the effects of alcohol**, experimental drugs, and tobacco and the implications of non-discriminate use of over the counter drugs. If during the course of this exploration, a problem is identified in any one of these areas, proper linkages [should] be made to appropriate resources in the community."
(Emphasis added.)

Program standard 220 addresses prevention initiatives in relation to expectant parents. Reference is made to planning and prevention activities being carried out in collaboration with other community agencies. There is no specific mention of prevention in relation to fetal alcohol damage.

In my view these standards are not proactive enough. Where it is known that a woman has given birth to one child with fetal alcohol damage, increased efforts must be made by the community and by child caring agencies to educate, monitor, supervise and offer support to that woman so that if she becomes pregnant again future children are not affected in a similar way. Where child care workers are aware that a pregnant woman is using alcohol, ongoing and intensive intervention must be provided by the agency in an attempt to minimize the damage that is done to the fetus.

The evidence at this inquest suggests that workers were well aware that Martina Redhead was often abusing alcohol while she was pregnant. A file note on the Lynn Lake family services file in April of 1995 illustrates this. RCMP and a family services intake worker attended to the Martina Redhead residence. They attended because of a call received from Martina Redhead in which she had indicated that her child was sick and she could not take him to the hospital because she was intoxicated.

Upon attendance the worker noted that the child did not appear to be that ill and that while the mother was drinking there was a sober adult staying there who would look after the child. There was a brief reference in the notes to the mother being under a lot of

pressure because she had recently lost her husband. Almost as an afterthought the worker noted that "She is also pregnant." A note on the intake form states that "Lynn Lake CFS will monitor this home". The evidence does not indicate that any active efforts were made by the agency in the days following this attendance to provide intensive intervention and support to Martina Redhead to assist her to deal with her addiction.

Ten days later police and a social worker again attended Martina Redhead's home. Again she was intoxicated. On this occasion two of her children were apprehended for their protection in view of parental alcohol abuse. It is ironic that no protection could be provided to her unborn child.

I hasten to add that I recognize that where a chronic alcoholic like Martina Redhead refuses to attend for treatment, legally there is very little that family services workers can do to protect the unborn child. The evidence is clear that there were numerous efforts made over many years by a number of family services workers to address Martina Redhead's alcohol addiction by referring her for counseling and treatment for alcohol abuse. Many of these exhortations and efforts fell on deaf ears. Frequently she failed to attend for appointments that were set up for her. While on a number of occasions Ms Redhead did attend for alcohol treatment, including a number of different residential treatment programs, unfortunately, the results were never successful in the long-term.

In fact in May of 1995 after the apprehension of her children in April, Martina Redhead did attend for addiction treatment in The Pas. She apparently attended another treatment program in September of 1995. Success if any was short-term only. Short of locking her up for the duration of her pregnancy so that she would have no access to alcohol there is little that can be done to prevent damage to the unborn child when the expectant mother refuses or is unable to stop drinking.

THE CASE OF WINNIPEG CHILD AND FAMILY SERVICES (NORTHWEST AREA) v. D.F.G.

The law as it stands today does not allow family services workers to protect an unborn child by detaining the mother for treatment. The case of *Winnipeg Child and Family Services (Northwest Area) v. D.F.G. [1997] 3 S.C.R. 925* illustrates this. In that case the Supreme Court of Canada, on an appeal from the Court of Appeal for Manitoba, dealt with the question whether a court could order the detention of a pregnant woman in a health centre for treatment until the birth of her child to protect the unborn child. This application was made by the family services agency because the pregnant woman was addicted to glue sniffing which may damage the nervous system of the developing fetus. D.F.G. had previously given birth to two other children who had been injured by her glue sniffing.

The majority of the Supreme Court of Canada dismissed the agency's appeal on the ground that an order detaining a pregnant woman for the purposes of protecting her fetus would require changes to the law which cannot properly be made by the courts and

should be left to the legislature. Justice McLachlin, as she then was, wrote the majority decision. She concluded that "if Parliament or the legislatures wish to legislate legal rights for unborn children or other protective measures that is open to them subject to any limitations imposed by the Constitution of Canada." She noted that the legislature, "should it choose to introduce a law permitting action to protect unborn children against substance abuse, could limit the law to that precise case."

Justice Major with Justice Sopinka concurring delivered the dissenting judgement in the D.F.G. case. He stated one of the questions to be answered by the court in that case as follows:

"Does the state also have a separate right to intervene to prescribe proper medical treatment in the hope of achieving the birth of a healthy child as opposed to standing idly by and watching the birth of a permanently and seriously handicapped child who has no future other than as a permanent ward of the state?"

The dissenting justices concluded that the state has an enforceable interest in ensuring to the extent possible the wellbeing of the unborn child. While allowing the detention of a woman for treatment may interfere with the mother's liberty interests the dissenting justices were of the view that those interests must bend "when faced with a situation where devastating harm and a life of suffering can so easily be prevented."

The dissenting judgement makes reference to material on the prevalence of mental and physical disabilities in children as a result of substance abuse by their mothers while pregnant. This material was submitted by several of the interveners in that case. One of the documents referred to is "The Manitoba Children and Youth Secretariat in Strategy Considerations for Developing Services for Children and Youth" (March 1997). That document describes FAS as the leading preventable cause of mental disability in the western world. It also indicates that it is estimated that worldwide two of every 1000 babies born are affected by FAS. The estimate for the incidence of FAS/FAE in Manitoba is "anywhere from two to forty per 1000 live births, with the highest incidence being among First Nations children, where as many as 20% may be affected."

The dissenting judgement also notes that two aboriginal child and family services agencies who intervened in the D.F.G. case urged the Court to create a legal remedy to use in their fight against FAS/FAE. "These interveners submitted that such a remedy would be consistent with the aboriginal world view, and that the common law should be expanded to help alleviate what is particularly an aboriginal problem."

The evidence at this inquest suggests that "agencies are seeing the demand for high support, high cost services, dramatically increasing due to FAE, FAS and other medically defined conditions and behaviours. There is every indication that the trend to higher cost services is likely to continue." See "First Nations Child and Family Services Joint National Policy Review" Final Report June 2000 which was marked as Exhibit 165 at this inquest, at page 115.

The conclusion in that document is also consistent with the evidence of a number of the witnesses who testified at this inquest. Norman Fontaine for example testified that many of the children that he dealt with while working as a foster care support worker had fetal alcohol damage. One need simply look at the evidence at this inquest of the number of children in the Redhead/Linklater family who are affected by fetal alcohol damage. As has been indicated above, several of Martina Redhead's children likely have FAS or FAE. Anthony Linklater Jr. has three children besides BR and RR. According to the evidence all of these other children also have fetal alcohol damage.

The legislature in this province to date has not chosen to introduce any legislation to protect unborn children against substance abuse. In light of the evidence at this inquest the time may have come for the legislators in this province to tackle this difficult issue in order to assist family services agencies to protect unborn children.

In the absence of such legislation the only solution to the problem of fetal alcohol damage and the behavioural difficulties that follow lies in prevention, education and early diagnosis. There is no question that increased resources will be needed to address this problem. This issue cannot be adequately addressed with the present resources. This is a situation where increased resources put into prevention will within a short time pay for itself. One need only consider the estimated cost over the life span of one FAS individual to recognize that as a society we cannot afford not to invest in an intensive prevention program.

More resources will also be needed at the community level to deal adequately with children who have suffered fetal alcohol damage to ensure that there is early diagnosis and that the chances of the children developing any secondary disabilities are lessened to the greatest extent that is possible. Troubled communities like Shamattawa and others like it must be empowered and supported so that the community as a whole will take ownership of the issues and create a culture and an atmosphere where the cycle of alcohol abuse does not repeat itself from generation to generation.

RECOMMENDATIONS

EDUCATION AND TRAINING

- ❖ **It is recommended that education programs regarding the effects of fetal alcohol damage be developed by the Department of Education and taught to all students at the Junior High and High School level as part of a mandatory curriculum.**
- ❖ **It is recommended that all child care workers, health care workers, teachers and day care workers be given mandatory education and training in FAS/FAE to assist them in recognizing fetal alcohol damage in the children that they have contact with and in dealing appropriately with and planning for these children.**

- ❖ It is recommended that the Department of Education in conjunction with the Department of Family Services develop appropriate education programs for children who have FAS/FAE so that the school experience for these children can be a positive one.
- ❖ It is recommended that parents and foster parents of FAS/FAE children receive ongoing training and support in dealing appropriately with such children in order to avoid many of the secondary disabilities that such children may develop.
- ❖ It is recommended that parents who have had one FAS/FAE child receive intensive education, intervention, support and supervision through child and family services agencies in order to reduce the likelihood of such damage to any future children.

ASSESSMENT AND DIAGNOSIS

- ❖ It is recommended that where a child caring agency is aware that a mother has a history of alcohol use during her pregnancy a mandatory FAS/FAE assessment be done to insure early diagnosis and appropriate intervention and support.
- ❖ It is recommended that where a child caring agency is aware that a mother has given birth to an FAS/FAE child, any other biological children of that mother whether born before or after, should also be assessed for fetal alcohol damage.
- ❖ It is recommended that more multidisciplinary Fetal Alcohol Syndrome Teams like the ones in Winnipeg and Thompson be set up to ensure that all affected children in the province can be assessed for fetal alcohol damage at an early age, so that plans can be made to assist families and caregivers in dealing appropriately with the care of these children. Such teams must be adequately funded to ensure that all families have access to this expertise.
- ❖ It is recommended that the Fetal Alcohol Syndrome Team in Thompson be adequately funded so that it is able to travel outside the City of Thompson to other northern communities in order to assess children in those communities for FAS/FAE.
- ❖ It is recommended that child caring agencies make every effort to ensure that children who are suspected of having been exposed to pre-natal alcohol use are assessed for FAS/FAE prior to age six.

PLANNING AND SUPPORT

- ❖ It is recommended that where a child has been assessed as having FAS/FAE, all agencies that are involved in planning for that child should place particular

emphasis on the need for a stable, structured, and consistent home life and should make every effort to avoid frequent changes of placement for that child.

While this recommendation is important for all children, it is particularly important for children with FAS/FAE. Such children will be even further disadvantaged if they are subject to frequent moves and changes in their environment and caregivers.

LEGISLATION

- ❖ **It is recommended that the government of Manitoba consider drafting appropriate constitutional legislation to protect fetuses from the effects of substance abuse.**

COMMUNITY CAPACITY

An inquest judge is entitled to make recommendations to the government and public agencies or institutions in a report of this kind. No specific authority exists to make recommendations to private individuals or communities. However, as is demonstrated by the evidence at this inquest, the problems of alcohol and other substance abuse, which frequently leads to physical abuse and the inability to properly care for children, is pervasive in some communities and these problems cannot be solved from the outside. Communities such as Shamattawa and others like it must take responsibility for their problems and take a leadership role in seeking a solution. Other communities have begun this process and can serve as models.

At the same time governments must provide adequate funding and other supports to allow these communities to develop the programs that are needed to address these issues. The problem of alcohol use and abuse is intergenerational in many communities. As long as these problems exist, the prevention or reduction of fetal alcohol damage in these communities is unlikely. This is not a problem that can be solved without involvement at the community level.

- ❖ **It is recommended that community members, leaders, and organizations take ownership of these issues in order to build community capacity and create a culture and an atmosphere where the cycle of alcohol abuse does not repeat itself from generation to generation.**

EARLY INTERVENTION AND PREVENTION

Dr. Edmund testified that Patrick Redhead was a child who was uncommonly disadvantaged. She stated that while many children in the child welfare system are disadvantaged by traumatic backgrounds, separation from the parental home and various other difficulties, Patrick appeared to be an unusually disadvantaged child. She noted that he had numerous placements and was uprooted many times. He had cognitive difficulties including possible fetal alcohol damage. He experienced various traumas,

including both physical and sexual abuse. These traumas were not treated or healed at an early age.

