

THE SUPERVISED ACCESS PROGRAM AND THE COURTS

The Supervised Access Program is delivered through transfer payment funding in each Ontario court district by community based non-profit organizations. These organizations operate safe, neutral child-focused settings for visits and exchanges between children and non-custodial parents or other persons where there is a concern for the safety and well-being of the children and/or the parents. Supervised access may be used, for example, where there is a history of family violence, where a parent has a history of substance abuse or mental health problems, abduction concerns, on-going conflict between the parties or a lengthy absence between the children and a parent. Only those supervised access service providers who are funded by the Ministry of the Attorney General are accountable to the Ministry; private service providers are not.

The *Children's Law Reform Act* (CLRA) s. 34 provides the court with the authority to order supervised access and to direct the service provider as it considers appropriate. The CLRA prohibits the court from assigning cases to any organization without its consent, which means that Supervised Access Centres funded by MAG may refuse cases.

Supervised Access Centres provide the means for supporting orders of the court where enforcement may be an issue. In addition, Supervised Access assists the courts and justice system by providing reports of factual information of the visits/exchanges that assist judges and lawyers in making decisions regarding on-going parenting of children involved in family disputes.

Some supervised access centres provide services to clients who were involved with the Children's Aid Society but where their involvement has ended. It is the best practice of the Ministry of the Attorney General Supervised Access Program not to provide supervised access to children in care. Supervised access staff must evaluate the risk of taking on CAS cases and determine their involvement in the Ministry's supervised access program on a case-by-case basis. As the exception, whether to provide service is usually based on the kind of "care" the child is in, be it permanent, temporary, or voluntary.

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