



A Tribute to our Founder

Many of us see problems, locally and beyond, and think that there isn't much that any one of us as individuals can do about it. In 1981 Judy Harding saw a problem and decided to do something about it herself. It began when she read an article in the local paper about a 2-year-old girl who was found unconscious on the couch of her living room. She had been raped. The girl's grandfather was sentenced to a 30-month prison term for the crime. The excessive leniency of that sentence, and for other crimes of sexual abuse against children, prompted Judy Harding to form a group called Citizens Concerned With Crime Against Children (4Cs) and to share with a similar group in London in obtaining 40,000 signatures on a petition to the Minister of Justice, calling for tougher sentencing. By 1983 the organization was incorporated and working actively on projects to educate the community on crimes against children and to help prevent such crimes. Judy was in demand as a speaker across Canada and the U.S. to help awaken other communities about these concerns. Her efforts created an organization, later renamed the Child Witness Centre, which has worked on behalf of victimized children for more than 25 years. As a result of a child witness program established as a free service of the agency in 1991, more than 3,500 child victims and witnesses in this region have received support and court preparation over the past 17 years. A phenomenal accomplishment!!

Judy Harding is one of those people who has truly made a difference. Her personal initiative has impacted thousands of children and their families. She has had a powerful impact — not just locally but in her efforts to advocate for child victims across Canada. She was/is a true evangelist.

Today, Judy is a registered nurse working at the

Columbia Forest Long Term Care facility. She is also a member of the sexual assault domestic violence team operating out of St. Mary's Hospital and Cambridge Memorial Hospital, which means she is regularly on call to gather forensic evidence, when an assault occurs.

Judy is an exceptional woman. She was awarded the Canadian Lifestyle Award by the Minister of Health for Canada for founding 4Cs; she was chosen Woman of the Year in the annual Octoberfest award program; and was featured for five years running in Who's Who in Canadian Women in Chatelaine Magazine.

On behalf of thousands of children and families, we thank Judy Harding for her vision, her passion, her energy and her perseverance.

Judy Harding



Continued Gala Success

The 2nd Annual Star Light Gala held on Saturday February 2 at The Pines in Cambridge was a great success.

It provided an opportunity to mark the **25th anniversary** of the incorporation of the Child Witness Centre. Special tribute was paid to our founder, Judy Harding, and to former and current directors and staff — all key people in the agency's history. To establish, build and sustain a true grass roots charitable organization, funded solely through local donations and grants, is a truly remarkable achievement. It speaks loudly about the tremendous community we live in, with so many willing to give generously to help others at a time of need.

We are immensely grateful to the 155 guests in attendance and the more than 70 businesses who contributed to the silent auction. By supporting the gala, they have made an important contribution to the work we do for victimized children.

We also offer special thanks to the following sponsors who contributed so generously:

- BDO Dunwoody LLP
- Guelph Police Association
- Guelph Police Senior Officers Association
- Guelph Police Services
- Guelph Police Services Board
- The Pines
- The Record
- Rowan, Williams, Davies & Irwin Inc.
- Sorbara Law
- Via Rail
- Waterloo Regional Police Services

10th Annual Pancake Luncheon

We offer special thanks to Delta Kitchener for providing food and facilities for the 10th Annual Child Witness Centre Pancake Luncheon on February 5. More than 200 people attended the event, including many who make this an annual tradition for getting together over lunch with work associates or friends...and helping a good cause.

We're very grateful to the management and staff at the Delta Kitchener for their generosity with this event over the past ten years. The hotel staff does a wonderful job; the food is always excellent; they are an organization which truly "gives back to the community."

And Now You Know the Rest of the Story

In our fall 2007 newsletter we told you about a team of golfers from Cowan Insurance Brokers who were competing on behalf of the Child Witness Centre in a Chubb Insurance Charity Golf Tournament in Las Vegas. We are very happy and grateful to report that, thanks to Tom Burns, Bob Herron, Brian Boileau and Craig Beaton, the Child Witness Centre received a cheque from Chubb Insurance for \$7,500!! This is in addition to the \$2,500 received earlier from Chubb when the Cowan team won a regional tournament, qualifying them to compete in Las Vegas. So now you know the rest of the story!