Dr. Edmund noted that this kind of background has an enormous impact on a child and that there are two areas of impact. One is that when a child has experienced trauma, that trauma needs to be healed in some way. Difficulties are even greater if there are numerous or repeated traumas and the trauma is not treated very soon after it occurs. The longer the child is traumatized without treatment the more it will impact the child. Dr. Edmund indicated that children have a strong sense of responsibility. When a trauma occurs to them they need to know who is responsible for it - who is to blame. Children go quickly to blaming themselves. They then feel guilt, and shame and have a very poor self-image, which they will then act out.

Children may also experience a certain amount of external blame. They may have a great deal of anger toward the people who abused them or who did not protect them from the abuse. Dr. Edmund stated that if the child is treated early after the trauma they will be able to work through the self-blame, but if not it becomes very deeply entrenched in their personality and their understanding of the world. She concluded that:

"The sooner the healing is initiated the easier it is on the child and the more effective it is. The longer the period of time that the child is left alone to deal with the trauma the more the impact will be. The impact will be self-blame and self-hatred, will be hatred of other people and anger toward other people."

The second area of impact has been referred to previously in this report. That is, when children are traumatized and not provided with a stable home and stable caregivers, they are unable to develop the personality resources and coping mechanisms that they need to deal with life. They do not develop emotion management techniques or social skills and this very strongly compounds the damage, which is done to the child by the trauma.

A multiplicity of problems develops and these problems diminish the ability of the system to deal with them. As Dr. Edmund put it, "the more difficulties the child develops, the longer those difficulties are present in the child's life, the more ineffective the system will be." She noted however that it is very important that the caregivers and treatment planners involved with the child not give up on the child.

In Patrick's case Dr. Edmund testified that because of all his disadvantages he was a very high-risk client "High risk for self-hatred, high risk for hatred of others and therefore high risk for suicide, assaultive behaviour, and illegal activity." She indicated that in Patrick's case if there had been appropriate intervention earlier on, at least prior to age 10 in her view this would have really helped.

Patrick's case graphically illustrates the need for early and appropriate intervention to prevent children from developing the multiplicity of problems that Patrick

had. His case even more clearly demonstrates the need for prevention programming so that fewer children are damaged the way that he was by his life circumstances.

One might ask what constitutes appropriate early intervention? Dr. Edmund testified that the first year of a child's life is critical in that child's development. The first year of life is the primary psychological development year. She indicated that if a child is not psychologically nourished in that year the impact is essentially irreversible.

The importance of early childhood development was the focus of the "Early Years Study", which was commissioned by the government of the Province of Ontario and was completed in April of 1999. The authors of that report note the brain damage that results from maternal use of alcohol and drugs during pregnancy, as well as the importance of the development of the brain in infancy and early childhood. They state that:

"There is powerful new evidence from neuroscience that the early years of development from conception to age six, particularly for the first three years, set the base for competence and coping skills that will affect learning, behaviour and health throughout life."

The study also noted that nurturing by parents in the early years has a decisive and long-lasting impact on how people develop, including their ability to regulate their emotions. Negative experiences in the early years including severe neglect or absence of appropriate stimulation are likely to have decisive and sustained effects. There is evidence that children who do not receive the nutrition and stimulation necessary for good development in the earliest months and years of life may have great difficulty overcoming those deficits in later years. These early years "from conception to age six have the most important influence of any time in the life cycle..."

The study concludes that increased investment in the early years of a child's life will have a substantial long-term economic gain for society. Governments may choose to put more money into policing and correctional systems and other special services that will be expensive and unlikely to make a big difference or they can invest in early child development and parenting programs in order to avoid the problems in the first place. "This investment will be much more cost-effective than paying for remediation later in life, such as treatment programs and support services for problems that are rooted in poor early development." The authors of the study however, also emphasized that resources for early years should not be increased at the expense of services that are currently helping older children and youth overcome their disabilities and disadvantages.

The Early Years Study was not marked as an exhibit during the inquest but in view of its relevance to this report I have added it to the exhibit list as Exhibit 170.

RECOMMENDATIONS

- ❖ **Given all that is now understood about the vital importance of the early years of a child's life it is recommended that the government of Manitoba make early child development a high public priority.**
- ❖ **It is recommended that the Department of Family Services and Housing in consultation with the Department of Education establish early child development and parenting programs and facilitate the development of capacity at the community level to establish such programs.**
- ❖ **It is recommended that an appropriate parenting program be a part of the mandatory curriculum of all students at the Junior High and High School level.**
- ❖ **It is recommended that childcare workers, daycare workers and other professionals who work with young children receive appropriate training to ensure that all are aware of the importance of early child development and learning.**

RESOURCES AND FUNDING ISSUES

Another continuous theme that emerged in the evidence at this inquest relates to funding and resources and the scarcity of resources in the child welfare system, especially for high-needs children like Patrick Redhead. There are many dimensions to this issue. The court heard about the need for more specialized foster homes throughout the province but particularly in northern Manitoba. The court heard about the need for more aboriginal foster homes throughout the province. The court heard about the need for more and better-trained childcare workers in northern communities and better-trained foster parents throughout the province. The court heard about the need for more residential treatment beds to be developed in northern communities. The court heard about the need for there to be more spaces available in secure care facilities.

The court heard about the different funding that is in place for children involved with a child caring agency depending on whether they are on reserve or off reserve. Funding for children on reserve is a federal government responsibility. Funding for children off reserve is a provincial government responsibility. This difference in the source of funding sometimes results in "off-loading" between child caring agencies. Children at times may be moved or "pushed" from one agency to another for purely economic reasons. Even under the proposed new restructured child and family services system, this issue will not necessarily be addressed, as to date the federal government is not a party to the process according to the evidence at this inquest.

The court heard that a substantial amount of the available resources need to be allocated to dealing with high-needs children and other children in care. This often leaves no or few resources for prevention initiatives or the front end of the system. Ms

Mirwaldt testified that a child once told her that if the worker had put as much energy into helping her and her family before she came into care as was the case after she came into care, she would not have come into care in the first place.

Dr. Edmund testified that she would like to see more resources put into prevention as she gets very tired of remediating problems that were not necessary to start with. She noted that she is paid a very high fee to do therapy with an individual child and that such funds might be better re-directed to the front end of the system to prevent the child from needing therapy in the first place.

Many witnesses at this inquest spoke about the need for more resources and more funding. Others spoke about the need for a better allocation of existing resources. The issue is not a simple one and it is beyond the mandate of this inquest to comment on these issues other than in a general way. It is self-evident in my view that at this time existing resources cannot be diverted from the high-needs children who are currently in the system. Accordingly resources must be maintained if not increased for specialized care and treatment for these children. Funding cannot be taken away from these programs because there are children in the system right now that need these services.

At the same time if funding at the front end of the system is not increased, if we do not become proactive rather than reactive then we are simply creating greater and ultimately much more expensive problems down the road. These conclusions are not rocket science. Unless governments are prepared to devote the necessary resources to enable substantial funding to be allocated to the front end of the system - to prevention and early intervention programs, the numbers of very damaged children like Patrick Redhead will continue to increase.

Ulysses Desrochers who was the Executive Director of MYS until the end of January of 2002, has worked in the field of child care for over 40 years. His credentials to comment on this issue are impressive. He testified that during the past 40 years he has seen a rise in acuity in the level of problems that children have. These problems are manifesting themselves at an earlier age and there is an increase in the number of children and youth who have high needs and require residential care in order to facilitate future functioning in the community.

Mr. Desrochers indicated that early intervention and increased resources at the front end are needed but at the same time funding for the other end of the continuum cannot be abandoned. He noted that what might cost the system one dollar with early intervention will cost seven dollars later on. If appropriate funding is injected into early intervention this will eventually slow down the rate at which highly damaged children come into care and will ultimately lead to an overall decreased need for resources. This cannot happen however without an initial increase in resources at the front end of the system.

Dr Edmund also testified that the system of childcare that we have now is seriously flawed in dealing with a child like Patrick. She stated:

"If there were better funding then social workers wouldn't have such huge case loads and they could be more responsible in their care of the kids. Foster parents could have better training. Therapists could have better training. There would be better education for parents before they ever have kids. It's a kind of generalized attention that I think is not there, to the value of children, to the needs of children. **Children's developmental needs are not all that complicated. But if they aren't met there are serious consequences for the child and for the system.**" (Emphasis added.)

David Monias the Executive Director of the Awasis Agency testified that the current funding formula used by the federal government for First Nation child and family service agencies is population based. As was pointed out by Ms K. Dunlop, Q.C. who appeared at this Inquest on behalf of the Awasis Agency of Northern Manitoba, such funding cannot adequately address the real needs of families and children in communities that have high levels of dysfunction but only relatively small populations. Such a funding formula for example affects how many social workers and other resources an agency is able to put into that community. Shamattawa is one such community. It has a relatively small population but is a very high-needs community and has been for several generations.

Mr. Monias also testified that at one time in about the mid- nineties the Awasis Agency received approximately \$700,000 annually from the federal government for services to families. This funding allowed the agency to provide programming directed at prevention and at supporting families in dealing with their problems so that children could stay in the home. This funding was withdrawn in approximately 1997 and as a result the agency is doing considerably less preventative work at the present time.

Funding for First Nation agencies is based on how many children are brought into foster care not on how many children are successfully kept out of foster care. Such a funding system needs to be re-examined as it may prevent an agency from effectively intervening at an early stage in a child's life to try to prevent much greater problems later on. While early intervention would generally be seen as the most efficient use of resources to prevent more severe problems down the road, the current funding formula does not recognize this.

Human resources are also an issue in the child welfare system, particularly in northern Manitoba. The court heard of the sometimes severe shortage of trained and qualified workers in many northern communities. The court heard that there is a high rate of burn out among workers and that workers leave the field of child welfare work at a high rate. The reasons for this need to be examined. Issues of overwhelming caseloads need to be addressed so that workers are more likely to remain in the field. There must be appropriate supervision and administrative support so that everything does not rest on the back of one social worker. Adequate funding needs to be provided for professional

training. Creative incentives need be offered in an attempt to increase the number of qualified social workers who are prepared to work in the northern communities.

NUMBER OF CHILDREN IN CARE

Various statistics were provided at this inquest about the number of children in care in this province at any one time. Ms Mirwaldt testified that there were approximately 5700 children in care at the time of the inquest. She stated that 78% of the children in care are aboriginal, and 85% of permanent wards are aboriginal children. Yet according to the 1996 Census of Canada, aboriginal children only make up about 21% of Manitoba's population under the age of 15.

Mr. Desrochers testified that approximately 95 - 98 % of MYS clients in northern Manitoba are aboriginal. He estimated that in the Winnipeg based MYS programs 40 - 60 % of the clients are aboriginal. In his estimation 60% of the clients in residential care in the MYS Winnipeg based programs are aboriginal.

Ben Van Haute of the Child Support Branch testified that there are over 5000 children in care at any given time in Manitoba. There are only 262 residential treatment beds available for those children that are funded by the Province. It was his evidence that there are a number of other treatment resources that are not directly funded by the province which would amount to about another 100 beds. In total he estimated that there are about 400 beds available for specialized residential care in Manitoba.

Mr. Van Haute indicated that at times in the past, children have been on waiting lists for a residential bed for up to two years. The Provincial Placement Desk now encourages agencies to look for alternate placements if the waiting list is more than six months for a residential treatment bed. He confirmed that demands for these kinds of resources are greater than what is available.

