

# CHILD AND YOUTH SAFETY UPDATE



JUNE 2012



It starts with Scouts.

“ Nothing is more important than the wellbeing and safety of the children and youth with whom we work so closely and whose lives we seek to influence for the better.”

— Steve Kent,  
Chief Commissioner & Chair of the Board of Governors

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## EXECUTIVE SUMMARY

**T**hroughout our 105 year history Scouts Canada has been helping children and youth discover new things and experiences they wouldn't discover elsewhere. Along the way, they develop into capable, confident and well-rounded individuals, better prepared for success in the world. Nothing is more important than the safety and well-being of the children and youth with whom we work so closely and whose lives we seek to influence for the better.

When questions were recently raised about our child and youth protection policies and practices, Scouts Canada took an honest, open and transparent approach that confronted both the good and the bad of our history. We wanted parents and the wider Canadian public to know the full extent of our commitment to providing a safe, secure and nurturing environment for their children. And we wanted to ensure that we would learn from the process and further enhance our organization's safety policies and procedures.

We undertook a full review of all files where volunteer leaders were suspended or terminated for violating these rules. KPMG's Forensic Group was retained in December 2011 to conduct a thorough, arms-length review of all records held by Scouts Canada on leader suspensions or terminations that are related to misconduct against children or youth.

We engaged a third-party panel of experts in child and youth protection and safety to conduct a complete review of all our policies and procedures on the topic and make recommendations on any additional measures to ensure they meet today's realities, and, to the best of our abilities, that they anticipate the need of tomorrow. This group includes members from such esteemed organizations as the Child Welfare League of Canada, Canadian Red Cross, Canadian Society for the Investigation of Child Abuse, Canadian Paediatric Society, Canadian Association of Chiefs of Police and British Columbia's Office of the Representative for Children and Youth.

We implemented several new communications initiatives to build awareness for child and youth safety among all members of Scouting—children, parents and our volunteer leaders.



We are finalizing new educational resources to boost our young members' knowledge and resiliency. These will be introduced in September 2012 to teach them how to stay safe and to open a dialogue about abuse. We will engage youth and their parents through activities that will help empower children and youth while reinforcing a culture of safety among members of Scouting.

Scouts Canada's Board of Governors approved a number of policies related to child and youth protection in May 2012. Our member screening requirements have been revised and strengthened, and we have made it mandatory that all volunteer leaders must complete our updated Child and Youth Safety Training before the new Scouting season starts in September 2012.

### KPMG Review

KPMG's mandate was initially based on the assumption that there had not been any deviation from our 'suspend first, inquire later' policy with respect to managing and reporting allegations of abuse, even in historical examples. We wanted to have complete confidence that every Scouts Canada record of abuse had been handled properly.

At the outset of KPMG's engagement, we anticipated that the audit would be limited to the 350 records that we had previously reviewed internally. However, after a nationwide consolidation of historic files from national and regional offices, the final count was 486 records that spanned a 64-year period, from 1947 to 2011.

The KPMG review analysis and findings lasted seven months and focused on five specific areas: the state of the files, governance, contact with authorities, suspensions and terminations, and other observations.

## State of the files

Prior to 2001, Scouts Canada had no defined protocol or process for maintaining records. In some cases they were disorganized, incomplete, inconsistent, and managed and stored locally.

- **Response:** Scouts Canada accepts the findings of the KPMG report. We recognise that our records management protocols need to be significantly upgraded, and we are moving rapidly to improve them. Myscouts.ca—our enterprise-wide association management system, launched in March 2012 as a major upgrade to our previous system from 2001, will support robust collection and management of electronic membership data. We are currently introducing a thorough document management protocol and appropriate tools that volunteers and staff will be required to use to capture information consistently and manage our records effectively. Records management will remain centralized at our National Office.
- Moving forward, the records management protocols will require one individual to be designated to monitor and track records while the Complaint Procedure will indicate exactly what forms and information are to be included in each and every record. Records management will remain centralized at National Office.

## Governance

The decentralized governance model in place prior to 2001 had a major impact on the handling of records, resulting in a misunderstanding and/or misinterpretation of policies, insufficient training, and regional differences in the decision-making processes and outcomes. The standards and policies set by Scouts Canada during the post-2001 period were high and the governance changes were a reflection of efforts to meet these standards. While compliance to national policies and practices have improved, there remained inconsistencies in the quality of record management and in some instances decisions continued to be made locally.

- **Response:** Scouts Canada accepts these findings, and will strengthen understanding and support for a rigorous implementation of policies and procedures, 100% compliance with screening requirements, increased training and education, permanent vigilance in all activities and centralized management of abuse complaint process and records.
- In May 2012, Scouts Canada's Board of Governors approved five new or revised policies related to child and youth protection, and reaching 100% compliance with these policies is our most immediate and important goal.