Salute to Donors and Volunteers

In lieu of providing a list of donors and volunteers in the newsletter itself, a list of Child Witness Centre donors and volunteers appears on our website. Their help is sincerely appreciated, and is vital in order to sustain our services for child victims.

Message from the President

We've had an eventful year at the Child Witness Centre. Most importantly, we were able to assist more than 650 child victims and their families.



Alexandra Hardy

Here are some 2007 highlights:

- Thanks to an effective working relationship with Police Services, Crown Attorneys and Victim/Witness Assistance Programs, our services are extended on a timely basis to virtually all who need them.
- The Ministry of the Attorney General announced an additional \$1 million investment in child victim services across the province. This was significant for the Child Witness Centre in two ways. It meant that the financial support which began in 2006 from the Victim's Justice Fund has now been annualized. As well, the Ministry has chosen a community-based model like ours, and four new centres will be established across the province in 2008. This is a strong endorsement of the work we do and the way we do it. We provided extensive information to communities applying for that funding, and have offered to assist in training their staff.
- We're grateful for the marvellous support we receive from the community...from Jim and Heidi Balsillie; the United Way organizations in K-W and Cambridge; The Cowan Group; Chubb Insurance; the RBC Foundation; Sertoma and West Cambridge Optimist Clubs and many other service clubs; from the Brian and David Vickers Charity Golf Tournament; Brian and Linda Boehmer's ticket outlet at Stanley Park Mall; the organizations who donate to our events; and the many individuals who send in donations.

- We remain fortunate in sustaining a team of caring, dedicated and capable staff, along with the help of more than 50 volunteers each year, including Gladys Grant, Mike Lankowski, Peter Hughes, Herb Spencer, Carl Thiel, Jim Strauss and Haley Walsh.
- We're very proud that the K-W United Way allocation team assessed the agency to be a leader in corporate governance and risk management practices in the non-profit sector, and a well managed agency with clear focus on strategic goals. Our Board functions at a policy and oversight level, does an annual assessment of its own performance, and has five Board Committees functioning very effectively.
- We're pleased with the continuing growth of the Child Witness Centre Jim and Heidi Balsillie Endowment Fund. The Fund was set up through the Kitchener-Waterloo Community Foundation with an initial deposit of \$10,000, and now totals close to \$40,000. Over time, the annual earnings from this fund will provide a further measure of financial stability for the agency.

The year ahead

Our primary goals for our 2008-2009 include:

- Support and court preparation for more than 700 child victims and witnesses, including 250 active cases from last year.
- Expanding our services to Brantford, starting May.
- Maintaining the financial strength of the agency.

Sincere thanks to the many whose support and co-operation make it possible for us to serve and benefit hundreds of child victims who each year become involved in the criminal justice system.

As I complete my term as President, I also want to thank the members of the Board of Directors for their incredibly generous donation of time and expertise, and I welcome Rod Miller, Senior Manager at Family and Children's Services, as our new President.

Perspective From a New Director

While many comments come to us from those served about the impact of our support on their life, here is a perspective from Cate Welsh, Sergeant of Media & Community Relations with Guelph Police Services, who recently joined our Board.

"The majority of my 20 years in policing has involved working with children, as a Young Offender Officer, a School Safety Officer and as a Sexual Assault/Child Abuse Detective. Prior to the existence of the Child Witness Centre in Guelph, I was involved in a case with a 12 year-old female victim of a sexual assault. I did my best to prepare her for court, but right before she was scheduled to testify, she broke down and was unable to go on. As a result, the Crown withdrew the matter. A short time later the child changed her mind and wanted to testify. It was VERY difficult explaining to her that the case had been withdrawn and that she could no longer testify even though she wanted to. I am certain that this scenario has played out in many courtrooms. As part of an organization that strongly supports the work of the Child Witness Centre, I'd like to assist in your efforts and help ensure that situations like this don't occur."