In terms of residential treatment resources available in northern Manitoba Mr. Van Haute testified that north of Dauphin there were 22 residential beds available as of the date of the inquest. These beds are usually full. He indicated that there were approximately 1177 children in care for the northern regions. He also suggested that there is nothing to stop agencies from setting up some four-bed emergency placements instead of spending \$300 per day on placements in hotels where children are sometimes placed because there is nowhere else to put them. Mr. Van Haute also testified that the province spends about \$32 million annually on special resources. He agreed that an argument could be made that funding at the front end of the system would be better on a long-term basis.

While many people seem to agree that more resources and better funding formulas are needed in order to begin to address some of the flaws in the present child welfare system, I recognize the reality that governments do not have an infinite source of funds. The pot of money is not endless. Many government departments, Justice, Health,

Education and Family Services to name but a few, are calling for more resources. All of these departments no doubt have legitimate claims to a bigger share of the pot.

The evidence at this inquest suggests, however, that for many high-needs children like Patrick Redhead all of these departments are likely to be involved with the child eventually at one time or another in the child's life. A multi-disciplinary approach would ensure that scarce resources are shared and that there is a coordinated approach in ensuring that the needs of the child are met. Ms Mirwaldt testified that even in a world of limited resources the narrow approach should be avoided. She noted that more resources might be found, not by creating new resources but by sharing existing resources. She stated: "Services can cross sectors. Monies can be shared. Resources can be developed interdepartmentally within those limited resources."

The evidence at this inquest is not such that I am in a position to make recommendations about the specific amount of funding that is needed in various areas of the child welfare system in order to properly address the needs of children and families in Manitoba. Nor am I in a position to make anything other than general recommendations about the funding formulas that are used by various governments. These are complex issues that should be re-examined by government departments at all levels of government.

Such a re-examination already appears to be underway in this province. As has been noted previously in this report the child welfare system in Manitoba is undergoing a drastic restructuring under the Aboriginal Justice Inquiry - Child Welfare Initiative (AJI-CWI). No doubt funding issues will be at the forefront of the ongoing discussions between the parties in that process. This process of restructuring is an opportune time to re-examine the suitability of current resources and resource allocation.

Informational material that has been released by the AJI-CWI, supports the view that many of the resource issues raised at this inquest are presently under serious consideration and review by the parties to that initiative. According to the document, "Promise of Hope: Commitment to Change" released in August of 2001 by the AJI-CWI all parties have made a commitment to a joint examination of the continued suitability of current resources available to support the child and family services system.

There is recognition that new funding arrangements will be required. The goals set out in the document, for such new funding arrangement accord with many of the suggestions made by witnesses at this inquest. These goals as stated include: a recognition of caseload and work demand; identifying workforce requirements; ensuring that funding is needs-based and flexible enough to respond to operational needs; and recognition of unique needs, regional disparities and cultural differences.

The AJI-CWI informational material also suggests that the proposed restructured child welfare system will provide for a greater emphasis on "delivering a more holistic range of services, with more focus on preventive programming." If these goals are

achieved then many of the recommendations in this section of this inquest report will have been implemented.

RECOMMENDATIONS

- ❖ **It is recommended that the parties to the AJI-CWI ensure that adequate funding and resources are provided in the restructured child and family services system for early intervention and preventive programming.**
- ❖ **It is recommended that in providing funding to child and family services agencies the provincial and federal governments specifically allocate separate funds for prevention programs and initiatives.**
- ❖ **It is recommended that adequate funding for professional training and development be built into the funding formulas of family services agencies.**
- ❖ **It is recommended that funding formulas for family services agencies not be based on population but on a model that reflects the needs and capacities of particular communities.**
- ❖ **It is recommended that additional specialized group homes and foster homes be developed in the province to ensure that all children who require such level 4 and level 5 resources need not wait for months for an appropriate placement.**
- ❖ **It is recommended that agencies be encouraged to develop specialized foster placements and residential care facilities in communities in northern Manitoba so that children from those areas need not be removed from their home communities in order to have their needs addressed.**

FOSTER HOME FEES AND STANDARDS

One of the areas of concern raised at this inquest by Sandra and Norman Fontaine relates to foster homes and the way in which foster home fee rates are established and paid. A related issue is the impact that the provincial standards for foster homes have on potential aboriginal foster parents who may not qualify because they cannot meet the standards that are set by the province.

FOSTER CARE RATES

William Kenneth Cairnie was the Acting Director of Service Delivery and Compliance with the Child Protection Support Services at the time of this inquest. Among other things, he testified about foster care rates established by the province. He indicated that in June of 1994 a policy was introduced providing that a reduced rate for basic maintenance be paid to family members who provide placement services to children in the care of a child and family services agency.

Under *The Child and Family Services Act* the definition of family is a broad one. It includes a child's parent, step-parent, siblings, grandparent, aunt, uncle, cousin, guardian, person in loco parentis to a child and the spouse of any such person. This reduced basic rate did not apply to any special rates. Those remained the same for family and non-family foster homes.

The family foster care basic rate was substantially less than the regular basic foster care rate. For example in 1994, the family rate was \$10.97 per day in the south and \$11.52 in the north. At that time the regular basic rate was \$16.23 - \$20.15 (depending on the age of a child) in the south, and \$17.04 - \$21.15 in the north. The evidence suggests that these rates may have increased slightly at the current time but not by a large amount.

Mr. Cairnie testified that this family rate policy was based on the belief that families have some responsibility for the care of children. He also indicated that this policy was not universally applied because there was a fair amount of discretion given to agencies. In particular it was his evidence that First Nation agencies for the most part did not follow this policy. He conceded that this policy might have had a greater impact in First Nation communities because the placement options on reserve are mostly with family.

David Monias testified that the family basic foster care rate was about half of the regular rate and that his agency received a lot of complaints from foster parents in this regard as, the majority of the homes that his agency uses are family placements. He confirmed that if children were placed in a family foster home usually his agency would pay the regular rate as they felt that it was unfair to pay a lower rate because of the high cost of living in northern communities. He noted that his agency had done some studies on the cost of living in the north in particular in terms of the cost of food. When purchasing the foods recommended in the Canada food guide in northern communities the cost would be up to 200% higher than it would be in the south. Mr Monias also stated that if they did not pay the regular foster care rate they would have more trouble recruiting foster homes in their communities.

The family placement rate policy was rescinded in October of 2001. At the present time the same basic maintenance foster care rate applies to all children in foster care. As noted above there are some minor differences depending on the age of the child and whether the child is in southern or northern Manitoba. Slightly lower rates are paid for children that are age 10 and under. Rates in northern Manitoba are slightly higher than in the south. These basic rates are intended to cover the costs of basic maintenance for the child. It covers such items as food, bedding and linen, utilities, transportation, respite, replacement clothing etc. This basic rate is intended to compensate the foster parent for the additional cost to the household that an additional person will bring. This rate is not intended to be a payment for the foster parent for looking after the child.

If there are special needs for a particular child the agency placing the child may authorize the payment of some additional amount if it can be justified. These additional

special payments are related to the same items that are covered by basic maintenance rates. For example in a particular case, higher than usual transportation costs might be incurred by the foster parent because of the need to take the child to frequent medical appointments.

At the time that Patrick Redhead was placed in the home of Sandra and Norman Fontaine they were paid the usual basic non-family foster care rate of \$20.15 per day. For the first six days of the placement they also received an additional \$10.00 a day because this was an emergency placement. They were not paid the reduced family rate. The concern that was raised by Mr. Fontaine was that there was no additional payment made to them to recognize that Patrick was a high-needs child who had special needs.

Because Mr. Fontaine worked in the child welfare field he was well aware that in some foster placements there would be a special rate paid to the foster parents to deal with a child with high needs. He expressed the view that such a special rate should have been paid to his family as well. He noted for instance, that he was well aware of the per diem rates that were being paid when a child is in residential care. It was his view that some further payment should also be provided to a family who is looking after a high-needs child because the issues are the same.

Mr. Robson referred to this issue in his report as follows:

"From their eyes, they see a system that is quite prepared to pay large amounts of money to professional treatment agencies, but pays small amounts of attention and money to families like theirs that are offering a home to aboriginal children both kin and non-related."

The Funding Policies of Child Protection and Support Services were filed as Exhibit 13 at this Inquest. It sets out some general guidelines that are to be used when special needs funding is to be accessed. Those policies also set out the leveling system that is used for children in care. It is recognized that children who are leveled at levels 4 and 5 may require more specialized services. Special needs funding or service fees may be provided to foster parents who have a level 4 or 5 child placed in their home.

According to the funding policies this special funding or "service fee" should reflect the foster parent's skill in meeting a child's special needs. The policy states that not all foster families can meet all the needs of a special needs child. It is also noted that the foster family should receive a fee for service based on their 'special care' and that "other services may be added, i.e. therapy, support worker etc."

Mr. Robson testified that his understanding is that professional foster parents get paid higher fees than the average foster parent, because these people presumably have some additional training, skills and background experience other than their normal parenting talents. However, from the Fontaine's perspective they are looking after a child

that is as difficult behaviourally as the children that are placed in a professional foster home and yet the money differential is significant.

Patrick Redhead was a level 4 child. He was in the care of "professional" foster parents on two different occasions. In 1996 - 1997 he was in the care of Leslie Ball and John Anthony through the Alternative Parent Home Program of MYS. In July - August of 1999 he was in the care of Janice Schneider and John Andrade in the Proctor Parent Program of MYS.

At the time Patrick was in the Ball/Anthony foster home the basic per diem foster care rate was \$19.74. The foster parents were paid that rate but were also paid \$50.00 a day as an "additional care and support cost." Aside from those costs there were also payments made by the guardian agency for respite and youth care support, administration, supervision and a clinical fee. The total per diem cost to the agency was as high as \$155.65. The service provider, MYS who was providing support services received a portion of those fees. The foster parents received \$69.74 per day. Fifty dollars of that amount was provided essentially as a fee for service.

When Patrick was in the Schneider/Andrade foster home in 1999 the basic foster care per diem rate was \$21.48. The foster parents received that maintenance fee but in addition received \$50.00 as a "services payment." There was an additional cost for respite, youth care support, administration and clinical services. The total cost to the guardian agency per day was as low as \$121.94 to a high of \$159.97. Of those amounts the foster parents received \$71.48 per day. Fifty dollars of that amount was provided as a fee for service. On the cost sheet this amount is indicated as being for the "provision of 24-hour care while following provincial foster care guidelines."

It is understandable that "ordinary" foster parents like the Fontaines who see these kind of service fees being paid to professional foster parents for the care of high-needs children, might wonder why they are not paid similar fees when they are looking after the same child in their home.

I wish to make it clear that I am not being critical of the practice of paying service fees to foster parents who are looking after special-needs children. I also recognize that the funding policies note that this fee "represents the reimbursement to the care provider for the treatment work done with the child in their care." The rate that is set is to consider the time commitments of the care provider to the child as well as the skills and abilities of the care provider. The evidence I heard at this inquest indicates that where such a service fee is paid one of the foster parents is also required to be a stay-at-home parent and essentially be with the child 24-hours a day.

In my view foster parents who take on the task to look after these very difficult children deserve to be paid. It also makes sense to provide additional service payments to foster parents who have special training or background, which may enable them to provide some treatment to the child. Having said that, I fail to see why other foster parents who provide foster care for special-needs children should not also receive some

service payment in addition to the basic maintenance fee. I agree with John Robson that foster parents who look after children in care are not paid enough. Those who look after high-needs children should be paid even more. He noted that, "we as a society don't reward them adequately enough for volunteering and coming forward and saying we'll take the risk."