- Our Child and Youth Safety Plan includes a comprehensive set of communications, training, and education initiatives that will be implemented over the coming months and years to develop a culture change with our staff, volunteer leaders, and our Scouts and their parents.
- With the introduction of our centralized association management system, myscouts.ca, our enhanced ability to monitor compliance with Scouts Canada policies and procedures will have a direct impact on our ability to keep inappropriate individuals from becoming involved in Scouting. That said, our greatest asset in child and youth safety will always be the vigilance and full support of our volunteers who are all committed to the well-being of our young members.
- Our enhanced volunteer registration and training requirements will also serve as an important means of ensuring compliance and providing a strong line of defence against those who would do harm.
  - Annual acceptance of our Code of Conduct will help sustain our safety culture.
  - Compliance to mandatory training requirements for volunteers and staff will ensure a much improved knowledge of the issue of abuse and an improved understanding and adherence to policy.
  - All volunteer members must complete the three modules of the compulsory training as part of their registration process.
  - No pending member will be allowed to participate in Scouting programs or wear the Scouts Canada uniform without first completing all steps of registration and screening.

## Contact with Authorities

For 67% of all records, the authorities appear to have been aware of abuse allegations prior to Scouts Canada for a variety of reasons that may have been, in part, related to the societal context of the time when incidents occurred. No files reviewed found a systemic intent to cover up or “hide” an individual or abuse incident.

Findings show the complexity of the phenomenon and the many factors that could prevent Scouts Canada from being aware first.

- **Response:** Scouts Canada accepts the findings of the report. We remain committed to ensuring full compliance with our policy to suspend first, inquire later. We then immediately refer the matter to police and child protection services, and we support their investigation in any way that we can. Despite the KPMG findings that show the complexity of the phenomenon and the many factors that could prevent Scouts from being aware first, we remain committed to our very strict policy.



- KPMG’s report indicates that while there were past instances where Scouts Canada does not appear to have contacted authorities when a volunteer was suspected of wrongdoing, they found no systemic intent to “hide” an individual or abuse incident. Reasons for hesitation or delay in involving authorities sometimes resulted from confusion on what the proper process was or the ability to report with second-hand information. The report recognizes that more often than not, Scouts Canada learned of a member’s digressions either from the police or through media coverage. When the police were involved, Scouts Canada gave its full support to the investigation.
- KPMG’s findings show the complexity and the many factors that could prevent Scouts from being aware first, ranging from parents reporting directly to the police to instances where the abuse was historical, with victims having left Scouts Canada many years prior to reporting an incident. In fact, cases where Scouts Canada failed to contact authorities over the last two decades arose primarily when an adult came forward to report past abuse. Generally they were encouraged to contact authorities directly. Regardless, Scouts Canada would code the names of the accused leaders, after confirming they were no longer active in our organization, to prevent them from working with Scouts Canada youth again. Other cases reflect confusion over whether a volunteer’s behaviour was actually criminal or not.
- Over the past decade, Scouts Canada has lowered the threshold for contacting authorities whereby allegations of any violations of youth protection procedures and guidelines against a volunteer result in immediate suspension and reporting.
- **Response:** Our listing practices have evolved and been enhanced significantly over the last decade, but some issues remain to be addressed.
  - Our training programs and compliance procedures have been updated to ensure that we avoid unreasonable delays in listing volunteers who have been reported to the appropriate authorities.
  - Since 2002, our membership database has flagged suspended leaders immediately, preventing them from re-entering the organization until a decision has been reached on reinstatement or termination.
  - To ensure zero-tolerance of non-compliance in the future, Scouts Canada’s Board of Governors has taken several actions to enhance our screening and registration policies, including enhanced Volunteer Screening and Registration and enhanced compulsory training for all volunteers.
  - As KPMG points out in their report, since 1972, “*Scouts’ written policy appears to be one of suspend first and investigate after but promptly.*” Any Scouts Canada member suspected of abuse of a child or youth will be immediately suspended and placed on the Confidential List as soon as Scouts Canada learns of the allegations. Then, Scouts Canada’s process consists of supporting the police investigation and ultimately deciding whether to terminate or reinstate the member. Scouts Canada’s membership is a privilege, not a right, and an individual can be terminated from Scouting before the police investigation is complete.
  - The combination of enhanced Volunteer Screening and Registration, digital membership management, mandatory Child and Youth Safety training, and a rigorous Complaint Procedure administered through the National Office will allow us to act diligently and manage abuse incidents and the listing process much more efficiently.

### Suspensions and Terminations

The findings relate to Scouts Canada’s practices around suspension, termination and listing of Scouts Canada’s leaders involved in abuse cases on the national Confidential List of individuals banned from, or ineligible to join, the organization. The two main challenges in listing individuals on the Confidential List within the prescribed time (180 days) appear to have been concern about the organization’s liability and waiting for adequate evidence, such as the results of a police investigation or court conviction.