Financial Highlights

We completed the year with a surplus, which enables us to provide services at no charge to families; sustain operations in the event of a significant funding shortfall; and supplement a facility fund established in 2004 after the government announced plans to consolidate court facilities in Waterloo Region, which could require the Child Witness Centre to relocate; and proceed with planned expansion of services to Branford in 2008.

BALANCE SHEET		
Assets	March 31, 2007	March 31, 2008
Bank and Cash	173,849	119,049
Short Term Investments	127,500	265,187
Managed Fund Investment	50,000	58,410
Interest Receivable,	9,450	4,987
Recovery and Prepaid Expenses		1,887
Total Assets	360,779	449,520
Liabilities		
Accounts Payable & Accruals	4,242	5,968
Payroll Remittance Payable	6,329	6,218
Deferred Contributions	28,359	39,196
Total Liabilities	38,930	51,382
Net Assets		
Restricted	160,000	228,543
Unrestricted	161,869	169,595
Total Liabilities and Net Assets	360,799	449,520

STATEMENT OF OPERATIONS		
Revenue	Year ended Mar 31, 2007	Year ended Mar 31, 2008
Community Donations	46,651	65,385
Agency Run Events	19,546	20,423
Ontario Trillium Foundation	10,516	0
Other Foundations	2,550	27,200
Government Grants	196,070	173,800
United Way	78,250	59,750
Break Open Tickets	22,209	18,991
Other Income	12,728	14,968
Total Revenue	388,520	380,517
Expenses		
Facility Expenses	26,375	28,349
Administration	36,404	18,210
Travel & Staff Development	3,753	7,685
Resource Development	2,464	9,017
Salaries & Benefits	222,136	240,123
Other Expenses	1,451	8,590
Total Expenses	292,583	311,974
Excess of Revenue Over Expenses	95,937	68,543



Certain funding for this program is provided by the Ontario Ministry of the Attorney General. Views and opinions expressed do not reflect the views and opinions of the government.

Child Witness Program Statistics

Year (Jan-Dec)	Active Cases from Prev Yr.	New Referrals	Total Children Assisted
2003	251	339	590
2004	165	359	524
2005	261	329	590
2006	148	467	615
2007	258	405	663

Profile of Children Assisted	
Age 7 and under	9%
Age 8-12	30%
Age 13-15	46%
Age 16+	15%
Victims	53%
Witnesses	47%
Kitchener-Waterloo	58%
Cambridge	17%
Wellington County	23%
Other Regions	2%
Types of Crime Involved	
Sexual Assault	25%
Other Types of Assault	37%
Domestic Violence	22%
Other Charges	16%
Relationship of Accused to the Child	
Family Member, Relative, Guardian	41%
Friend or Acquaintance	43%
Stranger	16%

Child Witness Program

Our goals are:

- To reduce the risk that the court process will retraumatize child victims and witnesses.
- To help protect the child's sense of self-worth and confidence.
- To facilitate truthful testimony.

Services are free and include:

- Providing updates for the family on the progress of the case.
- Educating the child on courtroom procedures and the role of a witness.
- Dealing with the child's fears and apprehensions.
- Scheduling and attending pre-trial meetings for the child with the Crown Attorney.
- Providing 'child friendly' rooms in Kitchener, Cambridge, Guelph, Mount Forest and Brantford where children wait before going to court.
- Accompanying children into the courtroom, and on occasion on the witness stand.
- Assisting with victim impact statements.
- Explaining the verdict and sentence.

2008 - 5th Annual Child Witness Centre Youth Symposium

April 17 marked the 5th annual Child Witness Centre Youth Symposium, held at Empire Studio in Kitchener for grade 8 students from schools across Waterloo Region and Wellington County. The event was fully registered within 4-5 days of the notice going out to schools—we accepted 2,000 students and had another 400 on the waiting list.

The Symposium equips students with ideas, tools, motivation and confidence to cope effectively with their daily challenges, make better choices in their life, and grow to become better citizens in our community.