Janet Mirwaldt also indicated that she would favour paying foster parents to take care of foster children. She testified as follows:

"...I think the concept is do you value the work that foster parents do, or anyone of us does in caring for very specialized children. ... We have certainly advocated income replacement, particularly for high needs children, because there is a value to this work, and in our community we equate value of work with monetary reimbursement."

Ms Mirwaldt testified that if we acknowledged the value of this work that would certainly assist in the recruitment of foster parents. She was also of the opinion that it should make no difference whether the foster parents are family members or strangers. She noted that the issue should be the needs of the child and the ability of the parent to meet those needs and not whether the foster parent is family or not. She pointed to the fact that the population of children coming into care are from disenfranchised and marginalized communities, and often when they are being placed in kinship foster homes those families are also economically disadvantaged. This is particularly the case in First Nation communities. She posed the following question: when a child is apprehended from one poor family and then is placed with a sister who may be equally poor, "why is the value of her work any less significant than the value of someone else's work who is a stranger to the family?"

If foster parents are to be paid a service fee for the work that they do with children the question arises whether there will be abuses of this system. Mr. Robson referred to a "double-edged sword", and the possibility that if you start to pay people to look after their relatives "the next thing you know people will be dropping off kids with uncles so he can get paid for that." There is also a concern that people might become foster parents for the wrong reasons, namely just for the money. Ms Mirwaldt agreed that there might be a danger of that but she stated that this is a barrier that could be overcome. She also pointed out that one could just as easily say that there is a danger that social workers or teachers are working with children for the money.

FOSTER CARE STANDARDS

Norman Fontaine testified that for four years while he was employed with Ma Mawi Wi Chi Itata in Winnipeg from 1996 to 2000 he worked in the foster care department. His role was to assist aboriginal families to become licensed as foster parents and to advocate for foster parents to get the necessary resources to meet the needs of the children in their care. He would also be involved in doing home assessments for

persons who applied to be foster parents. He indicated that in the area he was responsible for there were six aboriginal foster homes when he started and 26 when he left. During that same time he estimated that 40 other potential foster parents applied but were not licensed.

Mr. Fontaine mentioned the need for more aboriginal foster homes in the province. He expressed concern that there is a vast resource of aboriginal people who could act as foster parents but don't qualify because they don't meet the provincial standards set for foster parents. In particular he referred to some of the standards relating to the physical structure of their home, as well as their background where sometime in the distant past they may have had involvement with a child and family services agency or the police. He noted that many aboriginal people are low-income earners who live in rental houses so they wouldn't have much say in the physical structure of their home.

David Monias testified that in northern aboriginal communities it is difficult to establish more foster homes because many of the older houses on reserve do not meet the provincial standards for foster homes. He referred specifically to the lack of water systems and to heating systems that do not always meet the standards.

The Department of Family Services and Housing Foster Home Licensing Reference Manual was filed as Exhibit 69 at this inquest. Provincial Standard 464 sets out some requirements for the physical environment of a foster home. These standards appear to be drafted to address issues related to the health and safety of foster children. These standards are based on the *Foster Homes Licensing Regulation* under *The Child and Family Services Act*. This regulation came into force on March 15, 1999. It also requires that checks such as criminal record checks, child abuse registry checks and prior contact (with family service agencies) checks be done for potential foster parents and any other adult residing in the home. Again these requirements are directed at ensuring the safety of foster children and appear to be reasonable.

The information presented on this subject at this inquest is not sufficient to allow me to make any recommendations respecting any change to the provincial standards related to foster homes or foster parents. I do note that the *Foster Homes Licensing Regulation* provides that no later than March 14, 2004 the minister is to review the operation of the regulation including consulting with such persons who are affected by it as the minister considers appropriate. If the minister considers it advisable appropriate amendments can be made or the regulation can be repealed.

The AJI-CWI informational material previously referred to indicates that the new Authorities will be able to set their own service standards to supplement the provincial standards. *The Child and Family Services Authorities Act* provides in section 19 (c) that the new Authorities are to "ensure that culturally appropriate standards for services, practices and procedures are developed." Accordingly, there may be some room for a relaxation of some of the physical standards related to foster care homes.

I also note that the AJI-CWI document dated August 2001 states:

"It is hoped that the changes proposed to the child and family services system will encourage a greater number of Aboriginal parents to become foster parents..."

The parties to the AJI-CWI seem to be well aware of the need for an increase in the number of aboriginal foster homes. The restructuring process currently underway will provide an opportunity for the standards to be reassessed to determine if some changes could be made which would remove any obstacles to aboriginal families being licensed as foster parents while ensuring that foster children are not put at risk.

RECOMMENDATION

❖ **Rates paid to foster parents should reflect the value of the work that is being done. Barriers to recruiting foster parents in all parts of Manitoba need to be addressed. Foster parents need to be adequately supported. It is recommended that the Director of Family Services establish a committee to examine and address the following issues related to the foster care system:**

- (1) the payment of service fees to all foster parents based on the needs of the child and the ability of the foster parent to meet those needs;**
- (2) the obstacles that exist in the system to the recruitment of foster homes, in particular Aboriginal foster homes and foster homes in northern communities;**
- (3) the need to provide appropriate supports to foster parents including respite and clinical support to meet the needs of the child;**
- (4) the need to provide appropriate training to foster parents to enable them to meet the needs of the children placed in their care.**

This committee should include representation from foster parents, the Office of the Children's Advocate and other stakeholders in the system.

SUICIDE RATES AMONG FIRST NATION PEOPLE

"The aboriginal suicide rate is three times that of the total Canadian population. From the ages of 10 to 29, Aboriginal youth on reserves are 5 to 6 times more likely to die of suicide than their peers in the general population." This is a statistic quoted in the paper, "Suicide in Canadian Aboriginal Populations: Emerging Trends in Research and Intervention", which was a report prepared for the Royal Commission on Aboriginal Peoples and was filed as Exhibit 167 at this inquest.

Janet Mirwaldt testified that a female adolescent status Indian is 7.5 times more likely to commit suicide than a female adolescent in the general population is. Status Indian adolescent males are more than 5 times as likely to commit suicide as male adolescents in the general population are. She was relying on the federal statistics that are contained in the report referred to above. This report also suggests that the figures for

the western provinces are even higher. Ms Mirwaldt also indicated that these numbers are likely under-estimated given the fact that accidental death on reserve is four times higher than in the general population and we don't know how many of those accidental deaths may in fact be suicides.

Ms Mirwaldt testified that one of the reasons the Children's Inquest Review Committee recommended to the Chief Medical Examiner that there be an inquest into the death of Patrick Redhead was the high rates of suicide in First Nation communities.

In a report prepared for the Assembly of First Nations with First Nations Child and Family Service Agency Representatives, in June 2000 entitled, "First Nations Child and Family Services Joint National Policy Review", similar statistics are cited. That report notes that suicide deaths accounted for nearly one-third of all deaths among registered First Nation youth.

David Monias testified about the high rate of suicide in the community of Shamattawa. He indicated that there are on average 3 to 5 suicides a year in that community. There are many more suicide attempts. By way of example Mr. Monias stated that in the month of April of 2001 for a period of time there were seven suicide attempts a night in that community. He also testified that one of Patrick Redhead's sisters BR who was in the care of the Awasis Agency at the time of the inquest had made a number of recent suicide attempts.

The evidence at this inquest suggests that childcare workers, foster parents and other persons involved in providing care for a high-needs child do not receive adequate training to deal with the needs of that child, in particular in relation to suicidal children. Dr. Edmund stated in her report that staff dealing with Patrick in the latter months of his life did not appear to be sufficiently trained and experienced. She testified that taking a one-day workshop on suicide is not sufficient for people working with suicidal children. In her view courses in the order of weeks not hours are necessary. She also indicated that aside from such classroom training these people also need practical on the job training with an experienced clinical person to act as a mentor.

Dr. Edmund also was of the opinion that there was not enough clinical support from psychologists or other people trained to deal with children like Patrick. In particular she expressed the view that Patrick's foster parents should have been better trained, and should have had ongoing access to a clinical consultant who could have helped them to manage on a day to day basis. It was also her view that the staff at the CSU should have better and ongoing training and that there should be at least a Masters if not a Ph.D to provide ongoing consultation to the staff at the CSU.

The paper prepared for the Royal Commission on Aboriginal Peoples (Exhibit 167) cites a number of factors that may generally have an impact on suicide risk. Some of these factors are as follows:

1. Prior suicide of a first or second degree relatives;

2. Complicated birth histories, prenatal alcohol and tobacco use and receiving less prenatal care;
3. Certain temperamental or personality traits, including hypersensitivity, withdrawal, perfectionism and impulsivity may contribute to suicide risk. Impulsivity may make individuals liable to respond to an emotional crisis with self-injurious behaviour;
4. Suicidality and aggressivity are highly intercorrelated. The "underlying process of aggression may reach a threshold for action and then be directed either toward self or others";
5. A history of early separations, losses and emotional deprivation; studies have found that suicide attempts were significantly related to greater number of residential moves, greater number of grades failed, and earlier age of separation from parents;
6. Childhood trauma and abuse including sexual and physical abuse;
7. Interpersonal conflicts, usually family or marital discord, breakup of a significant relationship or loss of personal resources. For adolescents, conflicts with parents, loss and separation from family members and rejection in relationships are the most powerful stressors. Several studies confirm that the immediate precipitants of youth suicide are usually an acute disciplinary crisis, a rejection or humiliation;
8. Although suicide often follows an interpersonal crisis, even in these cases it is almost invariably the endpoint of long-standing problems. Among the indicators of long-term difficulties are, anti-social behaviour, alcohol abuse, previous suicide attempts and adjustment disorder;
9. Most suicide victims have previously expressed suicidal thoughts or made suicide attempts. One study found that 85% of adolescent suicide victims had previously expressed a wish to die, and 40% had made a previous attempt. "Although most suicidal acts have an acute precipitant and many acts are impulsive, suicide usually occurs in the context of persistent or recurrent thoughts and plans about suicide...Suicide ideation is so common among adolescents, however, that it does not serve as a useful index of high risk;
10. A previous suicide attempt is the single best predictor of subsequent attempts and of completed suicide. "However, previous suicide attempts do not predict from 75-90% of all completed suicides - which occur on the first recorded attempt";
11. A history of major psychiatric disorders, especially major depression is very common among suicides;
12. Cognitive factors that increase the risk of suicide include, hopelessness, dysfunctional assumptions, poor problem solving ability and negative self-concept among others; hopelessness may be more directly related to suicidality than depression;
13. Some adolescents mention boredom as their reason for attempting suicide. Further questioning leads in many cases to expressions of suffering and acknowledgement of loss of relationships, intolerable family circumstances or depression.

Dr. Edmund testified how the high rate of suicide in aboriginal communities might have an impact on an individual in that community. She indicated that there is a "fundamental switch that happens when suicide goes from a hypothetical possibility to a real possibility. And that has to do with a person's experience of it." When there is a high rate of suicide in a community it becomes real for more people and probably at a much younger age. The "younger it becomes real the higher the risk because children don't have the impulse control that the older people might have when suicide becomes real to them."

One of the purposes stated by the Chief Medical Examiner in calling this inquest is to determine what may be done to prevent deaths like Patrick Redhead's in the future. A review of the factors noted above that may have an impact on the risk for suicide demonstrates that this is a complex and difficult question. As is noted in the report prepared for the Royal Commission on Aboriginal Peoples, "there is no single item of information or combination of items that allows accurate identification of individuals who will commit suicide over the long-term." That report also states that:

"The fact that interpersonal crises are usually the immediate precipitants of youth suicide raises serious problems for prevention for at least three reasons: (1) interpersonal crises are frequent events for many individuals; (2) they are often provoked or aggravated by other characteristics of suicide attempters; and (3) there is often a short interval between the stressor and the suicide attempt."

