



# The Foster Care Council of Canada

**Enforcement Branch**

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## Notice of Offence

The Honourable Michael Chan  
Ontario Minister of Citizenship and Immigration  
Ministry of Citizenship and Immigration  
6th floor, 400 University Avenue  
Toronto, Ontario  
M7A 2R9  
Fax: (416) 314-4965

Date: February 11, 2008

### **Re: CFSA Publication Offence**

Attention Hon. Michael Chan,

It has been brought to the attention of the Enforcement Branch of the Foster Care Council of Canada that the Ministry of Citizenship and Immigration has published information on more than one location of its web site which clearly identifies, through both textual and photographic means, a child's foster parent(s) in contravention of the *Child and Family Services Act*, R.S.O. 1990, c. C-11, ss. 45 (8) which states that “*No person shall publish or make public information that has the effect of identifying a child who is a witness at or a participant in a hearing or the subject of a proceeding, or the child’s parent or foster parent or a member of the child’s family.*”.

The Ministry, through publishing information that clearly identifies a child's foster parent(s), those parents being active foster parents who live in the town of Leamington, Ontario, has published information which has the effect of identifying a child who is a witness at or a participant in a hearing or the subject of a proceeding.

In doing so, according to the *Child and Family Services Act*, ss. 85 (3), the Ministry, a director, officer or employee thereof, who authorizes, permits or concurs in such a contravention is guilty of an offence and on conviction is liable to a fine of not more than \$10,000 or to imprisonment for a term of not more than three years, or to both.

Our informant has indicated to us that as a result of the publication of the identifying information, several media agencies have further published the same identifying information therefore making it possible for the informant to discover the street address of the foster parent(s), further substantiating the seriousness of this matter.

Below, we have identified the pages of the Ministry's web site which contain the published information herein referred to and urge the Ministry to act accordingly and remove the Offending material forthwith.

**Exhibit A:**

*Description:*

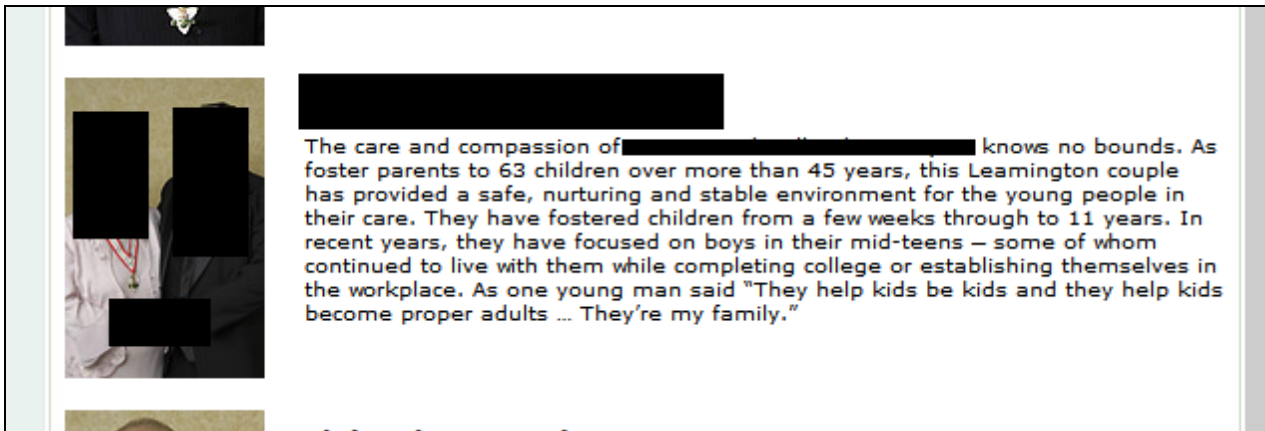
Identifying Photographs and Detailed Textual Information which identify a child's foster parent(s) contrary to subsection 45 (8) of the *Child and Family Services Act*.

*Location:*

Citizenship and Immigration web page:

<http://www.citizenship.gov.on.ca/english/honours/orderofontario/2007/>

As shown below: (edited for publication)



**Exhibit B:**

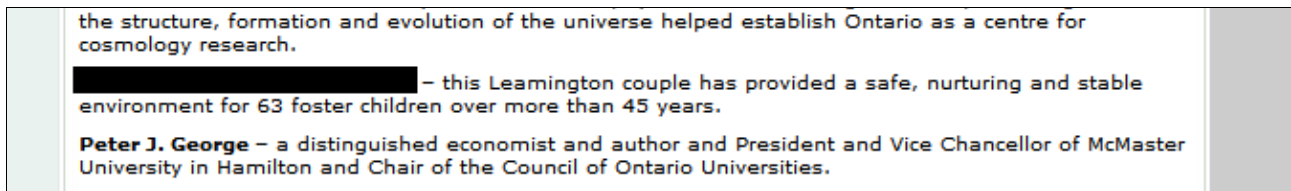
*Description*

Identifying Textual Information

Citizenship and Immigration web page:

<http://www.citizenship.gov.on.ca/english/news/2007/n20071219.shtml>

As shown below:



THE LAW:

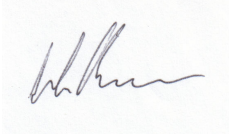
*Child and Family Services Act*, R.S.O. 1990, c. C-11

45 (8) No person shall publish or make public information that has the effect of identifying a child who is a witness at or a participant in a hearing or the subject of a proceeding, or the child's parent or foster parent or a member of the child's family.

85. (3) A person who contravenes subsection 45 (8) or 76 (11) (publication of identifying information) or an order prohibiting publication made under clause 45 (7) (c) or subsection 45 (9), and a director, officer or employee of a corporation who authorizes, permits or concurs in such a contravention by the corporation, is guilty of an offence and on conviction is liable to a fine of not more than \$10,000 or to imprisonment for a term of not more than three years, or to both. R.S.O. 1990, c. C.11, s. 85 (2, 3).

Sincerely,

John Dunn

A handwritten signature in black ink, appearing to read 'John Dunn', is written over a light blue rectangular background.

Executive Director  
The Foster Care Council of Canada