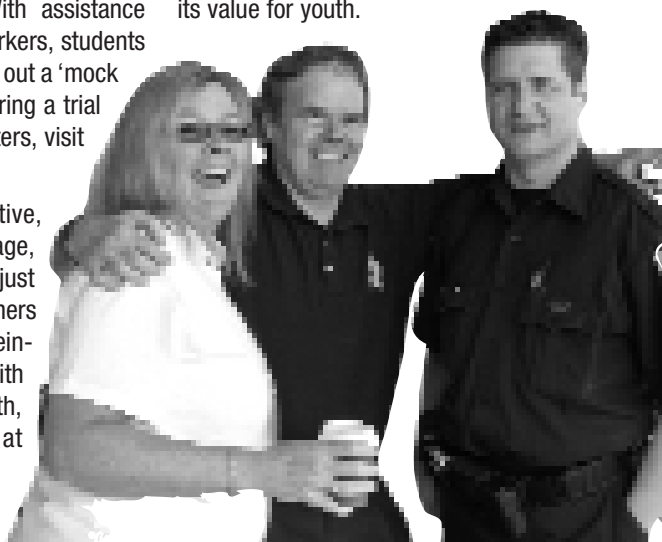
We had a great line-up of speakers, 16 different presentations, with topics as diverse as internet bullying, smoking, gambling, making a positive difference, overcoming tragedies and finding motivation in life, taking advantage of their time in school, turning dreams into reality, balancing their

time and respecting themselves and others, and otherwise inspiring students. With assistance from Child Witness Centre caseworkers, students from Lester B. Pearson also carried out a 'mock trial' to illustrate what happens during a trial in court. For details on the presenters, visit www.childwitness.com/youth.html

"Awesome, fabulous, informative, engaging with an excellent message, amazing and inspirational," were just some of the comments from teachers and students. Their feedback reinforces our reason for continuing with this unique initiative aimed at youth, and benefiting the community at large.

We extend our sincere thanks to K-W Sertoma, K-W La Sertoma and Twin City Sertoma for fund-

ing the Symposium and for sharing our vision of its value for youth.



Presenters Lee Fitzpatrick and Pete Barbuto from the Waterloo Region Police Services with Child Witness Centre staff Jo-Anne Hughes.



Lester B. Pearson students participating in the Mock Trial presentation put on by the Child Witness Centre.

The management and staff at Empire Theatres also deserve great credit. We're very grateful for their favourable rental rate and exceptional organizational skills in ensuring a smooth running event.

Last but not least, we are indebted to the 20 people who volunteer their time to help on the day of

the event. Symposium volunteer Nancy Mesher said, "It was a pleasure to be a part of the symposium. It was incredibly well-run and informative, as well as entertaining, for such a large group of teens...very high energy...exhilarating to see 2,000 students arriving for the event, and to see their enthusiasm for the speakers."



Students Arriving for the Days Event



Some of the Youth Symposium Volunteers



Presenter Jackie Chan



Presenter Monique Howat

Service Club Thanks

We continue to receive substantial support year after year from local service clubs, who contribute greatly to the betterment of the community. Special thanks to the following clubs:

- Guelph Lions Club
- Kinette Club of Preston
- Kiwanis Club of Elmira
- K-W Civitan Club
- Lions Club of Bridgeport
- Optimist Club of New Dundee
- Rotary Club of Kitchener-Conestoga
- Rotary Club of Kitchener-Westmount
- Sertoma/La Sertoma Foundation
- St. Jacobs Lions Club
- West Cambridge Optimist Club

WRPS Production Raises \$50,000 for youth-oriented charities

The musical comedy *Caught in the Act*, starring the Waterloo Regional Police Service, was a huge success. Not only was it fun, lively and very entertaining, it raised \$50,000 for youth-oriented charities.

The Child Witness Centre was one of many recipients to receive a \$5,000 donation of proceeds from this very innovative community fundraiser.

The lighthearted, vaudeville-inspired production was directed by Alex Mustakas, Artistic Director of Drayton Entertainment, and incorporated music, dance and comedy routines to loosely chronicle the life of a police officer, from rookie through retirement.