The answers accordingly must lie in addressing the underlying problems that are a risk factor for suicide. This leads us once again to the repetitive theme of prevention, early intervention, early and appropriate assessment and finding a means to address the problems of hopelessness, economic disadvantage, family breakdown, abuse and trauma at the community level.

The report cited above concludes that:

"... the goal of accurate prediction of individual suicides may be forever out of reach. Instead, we need to understand the nature of suicide in psychological, social and cultural perspective to guide broad based interventions aimed at improving the health and well-being of Aboriginal peoples and so reducing suicide rates among the groups as a whole."

The AJI-CWI document "Promise of Hope: Commitment to Change" states that one of the objectives of the new restructured system is:

"To build community capacity, based on the belief that healthy communities will support families and maintain safe and healthy environments for children."

RECOMMENDATIONS

- ❖ **It is recommended that provincial and federal governments in consultation with First Nation communities develop and support initiatives at the community level to promote the capacity of communities to maintain safe and healthy environments for children.**
- ❖ **It is recommended that comprehensive suicide intervention training be provided to everyone involved in the child and family services system who is working with children and families.**
- ❖ **It is recommended that foster parents who are looking after a special needs child should receive training that is specific to the needs of that child. If foster parents are looking after a child who is known to be suicidal they should receive appropriate suicide intervention, crisis management or anger management training prior to that child being placed in the home.**
- ❖ **It is recommended that foster parents who are looking after a special needs child should have ongoing access to a clinical consultant who can assist them on a day to day basis in managing the needs of the child.**
- ❖ **It is recommended that a psychiatrist or psychologist or some similarly trained individual be available to consult on an ongoing and as needed basis with the Crisis Stabilization Unit staff.**
- ❖ **It is recommended that prior to the placement of a special needs child in a specialized foster home, the service provider should provide child and family services agencies with detailed information regarding the foster parents' qualifications and experience in looking after children with those specific needs.**

THE PLACEMENT PLANS FOR PATRICK REDHEAD

One of the purposes of this inquest is to determine whether given his history and difficulties Patrick Redhead received appropriate services. Some of the errors that were made by a number of people and agencies that were involved with Patrick's care over the years have been noted previously in this report. Dr. Edmund summarized these errors in her evidence as follows: "poor communication, poor coordination of services, lack of client oversight which then resulted in poor treatment planning ... and insensitive care." In her opinion the most serious difficulty was "the lack of oversight, the lack of treatment planning [and] the lack of understanding of what his developmental and traumatic needs were and not providing for those needs."

However, Dr. Edmund also concluded, "on the whole, care provided to Patrick was persistent, creative and competent." I agree with her assessment. Many of the "errors" that were made were systemic in nature. At times provincial standards were not followed but again this was related to shortcomings in the system as opposed to workers being uncaring or lax. I agree with Ms Mirwaldt when she stated that this inability to follow the standards should not be put on the backs of the workers.

One of the ongoing themes at this inquest relates to the placement decisions that were made for Patrick particularly in the last six months of his life. The question raised on numerous occasions was whether Patrick should have been placed in group care at Mutchmor in February of 1999 and in particular whether he should have been placed at the Schneider/Andrade foster home in July of 1999.

Norman and Sandra Fontaine had indicated by early March of 1999 that they were interested in having Patrick live with them again. The lack of any formal or timely response by the Thompson Region Family Services agency to this request has been previously mentioned in this report. Patrick himself had on a number of occasions in the fall of 1998 indicated an interest in living with his aunt and uncle. The Fontaines felt very strongly that Patrick should have been placed with them. Instead when he was released from Agassiz in January of 1999 he was placed in the CSU for a few days then in the Williamson Group home for a little over a week until he was admitted to Mutchmor. When he was again released from Agassiz in July of 1999, he was placed in the Schneider/Andrade foster home.

In order to address the issue of whether the placement decisions that were made for Patrick in the last six months of his life were appropriate it is necessary to consider briefly once again what had happened during Patrick's placements in the previous three years.

Placement in short term foster homes and Marymound North

Patrick was apprehended from his family for the last time in November of 1995. By this time he had a multitude of problems and difficulties which made him a very difficult child to place. He was an angry violent and aggressive child. While waiting for an appropriate long-term placement in a specialized foster home he was placed in three short-term placements in Lynn Lake and Thompson.

The Lynn Lake School psychologist described Patrick as a very needy child and indicated that he was in need of a consistent and structured setting. She reiterated her opinion from the previous year, that Patrick should be in a level 4 home with a 24-hour a day structured environment. She stated that if he is not cared for appropriately he will harm himself or others. Patrick was ultimately assessed by his social worker as being a level 4 child. Selena Thrienen described Patrick as a very angry child who could become verbally and physically abusive at a moments notice. At the same time he was a very needy child who was very caring and eager to please.

While at Marymount North receiving home Patrick was constantly running from the facility often refused to go to school and was at times aggressive and abusive with his teachers, caregivers and other residents.

Placement at the Ball/Anthony APH foster home

Patrick was placed in the Ball/Anthony foster home in April of 1997. All indications are that this was a very good placement for Patrick. The foster parents were committed to him and he seemed to like them and enjoyed being there. For a number of months Patrick thrived. However, this placement started breaking down in the spring of 1997 when the foster parents were expecting a baby. This pregnancy seemed to resurrect all of Patrick's family of origin issues. He started running and living on the streets for periods of time. He abused drugs and alcohol. He had some involvement with gangs. He had many angry outbursts.

The evidence suggests that considerable efforts were made to maintain this placement because Patrick had been doing so well while there. However Patrick's running behaviour and drug and alcohol use continued. He stated that in the past when he acted in this way he got moved and that is what he now wanted. Ultimately this placement came to an end in May of 1997 when Patrick was charged with threatening a respite worker in the home with a knife.

Karen Fast who was briefly involved with Patrick as a therapist towards the end of this placement testified that at that time Patrick already had difficulty with attachment and trusting the adults in his life. She stated that as soon as he became too close to the foster parents he would be afraid and he would run away. It was intended that Ms Fast meet with Patrick on a weekly basis but she was only able to meet with him on two or three occasions, as he missed most of his scheduled appointments because he was on the run. What had been seen by the guardian agency as a possible long-term placement even perhaps a placement until the age of majority came to an end because of Patrick's behaviours.

Placement with Sandra and Norman Fontaine

Patrick was then placed with his aunt and uncle, Sandra and Norman Fontaine for two months on an emergency basis from June to August of 1997. This was the first time that he had any involvement with them. According to the notes of social worker Susan McNeil, it was hoped by the guardian agency that this would be a long-term placement.

When Patrick was placed with the Fontaines they were not licensed as a foster home. He was placed there under the "place of safety" provisions of the Act. The Fontaines initiated the process of being licensed as foster parents but that was not completed at that time, as by mid-August that placement for Patrick also came to an end.

Unfortunately, during the time Patrick was staying with the Fontaines the counseling that Karen Fast had just started with Patrick came to an end. MYS were at

that time not involved in Patrick's care. The evidence suggests that an offer was made for Ms Fast to continue the therapy that she had started but apparently the agency declined that offer.

Sandra Fontaine testified that Patrick was a very angry young person because of the way that he had been brought up. He was always angry with his mother. He often played with knives. At times he was AWOL. He had some involvement with street gangs. She was of the view that he needed counseling and she asked the agency to provide counseling for both him and herself, as she stated that she wanted to be present during counseling to support him. She was told that there was no funding for such counseling. Sandra Fontaine testified that she was afraid that Patrick would hurt himself or her. She asked that he be moved because she could not handle his anger. She agreed that the decision to move Patrick to Thompson was in his best interests because she thought that he would get the help there that he needed.

Ms Fontaine also agreed that she had a hard time being strict and that she and Norman Fontaine disagreed about the lack of structure for Patrick. Mr. Fontaine thought that Patrick should have tighter controls. She agreed that at that time she was not capable of handling Patrick.

However, Ms Fontaine testified that if she had received the counseling and support that she requested she is of the view that Patrick could have continued to stay in their home. She acknowledged that in 1997 she was also battling some addiction problems and issues related to her own abuse by family members as a child. This was another reason why she wanted counseling. She thought that she and Patrick could deal with these issues together. Ms Fontaine indicated that she was aware that she could have access to counseling for herself through her husband's employer, Ma Mawi Wi Chi Itata. However, she stated that she preferred to go to a non-native agency because she did not think that a native agency would "do their job right" because they did not have the necessary expertise.

Placement at Nekenan and Hudson House in Thompson

Patrick was placed into the MYS northern program's receiving/assessment unit at Nekenan on August 15, 1997. Some of the goals for placement in Thompson were for Patrick to be stabilized in a safe setting, and for him to receive intervention and counseling for family of origin issues and his unresolved anger. His social worker indicated that Patrick was a young person who was in danger of being lost to the street. While at Nekenan there were a number of incidents involving outbursts of anger, property damage and assaultive behaviour.

He was admitted to the residential treatment program at Hudson House in September of 1997. Initially he settled in well but by December his running behaviour was chronic and frequent. He was often away from the placement for extended periods of time. Additional support hours were authorized by the Thompson family services agency in an attempt to allow staff more opportunity to engage with Patrick. These hours were

often spent in staff looking for Patrick as opposed to any meaningful interaction. During the time that Patrick was AWOL he was not looking after himself and was abusing drugs and alcohol and committing criminal offences.

Angry outbursts, property damage and assaultive behaviour resulted in Patrick spending time in custody from mid-January until mid-February 1998. Upon his release from custody on probation he was again placed at Hudson House. Within a short time he had breached every condition of his probation order and was engaged in similar AWOL and violent behaviour. He was again in custody as of April 20th 1998 and was discharged from Hudson House. He was subsequently sentenced to an eight month term of secure custody for a number of criminal offences and was in the MYC and Agassiz until the end of January 1999.

Placement at Mutchmor

Mutchmor is a residential shift-staffed group home operated by MYS that specializes in the treatment of aggressive and assaultive adolescent males. There are usually six residents but in view of Patrick's needs special provisions were made to accommodate seven clients. A referral was made to the Mutchmor program by Klaus Buller in August of 1998 while Patrick was serving his 8 month sentence at Agassiz. The goal was to provide consistent structure and routine and treatment to Patrick to enable him to deal with his anger and violent behaviours. There were also concerns about involvement with gangs. The fact that Mutchmor was located in Winnipeg was also considered a positive factor, as this would allow ongoing support and contact with Norman and Sandra Fontaine. During the time that Patrick was at Mutchmor he did visit on a regular basis at the Fontaines home including some overnight visits.

Karen Fast testified that in view of the nature of the Mutchmor program, because of his aggressiveness, she had thought that this program would be a suitable one for Patrick even before he was placed at the Fontaines in 1997. While he was at Mutchmor Ms Fast did not see Patrick in a traditional therapy role, but she saw him regularly, as she was the clinician for the Mutchmor program. This was an attempt to maintain provide continuity, as Ms Fast had been involved with Patrick for a few months in 1997 while he was in the APH foster home. She discussed placement planning with him and tried to identify treatment goals with him and engage him in these goals.

However, Patrick did not engage in the treatment process. He stated that he did not want to be there. Although at times he acknowledged that he had a number of issues that he needed to address he indicated to staff that he was not willing to work on his problems while at Mutchmor. At other times he would indicate that he had no issues that he needed to work on. Little progress was made. Patrick had difficulty accepting direction, support or guidance from staff. The fact that he did not make a commitment to participate in the program made it very difficult for any progress to be made while he was at Mutchmor.