*Note: The Confidential List is a list of names of individuals who have either had their membership revoked or have been denied membership due to failure to pass the screening process. The list also includes those who have had their membership suspended pending a review of an incident or allegation that puts their membership in question. As an added precaution, if Scouts Canada becomes aware of former members who subsequently come into conflict with the law they are also listed as unsuitable for membership.*

### Other Observations

The KPMG review showed a list of gaps that occurred in the past related to sharing information with other Scouting organizations, gaps in the screening policy or implementation, resignation of members before suspension or termination procedures could be completed, inconsistent listing practices in incidents of abuse, leaders holding unsanctioned events where they committed acts of abuse, and leaders continuing to take part in Scouting activities despite being suspended or terminated.

- **Response:** Scouts Canada is committed to improving our practices relating to child and youth safety. To close these gaps, we have revised and tightened up the screening and training requirements for all adults prior to their participation in any Scouting activity. We have also implemented a new, clearer policy relating to suspensions and terminations. This policy was developed after research into the practices of similar youth-serving organizations such as the UK Scout Association — .
- Moving forward, an individual who resigns after an allegation of abuse is raised but prior to the completion of an inquiry will automatically be listed as unsuitable for our organization. The policy of suspend first will still apply, and authorities will still be notified. As well, any prospective volunteer who does not complete screening will be coded in Scouts Canada’s centralized database as a “Category 3” — Failed Screening.

## Scouts Canada Child and Youth Safety Plan

While even one incident of abuse is too many, we feel that it is important to put the 486 files reviewed by KPMG in context.

Since 1907, 17 million Canadian children and young people have discovered a world of adventure, outdoor experience, friendship and fun through Scouts Canada. They have been served by hundreds of thousands of caring, well-trained volunteers, many of whom have been parents of Scouts themselves. Scouts Canada currently delivers its programs through a network of 24,000 volunteers across Canada.

For decades, Scouts Canada has been a leader in Child and Youth Safety. We were the first organization to institute a comprehensive volunteer screening policy and adopt the ‘two leader rule,’ whereby at least two adults must be present with children and youth at all times. We have always been known for continuously enhancing our safety procedures. As KPMG points out in their report, “Scouts Canada’s screening process was adopted as a model by other youth serving agencies when developing their own screening models.”

That said, we must recognize and learn from troubling errors of the past, and ensure that we do not become complacent now or in the future. To meet today’s expectations and anticipate the needs of tomorrow, we must revitalize our culture of safety and entrench it more deeply at every level of our organization and in each of our activities.

To achieve our goal, we have built upon a strong foundation and mobilized our organization’s leadership to conduct an extensive review of the multiple dimensions of Child and Youth Safety throughout our Scouting programs. In addition, we have appointed a Child and Youth Protection Advisory Committee, a third party panel of experts to identify ways that we can regain and maintain our edge in the future.

We have evaluated all of our interactions with children and youth as well as all of the elements that we must rigorously manage, implement and monitor such as screening, training, educating, programming, policies, and procedures. We have revamped our delivery mechanisms and improved our monitoring processes.

Initiating dialogue on child and youth abuse is crucial for society. Every professional or expert involved in this issue agrees on the importance of breaking the silence surrounding child and youth sexual abuse, provoking positive community conversations about abuse, and mobilizing families and communities to take steps to educate children and youth in order to protect them from harm.

Over the last seven months, we have identified issues that required immediate action and implemented several new initiatives to develop awareness for Child and Youth Safety among children parents and volunteer leaders.

A new Child and Youth Safety Plan was developed and is currently being implemented leading up to the new Scouting year. The plan contains more than thirty action items mainly focusing on learning from the past, updating policies and procedures, improving adult screening and training, as well as child, youth and parent education and communications.

Scouts Canada’s Child and Youth Safety Initiative has been conducted under the guidance of the Child and Youth Protection Advisory Committee. Their mandate extends well beyond advising our child and youth protection policies to provide guidance on our training methods, curriculum and in-the-field implementation.

Today, great care is necessary to ensure the children and youth in Scouting are protected from those who would do harm. Moving forward, vigilance is Scouts Canada’s watchword in as we continue to enhance and strengthen our policies and procedures. As we have throughout our history, we will continue to invest time and resources to offer to all of our volunteers, Scouts and parents the best possible training and education programs.

We will rejuvenate and sustain our safety culture at the local level through an atmosphere where every member of Canada’s Scouting Movement is focused on, and aware of, the policies and procedures that support comprehensive child and youth safety, and is personally committed to act. It will require a disciplined process and hands-on management, and we approach the task committed to continuous learning, enhancement and innovation.