Due to its success, a new show is scheduled for 2009.



Bobbies with Tim Hortons

Caseworker's Notebook

Investigation of Child Sexual Abuse

(Much of the information in this article was drawn and adapted from "Understanding Child Sexual Abuse" by Loree Beniuk and Pearl Rimer)

When there is an allegation of sexual abuse and the child involved is under age 16, a Family and Children's Services (F&CS) child protection worker is assigned to ensure the safety and protection of the child and will:

- Interview the person who reported the suspicion.
- Search F&CS records for past or present contact with the child, family and/or the alleged offender.
- When appropriate, contact the police to plan the next steps of a joint investigation.
- See the child to assess his/her immediate safety. This may include an interview by the child protection worker and/or police.
- Interview siblings or other children who may be at risk or may have been abused by the alleged offender.
- Arrange a medical assessment of the child if needed.
- Identify and interview other witnesses.
- Interview the child's parent/caregiver, with police if appropriate, unless the parent/caregiver is the alleged offender.

It is the role of the Police to:

- Interview the alleged offender to investigate the allegations.
- Search police records for any previous contact with the alleged offender.
- Make the arrest and lay criminal charges where there

is evidence to do so.

- Advise a parent/caregiver, where appropriate, not to talk about the evidence (i.e., details of what happened) with the child or others, as this could have an impact on the criminal proceedings.

Where possible, F&CS and police will take immediate action to separate the alleged offender from the victim until the investigation is completed.

At some point, the police may no longer be involved if there are no grounds for continuing a criminal investigation. F&CS may continue to be involved if there are protection issues.

The Interview

The interviewers will ask the child for a full account of what happened. It is possible that more than one interview may be required, particularly with younger children.

A support person may be present at the interview if the child wishes assistance during any part of the investigation. It is generally best if the interview is held without any other person(s) present. This allows the child to speak without direct or indirect pressure from a loved one or someone in authority. The presence of a support person should always be based on the needs of the child versus the needs or wishes of others.

Consent for the Interview

The Investigative Team makes every effort to get consent from a parent/caregiver before interviewing a child. They have to decide whether or not it is in the child's best interests to contact the parent before interviewing the child. An interview may take place without the parent's prior knowledge, and without a parent/caregiver present, if:

- One of the parents is the alleged offender.
- There is a concern that the parent's presence will put the child's safety at risk or affect his/her ability to speak honestly.
- The alleged offender is a family member and there is concern s/he may contact the child first.
- It is known that the child's parent supports the alleged offender.
- A parent cannot be reached and it is in the best interest of the child to proceed immediately.

After the Interview

The child, the child protection worker and police officer discuss the results of the interview and decide what to do next, including:

- The need for more interviews.
- If any other information is needed (e.g., a medical consultation).
- Discussing if criminal charges will be laid.
- If it is necessary to remove

the child from his/her current circumstances and bring the child to a place of safety.

- Planning for the child's safety and protection.

Medical Attention

The child protection worker and/or police officer conducting the investigation will provide guidance regarding medical attention, often in consultation with medical personnel. In any medical situation, parents and children/youth have the right to ask questions.

Under the Child and Family Services Act, a child may be removed from his/her current circumstances for purposes of a medical examination if parental consent is not obtained. If treatment is required without parental consent, the doctors may proceed only if it is a medical emergency. In all other circumstances, a court order under the Child and Family Services Act is required.

Outcomes of a Child Protection Investigation

There are two possible findings of a child protection investigation. The allegation can be verified or not verified.

To verify an allegation of sexual abuse means that based on all the facts, it is more likely that abuse did happen than did not. The investigators must carefully consider all the information and facts gathered during the investigation to determine if an alle-

gation is verified.

A finding of 'not verified' does not mean that the child investigators think that the child lied. One or more of the following might be why the abuse is not verified:

- The child might not have been sexually abused.
- There might be another explanation for the child's behaviour and/or disclosure.
- The allegation could not be confirmed because the evidence was insufficient, inconsistent or contaminated (i.e., influenced by another factor).
- The child was unable to communicate what happened.