Patrick continued to engage in AWOL, drug and alcohol abuse and violent behaviour. He continued to have unpredictable violent outbursts. Mutchmor staff described his anger as explosive. The outbursts of rage tended to be very unpredictable and even though staff teams tried to identify triggers with Patrick they were not able to do so. Eventually both staff and residents expressed fear of Patrick and his anger. Even Patrick at times expressed fear of his own rage. Patrick's outbursts culminated in assaults on staff, criminal charges and placement back in custody at the end of March 1999.

After Patrick left Mutchmor the treatment staff made a number of recommendations regarding treatment for Patrick and the kind of placement where he might have some degree of success. They noted that he did not do well in group care. It seemed that the group environment was too difficult for him. He had a difficult time getting along with his peers due to his impatience and lack of anger management. He was seen as being intimidating and the other residents were scared of him. It was suggested that he would do better in a placement with a high degree of structure and low client numbers where he would not have to compete for attention. It was noted that his ability to interact in a positive non-threatening manner was much better in a one-on-one situation.

In order to get an in depth perspective and assessment of Patrick's adaptability to a group setting versus a smaller setting MYS requested that a forensic assessment be done on Patrick. Ms Fast sent a letter to Dr. Skinner on May 9, 1999 asking for such an assessment. Dr. Skinner had seen Patrick on a number of occasions on his prior custodial sentence. Dr. Skinner saw Patrick on two occasions in July and by letter dated July 16th provided his assessment of Patrick's needs in terms of a placement after his release from Agassiz. Dr. Skinner by this time was aware that a one-on-one placement had been arranged for Patrick and he indicated that it was his assessment that this was the best type of placement for him. He stated that a group placement even with comparatively few residents would not be in Patrick's interests or those of other residents.

Ultimately all persons that were involved in planning for Patrick agreed that a more individualized placement would give him a better chance for success. Ms Fast testified that she really wanted the next placement to succeed as Patrick already had huge attachment issues. She noted that "each placement breakdown affects that attachment, [the] ability to attach more and more." As a result the placement at the Schneider/Andrade foster home was arranged.

Placement at the Schneider/Andrade Foster home

Janice Schneider and John Andrade had been licensed as a foster home in April of 1999 but Patrick was the first child that had been placed in their home. Ms Schneider was at home all day. She had previously worked in a shelter for abused women and children for a few years. While there she had some experience working on the crisis line. She had also attended some courses through the university intended to lead to an applied counseling certificate.

Karen Fast testified that when she learned about this home as the proposed placement for Patrick she asked some questions, as she was aware that the foster parents were not experienced and that Patrick was high-needs. It was her understanding that these foster parents were intended to be a proctor placement, which is understood to be a little different than the traditional foster home placement and involves preparing an adolescent for independent living. She indicated that she wanted to ensure that there were adequate supports in the home, as Patrick was certainly not ready for independent living.

Janet Ingersoll also had some concerns about this placement which she expressed in a memo to Ulysses Desrochers dated July 16th. She noted that this foster placement had been recruited to work with older adolescents in preparation for independent living. She referred to a previous discussion that she had with Marion Marr about these foster parents, and stated: "Marion identified that they were inexperienced as foster parents and that we would need to be careful whom we placed with them the first time."

Ms Ingersoll stated that as a result of this concern she approved some additional support for the home by hiring George Reis for 10 hours a week to supervise the placement and provide direct support to the foster parents. She concluded as follows: "Since I know that Patrick is a very high needs child who has challenged the most experienced of our caregivers, I am still concerned about this placement."

The initial focus of the treatment plan in this placement was to establish a safe, stable, and predictable environment for Patrick. It was intended that supervision, support and treatment would be provided without the expectations and pressures of recreating a family for Patrick. The benefits of this foster home were the fact that it was located in a rural area some distance away from the streets of Winnipeg. It was thought that this would reduce the potential for Patrick to run as he had in the past and become involved with drug and alcohol abuse and gangs and criminal behaviour.

As well Patrick had difficulties in the past in engaging in treatment with his caregivers. It was intended that there would be no pressure for him to engage with this family. Having regard to all the supports that were in place for Patrick, including his probation officer, ISSP worker, Dr. Skinner, the nearby Jessie James Ranch as well as George Reis it was determined that this placement could meet Patrick's needs.

Dr. Edmund testified that in her view Ms Schneider and Mr. Andrade were not sufficiently trained to deal with a child like Patrick. But she stated that a placing agency must weigh a number of different factors in determining what is an appropriate placement. While foster parent experience and knowledge is very important, in Patrick's case there were other factors that were considered to be more important.

Janet Schneider also testified that with the benefit of hindsight she thought that they should have received some training to deal with a child like Patrick. She also indicated that there should be some more respite in place in such situations. While they were allowed 10 hours of respite every two weeks, this was not enough in her view and the respite was not always available when it was requested. In her view this was an issue

for Patrick, as he wanted to go out more often and go to the city for a break from the rural setting. She stated that he was feeling isolated and not connected to the city.

Mr. Buller only received the funding proposal for this placement on July 5, 1999. He requested some details about the foster parents and received a letter dated July 13th from Marion Marr providing some information about Ms Schneider and Mr. Andrade and their home. There was no indication in that letter that Patrick would be the first child that they would be fostering.

The Failure to Place Patrick with the Fontaines in July 1999

Mr. Buller testified that there were a number of reasons why in his view the Fontaine home was not an appropriate placement for Patrick in July of 1999 when he was released from Agassiz. First he indicated that Patrick had already been in a number of different placements where experienced caregivers had not been able to deal with his behaviours. He expressed the view that it would not have been fair for any ordinary family to be placed in a position to meet the high needs that Patrick had and to manage his behaviour.

Secondly Mr. Buller was concerned that Norman Fontaine was already doing a lot of "caretaking" because of the large number of family members that were residing in the Fontaine household at that time. According to the letter that was written by Mr. Fontaine in March of 1999, there were already three teenage males living in the household, namely two of Sandra's sons and her nephew, as well as a 10-year old niece. It was also suggested in the letter that the Fontaines were in the process of arranging to perhaps have another 8 - year old niece also join their family. Finally Ella Linklater was also living in the household at that time.

In Mr. Buller's view it would not have been fair to either the Fontaines or to Patrick to add another person to this household. He indicated that he was aware that this family had a lot of needs which would affect the ability of people in the extended family to provide safe care to the children in their home. It was his view that Mr. Fontaine was essentially the glue that was holding this family together. Because of all the needs that this family had at the time it was Mr. Buller's opinion that to add a difficult child like Patrick to the situation would have been disastrous.

Thirdly, Mr. Buller thought that there was such a strong likelihood that the placement would not be successful because it had not been successful in 1997 that he did not want to risk another placement breakdown. He thought that if that happened there was a real risk of some damage being done to the supportive relationship that the Fontaines had with Patrick. Accordingly he concluded that such a placement was not what either Patrick or the Fontaines needed at that time.

Fourthly, Mr. Buller indicated that Patrick was in need of a very structured and supervised placement. He noted that when Patrick had been visiting at the Fontaine home in February to March of 1999, there had been concerns raised on a few occasions

by Mutchmor staff that he was not adequately supervised in the home. The fact that Ella Linklater was in the home and that she might at times be a caregiver was also a concern in light of the past allegations of abuse by her toward Patrick.

Mr. Buller was asked whether in hindsight he still believed that this decision not to place Patrick in the Fontaine home was an appropriate one. He testified that based on additional information that he had received from Sandra and Norman Fontaine prior to the inquest, he was even more convinced that the decision not to place Patrick in that home was the right one. He referred for example to the fact that at that time Sandra Fontaine herself was still struggling with addiction issues.

The Appropriate Placement for Patrick

In an ideal world there might have been a different placement - a better placement for Patrick in July of 1999. Certainly foster parents with more experience and training would have been better. Patrick was a very difficult child to have as a first foster child. And yet the evidence of Mr. Andrade and Ms Schneider suggests that they did not have a lot of difficulties with Patrick's behaviour until the third week of August when he was admitted to the CSU. He did go AWOL a few times and was sad and upset when he came back from visits with the Fontaines, but overall he was doing quite well and his behaviour was quite manageable.

Notwithstanding the tragic events of August 26th, and all the benefits that hindsight allows us, it cannot be said that the Schneider/Andrade foster home was an inappropriate place for Patrick to be placed at that time. An argument could perhaps be made that the Fontaine home could also have been an appropriate place if all the same supports had been put in place. However, the reasons cited by the guardian agency for not placing Patrick in that home are reasonable ones. There should have been more communication with the family and an explanation of why their request was not being considered, as has been noted previously. However, I cannot find that the decision made by Patrick's guardian to place him away from the city, away from the lure of the streets and those influences that had previously led to him being involved with alcohol and drug abuse, criminal offences and gangs, was a wrong one.

It is clear that Sandra and Norman Fontaine passionately believe that Patrick should have been placed with them because they were the only family that he had any connection to. They indicate that if they had been given appropriate supports they could have dealt with Patrick's behaviours and he could have been part of their family, as he desperately wanted to be. They question why a boy who was suicidal would be placed in a rural setting where apparently the suggestion is that he would have a greater opportunity to commit suicide. They overlook the fact that Patrick would have many similar opportunities if he were on the streets where his history suggested he would run to given the opportunity.

Mr. and Mrs. Fontaine have a firmly held conviction that if Patrick had been placed with them he would be alive today. As was indicated by John Robson in his report, this is something that is beyond our human capacity to know.

What is of note is that even with all the benefits of hindsight some very experienced, compassionate and dedicated people have such a strong difference of opinion as to what kind of placement was best for Patrick Redhead in July/August of 1999. Mr. and Mrs. Fontaine have no doubt that what would have been best for him would have been placement with their family. Mr. Robson testified that if he had been the social worker for Patrick his "gut" would likely have told him to place Patrick with the Fontaines.

Klaus Buller and various witnesses from MYS are still of the view that the decision to place Patrick in the rural foster home was the right one to make. Dr. Skinner testified that from his knowledge of the Schneider/Andrade placement it "sounded like it would be as ideally suited as something could be."

Janet Mirwaldt testified that her first choice for a placement for Patrick in July of 1999 would have been Knowles Centre. The reasons that she cited were that Knowles is the only available treatment facility in Manitoba that is in a secure setting. It should be noted that Knowles had already turned Patrick down as a potential client in May of 1998. Ms Mirwaldt's answer was that a turn down from Knowles was not necessarily a closed door. She suggested that someone could have advocated for Patrick's acceptance to that facility. Failing that, it was her view that the next best placement for Patrick would have been in a very structured one-on-one placement.

Dr. Skinner was asked about a secure setting such as Knowles Centre for Patrick. He stated that while arguably a place like Knowles has the potential for security, this is not guaranteed, as people do run from there. In his view, having regard to Patrick's needs a place like the foster placement would have been much more comforting and less stressful for Patrick. Dr. Skinner indicated that taking into account the way in which Patrick presented to him when he last saw him on August 11th, Patrick's needs would not have been met as well in a secure setting as in the foster placement where he was placed. On that last appointment Dr. Skinner testified that the salient memory he has is of how happy Patrick was and how much he was enjoying where he was staying. Patrick indicated to him that things were going very well in the foster home and he was at that time optimistic with regard to the future.

All of these individuals are well meaning, caring people who are very experienced in the field of childcare. Yet they expressed a vast difference of opinion about what would have been best for Patrick. All of these points of view have some merit. Any of these suggested placements could in my view have been successfully defended as being appropriate for Patrick for one reason or another. In the end even hindsight does not give us the wisdom of Solomon. The fact that Patrick was placed in the Schneider/Andrade foster home as opposed to the Fontaine home or any other place does not in my view lead to a conclusion that the services that Patrick received were inappropriate.

WAS PATRICK REDHEAD'S SUICIDE PREVENTABLE?

The ultimate question for this inquest to answer is whether Patrick's suicide was preventable. Dr. Edmund testified that based on her review of the events leading up to Patrick's death there was no doubt in her mind that many errors had been made, which were shared virtually by all persons who cared for him. However, she also concluded that:

"Patrick's suicide was not ultimately preventable. And that was because by the time a child gets to the age that he was with the numerous untreated, unhealed trauma that he had experienced there is very little that the system could do to help him. I do think that more could have been done to help Patrick but I do not believe that... his suicide was preventable. I do believe that even if he had had the best of care he probably would have been a very high-risk client and a suicide would have been likely...from what I understand, he was absolutely chronically suicidal for at least a year before his death and there is very little that could have diminished that."

In her report dated December 1999, Dr. Edmund noted that Patrick was a child who was severely disadvantaged before he came into care. He was a high-risk child even on his initial referral to MYS and this risk only diminished for brief periods while he was in various MYS programs. She stated that "his patterns of despairing self-destruction continued and, in fact, escalated throughout his last three years, seemingly despite all attempts to engage him in more healthy interactions" and that "the course of Patrick's life, before and during his stay with MYS, seemed to move relentlessly toward self-destruction..."

Dr. Skinner echoed many of these comments. He testified that his strong sense was that Patrick was so damaged in some ways by the time he became involved in the system that there was little that could be done for him. He noted that it is difficult to change the effects of many years of multiple placements, abuse, deprivation and the resulting pervasive feelings of hopelessness. He indicated that he could not think of anything that could have been done differently that would have changed what happened. At the same time he stated that when he was told of Patrick's suicide he was surprised given how well Patrick had been doing when he last saw him just two weeks before.

As was previously noted in this report, the document "Suicide in Canadian Aboriginal Populations: Emerging Trends in Research and Intervention", makes the point that there is no single item of information or combination of items that will allow accurate identification of individuals who will commit suicide over the long-term. Many of the factors that were listed in that paper that may have an impact on suicide risk were present for Patrick.

He had family members that had committed suicide. A maternal aunt committed suicide in 1994. The evidence suggests that his maternal grandfather committed suicide in 1987. Some of his relatives that were close to his own age had made a number of prior recent suicide attempts that Patrick was aware of.

He had a complicated birth history with likely prenatal alcohol exposure. He was frequently aggressive and self-destructive. He had a history of many separations and losses early in his life. He had suffered both physical and sexual abuse. In his last few years he had episodes of depression and a pervading hopelessness - the sense that his life would never be any better. He had a difficult time trusting anyone or sharing his feelings. He usually preferred to keep his issues inside.

He had a very negative view of himself. He was very impulsive. He was often unable to control himself when he was angry or frustrated. When in this state he was not capable of making good decisions. This often exhibited itself in episodes of explosive rage for little or no reason and violence to his caregivers. He indicated at times that he was not always conscious of what he was doing when he was angry.

The evidence strongly suggests that Patrick's suicide was an impulsive act. While he had expressed suicidal ideation only a few days before when he was admitted to the CSU, and he had persistent and recurrent thoughts of suicide in at least the last two years preceding his death, there is no evidence that this suicide was planned. The evidence suggests that this suicide was a very quick and unpremeditated act.

The document referred to above also noted that personal crises are usually the immediate precipitant of youth suicides. It is difficult to prevent such suicides because some people have many such crises and there is often only a short period of time between the stressful event and the suicide attempt. In Patrick's case he had many personal crises because his inability to deal with his emotions appropriately made it difficult for him to control his reactions when faced with what others might view as relatively minor setbacks or frustrations. The evidence suggests that when Patrick learned that other kids had gone to the beach and he had not been included he felt rejected. His immediate reaction was extreme and uncontrollable anger. The evidence suggests that Patrick's suicide was his impulsive response to this anger.

Dr. Skinner was asked what could be done to address these kinds of impulsive suicides. He indicated that the only answer would be more intensive watching and monitoring. The difficulty with this as he stated, begs the question, at what point would such monitoring be relaxed as the suicide in such cases could come at any time. The report referred to above also noted that because suicide ideation is so common among adolescents it does not serve as a useful index of high risk.

Ultimately all the evidence strongly suggests that accurate prediction of individual suicides may be forever out of reach. In Patrick's case his suicide might not have happened on August 26th if he had been monitored on a 24-hour basis. However, the plan that had been developed for him was to allow him time to cool off if his anger was

escalating. All persons who had been involved with Patrick over the years agreed that this was an appropriate way to allow him to deal with his anger. In the past he was at times restrained when his anger was out of control. This frequently led to assaults on caregivers and increasing escalation. It was determined that when his behaviour was escalating he should be allowed to leave and go for a walk to cool off. He had done so on a number of occasions and had successfully avoided an escalation of his behaviour.

When he was at the CSU from August 21 - 25 he complained to staff that the foster parents were always watching him and he felt like he was under a magnifying glass. He wanted to be given more "space" and wanted to be allowed to go for a walk if he was upset. His voice in this regard was heard. When he left the house at the request of Ms Schneider on August 26th to cool off, there was no indication that his anger on this occasion was any different than it had been many times before in other placements when active intervention and or restraint led to assaults on staff.

While 24-hour monitoring might have prevented Patrick's suicide on August 26th, the evidence strongly suggests that his suicide was ultimately not predictable or preventable. In hindsight Patrick's voice on August 25th should perhaps not have been listened to. Perhaps he should not have been allowed to have the space that he indicated he needed. Perhaps his earlier request to a staff member at the Williamson group home in February of 1999 should have been heeded. At that time he indicated that he was not safe to be left alone if he was angry and that he wanted staff to keep him in their view but also to leave him alone. Even hindsight however does not shed any light on the ability to prevent the suicide of a young person who was ultimately determined to end his life.

CONCLUSION

In conclusion I want to thank counsel who appeared at this inquest for their help and cooperation throughout these lengthy proceedings. The questions that they asked, the material that they provided and the submissions that they made were of great assistance to me throughout the hearing of the evidence and in formulating this report.

I want to extend my condolences to the family of Patrick Redhead for their loss. Patrick had many difficulties and had suffered many disadvantages in his short life. Much of the material in this report by necessity has focussed on his negative behaviours. Yet as I said at the outset of this report, Patrick was also someone who had many talents and strengths. He was a great artist. He was a boy who was easily loved. It was obvious to me from the evidence at this inquest that there were a great many people who truly cared about him. It is a tragedy that at the end, this caring could not undo all the damage that had been done to Patrick early in his life or instill in him a sense of hope for the future.

The question then remains what could have been done differently to prevent Patrick's suicide? I can do no better than echo the words of Dr. Skinner when he was asked the same question at this inquest:

"Change his life."

"Original signed by Judge L. Giesbrecht"

Linda Giesbrecht
Provincial Judge

APPENDIX A

RECOMMEDATIONS

COMMUNICATION REGARDING SUICIDE THREATS

- ❖ Where a child is in the care of a child and family services agency or is in custody at a youth correctional facility, information respecting suicide ideation should be documented and exchanged in writing with all other caregivers and agencies that are involved with that child. Any follow-up psychiatric or psychological reports should also be provided where relevant, and in accordance with applicable privacy legislation.
- ❖ It is recommended that when a child that is placed in a foster home has a history of suicide ideation in the last year prior to the placement, specific details in this regard should be included in the background information that is provided to the foster parents.

BETTER COMMUNICATION AND INFORMATION SHARING BY AGENCIES INVOLVED IN CARING FOR CHILDREN

Communication and Contact

- ❖ It is recommended that child and family services agencies examine their policies, practices and standards, and make any necessary changes to insure that appropriate and ongoing communication takes place:
 - ❖ within the agency;
 - ❖ between the agency and other agencies or service providers involved with a child;
 - ❖ between the child and the guardian agency; and
 - ❖ between the child's family and the guardian agency.
- ❖ It is recommended that child and family services agencies discuss, review and change where necessary, their role as guardians to permanent wards. The test should be to answer the question posed in John Robson's report: "If I were this child's parent and the child could not live with me in my home, what steps must I take to assure the child is loved and safe". The guardian agency should act accordingly. The guardian agency should not play a passive role, even where other service providers are involved with the child.
- ❖ It is recommended that where the family of a child in the care of an agency, are prepared to offer a home for the child, and the agency's plan does not include placement in that family's home, the agency communicate this decision and provide a clear explanation for that decision to the family.

- ❖ It is recommended that child and family services agencies establish better and ongoing lines of communication with youth correctional facilities, where a child who is in the care of the agency is in custody, in order to ensure better planning and reintegration into the community when the child is released.
- ❖ It is recommended that the Director of Child and Family Services develop standards regarding the appropriate communication between a child in care, the guardian agency and any service provider when the child's social worker leaves work on an extended leave of absence.
- ❖ It is recommended that social workers with a guardian agency maintain ongoing and regular contact with a child in their care even where a service provider is managing the child's case on a day to day basis. Such contact should include regular face to face contact.
- ❖ It is recommended that social workers with a guardian agency have direct and ongoing contact with foster parents who are caring for a child even where a service provider is managing the child's case on a day to day basis.
- ❖ It is recommended that where a child that is admitted to the Crisis Stabilization Unit, is under the care of or seeing a psychologist, psychiatrist or mental health therapist, that individual be notified of the child's admission.

Information Sharing

- ❖ It is recommended that the Departments of Family Services, Corrections, and Justice develop an appropriate computer based information sharing system that would allow for the creation of a comprehensive cumulative file on a child or young person who is receiving services from these departments. In accordance with applicable privacy legislation, this system should be accessible at all times to all persons and agencies that are providing services to the child or young person.
- ❖ It is recommended that once such an information system has been developed, consultation take place with other departments that are involved in providing services to children and young persons, namely the Departments of Education and Health, to ensure that appropriate information can be shared with those systems as well. During such consultation, protocols and standards should be developed respecting appropriate access to this information.
- ❖ It is recommended that federal and provincial governments provide appropriate resources to child and family services agencies, for the purpose of developing computer systems that will permit them to communicate effectively and to share information with other agencies and systems that are involved in providing services to a child.

- ❖ It is recommended that workers with child and family services agencies receive adequate training to ensure that proper notes and files are kept. If necessary, additional clerical staff should be hired to type any hand written field notes of workers to insure that these notes become a part of the file.
- ❖ It is recommended that child and family services agencies and service providers provide foster parents with detailed information in writing about any child who is placed in their home. Foster parents need not be included in the list of persons who have access to any central file on the child, but the information that is provided to them should include a detailed social history.
- ❖ It is recommended that the Department of Corrections ensure that Pre-disposition reports that have been prepared respecting young persons that are serving a custodial sentence are provided to the correctional facility where the young person is serving the sentence. These reports should be available to all personnel working with the young person, including staff at the Manitoba Adolescent Treatment Centre.
- ❖ It is recommended that where a child that is a ward of a child and family services agency is admitted to the Crisis Stabilization Unit detailed background information, including a social history, be provided to the CSU by the guardian agency or service provider. This information should include the details of any suicide threats that have been made by the youth in the recent past.