Rights of the Accused

Prosecutions of cases of child sexual abuse are governed by a set of rules that are designed not only to protect victims, but also to protect the rights of the accused. The fundamental principles of the Canadian justice system are stated in the Canadian Charter of Rights and Freedoms and are also found in the Criminal Code and in case law.

The most important rule in Canadian criminal law is that a person is presumed innocent until proven guilty in court.

Safeguards are in place to ensure that people accused of a crime are treated fairly and are given the maximum opportunity to prove their innocence.

- People who are charged with committing an offence have the right to be told the pre-

cise nature of the accusation.

- They have the possibility of remaining free while awaiting trial. If they are held in custody and then released, they must receive a written release that explains any conditions that may have been set and specifies when they must appear in court.
- They have the right to have their guilt or innocence determined by a judge, or in some cases by a judge and jury, in an open court following a full and fair trial.
- They have the right to hear evidence against them in open court.
- They have the right to challenge, in cross-examination, the evidence presented by the prosecution, and to present their own evidence.
- They have the right to remain silent at the trial. An accused does not have to testify at his or her trial and the fact that the accused did not testify at the trial cannot be used as evidence of guilt.

These safeguards exist to eliminate the risk of an innocent person being convicted. However, the rights of the accused are balanced with society's need to protect all its citizens. Courts must sometimes make decisions that deprive some people of a fundamental freedom in order to protect others.

Arrest and Release

When the police determine that a child sexual abuse crime has been committed and believe they have identified the person who committed it, a number of options are available, depending on the circumstances.

They can decide not to arrest the suspect but to tell him or her that a charge will be laid and that a summons to go to court on a specific day will be given to the person later.

Or, the police can issue an appearance notice, a written notice of the charge which specifies when the person has to go to court.

Or, the police can sometimes arrest the person and take him or her to the police station. The police must inform the person of the reason for their arrest and their right to consult a lawyer. In many cases, the senior police officer in charge can release the person if s/he promises to appear in court on a specific date, and to observe the conditions regarding his or her release.

In some cases, the person will be arrested and kept in custody. A bail hearing must be held as soon as possible. At this hearing, a justice of the peace or a judge will decide if there are circumstances to justify keeping the accused in custody until the trial; e.g., a concern that he or she will not return to court, or may be a serious danger to others. Usually, an accused will be released on promising to appear in court when required, but there could also be such conditions as no direct or indirect communication with the victim, no use of weapons, alcohol or drugs, regular reporting to a police officer, and/or not to be within a set distance of any place where the child may be found.

A victim has the right to know the conditions upon which an accused person is released, and there is a system in place for notifying victims of the results of a release hearing. A police offi-

cer, child protection worker or Victim Witness Coordinator will provide this information. Where appropriate, the police or child protection worker may inform the child's school principal and/or child care supervisor of release conditions (e.g., if the accused is not to be within so many metres of any place where the child may be). In the case of a young person who sexually offends a child, information disclosed to the school principal/child care supervisor to ensure the safety of students, staff or other people is shared in accordance with the Youth Criminal Justice Act.

Proving Guilt at a Trial

The effects of a finding of criminal guilt can be very serious, including the deprivation of fundamental liberties. That is why the standard of proof in criminal law is a high one and an accused person is presumed to be innocent until proven guilty beyond a reasonable doubt. This is in contrast to the standard of proof required to prove that a child is 'in need of protection' under provincial or territorial laws. For this finding to be made, the court need only be convinced on the balance of probabilities that the child is in need of protection.

Because of the different standards of proof, it sometimes happens that a provincial or territorial family court holding a hearing under child welfare legislation will make a finding that a child is 'in need of protection' and may issue an order to protect the child, even though the person accused of abusing the child is acquitted of criminal charges.

Thank you



Child
Witness
Centre

Serving Waterloo Region and Wellington County

Every donation helps us provide child victims and witnesses with the support they need through the difficult challenge of testifying in court.

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www.childwitness.com

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