CRISIS MANAGEMENT

- ❖ It is recommended that in order to move away from a crisis style management to a situation where childcare workers have adequate time to properly manage their cases and to provide appropriate long-term planning for the children in their care, family services agencies ensure that workers have a reasonable caseload. Where a caseload consists of high needs children, a caseload in the range of 20 cases per worker should be the goal of the agency.
- ❖ It is recommended that family services agencies provide ongoing training opportunities and requirements for childcare workers. Such training should include improved and ongoing training in case management.
- ❖ It is recommended that family services agencies, in consultation with their workers, develop appropriate stress management measures, including the implementation of a clinical support, supervision and consultation network and improved access to these services.
- ❖ It is recommended that family services agencies and service providers incorporate adequate respite and emergency support as part of the plan in a specialized foster care placement.

TRANSITION TO A NEW PLACEMENT

- ❖ It is recommended that agencies involved in the placement of children pay special attention to the needs of these children during the process of transition from one placement to another. Transitions should be carefully planned and monitored to ensure the least amount of uncertainty and anxiety for the child.

CONTINUITY OF CARE

- ❖ It is recommended that when a child in the care of a family services agency is placed in a community that is some distance from his social worker, the agency must decide having regard to the needs of that specific child whether the file should immediately be transferred to another worker or another agency. If the decision is made to transfer the file the timing of transfer should not depend solely on the stability of the child's placement.
- ❖ It is recommended that when a decision is made not to transfer a file to the place where the child is in placement, funding be available to allow the social worker to participate meaningfully in case management for the child and to visit the child at least quarterly. Where a file is not transferred, a local social worker should be appointed in the place where the child is residing to act as a liaison with the case managing social worker and to ensure a free flow of information.
- ❖ It is recommended that children who are in the care of an agency should always be in a position to know who their social worker is and how that person can be contacted.
- ❖ It is recommended that the social worker that is responsible for a file be identifiable at all times to any outside agencies that are involved with a child.
- ❖ It is recommended that where a child is going to a new placement, consideration should be given by the guardian agency to providing some funding in the per diem rates to allow a support worker or other significant person who has previously worked with the child to transfer some hours of support to the new placement. This would allow for some continuity of care in the new placement.
- ❖ It is recommended that family services agencies examine their practices and case management structures to determine whether a team approach to case management is possible. The team approach would provide that there be a primary caseworker for each child or file and a secondary or back up worker who would have some knowledge of the file and be familiar with the child. This secondary worker would be available to take responsibility for the file when the primary worker is on leave.

MULTI-DISCIPLINARY APPROACH TO PLANNING

- ❖ It is recommended that the Department of Family Services establish appropriate multi-disciplinary treatment teams to develop comprehensive care plans for high-needs children in care.
- ❖ It is recommended that the Director of Child and Family Services consider the feasibility of the Provincial Placement Desk having multi-disciplinary representation in order to develop comprehensive plans for high-needs children who are in care.
- ❖ It is recommended that the Provincial Placement Desk replace the regional representative on the Placement Desk if it has not already done so.
- ❖ It is recommended that the Provincial Placement Desk include representation from northern Manitoba.
- ❖ It is recommended that the Director of Child and Family Services consider the feasibility of the Provincial Placement Desk holding monthly or semi-monthly meetings in northern Manitoba so that northern social workers can attend in person to present their referrals.
- ❖ It is recommended that when the restructuring of the Child and Family Services system has been completed, each of the four new Child and Family Services Authorities have representation on the Provincial Placement Desk or its equivalent under the new system.

TREATMENT PLANNING

- ❖ It is recommended that child caring agencies explore the use of alternative methods of dealing with high-needs children who are in care, including such approaches as the Gentle Teaching approach.

HEARING THE VOICE OF THE CHILD IN PLANNING

- ❖ It is recommended that family services agencies examine their procedures, policies and practices and make any changes necessary to ensure that children in care have a prominent voice in the process of planning for their lives and that these children are made aware that their voices are being heard.
- ❖ It is recommended that family services agencies examine and consider the use of alternative methodologies or planning tools for use in planning for high-needs children in care including the P.A.T.H. methodology.

THE ROLE OF FAMILY IN PLANNING FOR A CHILD IN CARE

- ❖ It is recommended that family services agencies examine their procedures, policies and practices and make any changes necessary to ensure that family members or any significant persons expressing an interest in a child who is in care are allowed to have meaningful participation in planning for that child.

THE ROLE OF THE CHILDREN'S ADVOCATE

- ❖ It is recommended that the Department of Family Services ensure that all children who are in the care of a family services agency and who are able to understand are advised of the existence of the Office of the Children's Advocate and that they can request a review of their circumstances through that office.
- ❖ It is recommended that the Department of Family Services ensure that the Office of the Children's Advocate is notified upon the admission of any child in the care of a family services agency to a secure care facility.
- ❖ It is recommended that when a judge or master explains the rights of a child to legal representation, to children age 12 or older under Section 34 of the *Child and Family Services Act* that consideration be given to advising children of the existence of the Children's Advocate and that they can request assistance from that office.
- ❖ It is recommended that the Office of the Children's Advocate prepare a leaflet or pamphlet, if this has not already been done, setting out information about the Children's Advocate for use by childcare workers and others to notify children in their care of the existence of that office.

CHILDREN'S INQUEST REVIEW COMMITTEE

- ❖ It is recommended, if this is not already being done, that the Chief Medical Examiner designate the most appropriate member of the Children's Inquest Review Committee, on a case-by-case basis, to contact the family of the deceased child in order to obtain the perspective of the family. This committee member will then be in a position to share the viewpoint of the family with other committee members.

FETAL ALCOHOL DAMAGE

Education and Training

- ❖ It is recommended that education programs regarding the effects of fetal alcohol damage be developed by the Department of Education and taught to all students at the Junior High and High School level as part of a mandatory curriculum.

- ❖ It is recommended that all child care workers, health care workers, teachers and day care workers be given mandatory education and training in FAS/FAE to assist them in recognizing fetal alcohol damage in the children that they have contact with and in dealing appropriately with and planning for these children.
- ❖ It is recommended that the Department of Education in conjunction with the Department of Family Services develop appropriate education programs for children who have FAS/FAE so that the school experience for these children can be a positive one.
- ❖ It is recommended that parents and foster parents of FAS/FAE children receive ongoing training and support in dealing appropriately with such children in order to avoid many of the secondary disabilities that such children may develop.
- ❖ It is recommended that parents who have had one FAS/FAE child receive intensive education, intervention, support and supervision through child and family services agencies in order to reduce the likelihood of such damage to any future children.

Assessment and Diagnosis

- ❖ It is recommended that where a child caring agency is aware that a mother has a history of alcohol use during her pregnancy a mandatory FAS/FAE assessment be done to insure early diagnosis and appropriate intervention and support.
- ❖ It is recommended that where a child caring agency is aware that a mother has given birth to an FAS/FAE child, any other biological children of that mother whether born before or after, should also be assessed for fetal alcohol damage.
- ❖ It is recommended that more multidisciplinary Fetal Alcohol Syndrome Teams like the ones in Winnipeg and Thompson be set up to ensure that all affected children in the province can be assessed for fetal alcohol damage at an early age, so that plans can be made to assist families and caregivers in dealing appropriately with the care of these children. Such teams must be adequately funded to ensure that all families have access to this expertise.
- ❖ It is recommended that the Fetal Alcohol Syndrome Team in Thompson be adequately funded so that it is able to travel outside the City of Thompson to other northern communities in order to assess children in those communities for FAS/FAE.
- ❖ It is recommended that child caring agencies make every effort to ensure that children who are suspected of having been exposed to pre-natal alcohol use are assessed for FAS/FAE prior to age six.

Planning and Support

- ❖ It is recommended that where a child has been assessed as having FAS/FAE, all agencies that are involved in planning for that child should place particular emphasis on the need for a stable, structured, and consistent home life and should make every effort to avoid frequent changes of placement for that child.

Legislation

- ❖ It is recommended that the government of Manitoba consider drafting appropriate constitutional legislation to protect fetuses from the effects of substance abuse.

Community Capacity

- ❖ It is recommended that community members, leaders, and organizations take ownership of these issues in order to build community capacity and create a culture and an atmosphere where the cycle of alcohol abuse does not repeat itself from generation to generation.

EARLY INTERVENTION AND PREVENTION

- ❖ Given all that is now understood about the vital importance of the early years of a child's life it is recommended that the government of Manitoba make early child development a high public priority.
- ❖ It is recommended that the Department of Family Services and Housing in consultation with the Department of Education establish early child development and parenting programs and facilitate the development of capacity at the community level to establish such programs.
- ❖ It is recommended that an appropriate parenting program be a part of the mandatory curriculum of all students at the Junior High and High School level.
- ❖ It is recommended that childcare workers, daycare workers and other professionals who work with young children receive appropriate training to ensure that all are aware of the importance of early child development and learning.

RESOURCES AND FUNDING ISSUES

- ❖ It is recommended that the parties to the AJI-CWI ensure that adequate funding and resources are provided in the restructured child and family services system for early intervention and preventive programming.

- ❖ It is recommended that in providing funding to child and family services agencies the provincial and federal governments specifically allocate separate funds for prevention programs and initiatives.
- ❖ It is recommended that adequate funding for professional training and development be built into the funding formulas of family services agencies.
- ❖ It is recommended that funding formulas for family services agencies not be based on population but on a model that reflects the needs and capacities of particular communities.
- ❖ It is recommended that additional specialized group homes and foster homes be developed in the province to ensure that all children who require such level 4 and level 5 resources need not wait for months for an appropriate placement.
- ❖ It is recommended that agencies be encouraged to develop specialized foster placements and residential care facilities in communities in northern Manitoba so that children from those areas need not be removed from their home communities in order to have their needs addressed.

FOSTER HOME FEES AND STANDARDS

- ❖ Rates paid to foster parents should reflect the value of the work that is being done. Barriers to recruiting foster parents in all parts of Manitoba need to be addressed. Foster parents need to be adequately supported. It is recommended that the Director of Family Services establish a committee to examine and address the following issues related to the foster care system:
 - ❖ (1) the payment of service fees to all foster parents based on the needs of the child and the ability of the foster parent to meet those needs;
 - ❖ (2) the obstacles that exist in the system to the recruitment of foster homes, in particular Aboriginal foster homes and foster homes in northern communities;
 - ❖ (3) the need to provide appropriate supports to foster parents including respite and clinical support to meet the needs of the child;
 - ❖ (4) the need to provide appropriate training to foster parents to enable them to meet the needs of the children placed in their care.

This committee should include representation from foster parents, the Office of the Children's Advocate and other stakeholders in the system.

SUICIDE RATES AMONG FIRST NATION PEOPLE

- ❖ It is recommended that provincial and federal governments in consultation with First Nation communities develop and support initiatives at the community level to promote the capacity of communities to maintain safe and healthy environments for children.

- ❖ **It is recommended that comprehensive suicide intervention training be provided to everyone involved in the child and family services system who is working with children and families.**
- ❖ **It is recommended that foster parents who are looking after a special needs child should receive training that is specific to the needs of that child. If foster parents are looking after a child who is known to be suicidal they should receive appropriate suicide intervention, crisis management or anger management training prior to that child being placed in the home.**
- ❖ **It is recommended that foster parents who are looking after a special needs child should have ongoing access to a clinical consultant who can assist them on a day to day basis in managing the needs of the child.**
- ❖ **It is recommended that a psychiatrist or psychologist or some similarly trained individual be available to consult on an ongoing and as needed basis with the Crisis Stabilization Unit staff.**
- ❖ **It is recommended that prior to the placement of a special needs child in a specialized foster home, the service provider should provide child and family services agencies with detailed information regarding the foster parents' qualifications and experience in looking after children with those specific needs.**