The bottom line is that we will deliver on our commitment to Child and Youth Safety by ensuring that Scouts Canada’s policies and practices are best in class towards preventing those seeking to cause harm from entering our organization, and towards guiding our caring, well-trained volunteers towards delivering a safe Scouting experience.

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# CHAPTER 1

## BACKGROUND INFORMATION

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### A. Introduction

The first chapter, *Scouts Canada Background Information*, provides basic information on Scouts Canada, our vision of Child and Youth Safety, the context in which our child and youth protection policies—both past and current—have come under media scrutiny, our commitment to providing a safe, secure and nurturing environment for our children, and the decisions made by the Board of Governors last November to conduct an all-encompassing review of child and youth safety in our organization.

The second chapter *The KPMG Review – Scouts Canada Response* addresses KPMG’s Forensic Group’s report which details their arms-length review of all records held by Scouts Canada on abuse related suspensions or terminations. The chapter provides a societal context analysis of the evolution of child sexual abuse in Canada, the evolution of Scouts Canada’s organization and policies pertaining to volunteer recruitment and training, and membership screening and incident management history. It also includes Scouts Canada’s review and response to the KPMG Report’s findings.

The third chapter *Child and Youth Safety* summarizes the decisions made by Scouts Canada’s Board of Governors and the initiatives implemented since November 2011 to ensure that our child and youth protection policies continue to set the highest possible standard.

### B. Scouts Canada

With over 100,000 active members in 2012, Scouts Canada is Canada’s largest youth serving organization. We offer five distinct co-ed programs which span the ages 5–26. There are over 23,000 volunteers registered with the organization who are largely responsible for delivering our programs. Many of these volunteers are parents with children enrolled in Scouts Canada activities and their involvement is proportional to the age of their children, consistent with society in general. Approximately 70% of membership comes from the Beaver and Cub Scouts programs, which are geared to youth ages 5–10. Female membership is growing; currently, 23% of all members are female. Throughout its 105 year history, Scouts Canada has been an integral part of Canadian society and has sought to develop leadership, team-building, and self-improvement skills for millions of children and youth in almost every community across the country. Thanks to the continuing leadership and commitment of its volunteer leaders, Scouts Canada will continue to contribute to a better society for our nation’s youth over the next century.

### C. Our philosophy on Child and Youth Safety

Scouts Canada has always been committed to the healthy development of young people in nearly every community across our country. In Scouting, children and youth gain invaluable experiences and skills that help them develop into capable, confident and well-rounded individuals who are better prepared for success in the world.

Scouting is about helping young people find their way forward, equipping them with the tools, abilities and self-esteem they need to be self-confident today—and leaders in their own communities tomorrow.

For these same reasons, nothing is more important than the wellbeing of the children and youth with whom we work so closely and whose lives we seek to influence for the better. Their safety and health is a solemn obligation that we do our best to meet with great care and concern. That is why we strive to ensure that our child and youth protection policies are the most rigorous of any youth services organization in the country.

Historically, Scouts Canada was a leader for decades in Child and Youth Safety. We were the first organization to institute a comprehensive volunteer screening policy, and to adopt the ‘two-leader rule,’ whereby at least two adults must be present with children and youth at all times. We have always been known for continuously enhancing our safety procedures. As KPMG points out in their report, “*Scouts Canada’s screening process was adopted as a model by other youth serving agencies when developing their own screening models.*”

Today, more than ever, great care is necessary to ensure the children and youth in Scouting are protected from those who would do harm, and “vigilance” is our watchword.

Since September 2004, Scouts Canada has continued our decades-long practice of ‘suspend first, inquire later’ and followed a very strict policy with respect to managing and reporting allegations of abuse:

- We suspend the leader in question immediately to ensure there is no further contact with children and youth;
- We refer the matter in full to police and child protection services. We cooperate completely with the police in their investigations; and
- Any information that Scouts Canada obtains relating to abuse allegations is communicated to police.





## D. Our Commitment to Excellence in Child and Youth Safety

The insidious nature of those who would do harm to children and youth is a challenge that every youth services organization throughout the world must deal with and manage daily.

Striving to ensure rigour and performance in our policies and procedures requires a culture and safety system that provides feedback and learning so that the organization can constantly improve. Much has been done in the past to improve our policies but there is always more that can be done. To gather information that would inform our future decisions on child and youth safety policies, we undertook a full review of all files where volunteer leaders were suspended for violating our policies.

We also undertook a wider look at our full range of youth protection programs and policies and sought the advice of a group of recognized experts in the area of child and youth protection. Based on their advice and the findings from the review of our files, we have implemented corrective actions and have developed a plan to further strengthen the organization going forward. This will be explained in Chapter 3.

## E. Formal Apology

On December 8, 2011, Scouts Canada's Chief Commissioner and Chair apologized sincerely and deeply via a recorded statement posted to YouTube to any and all former Scouts who had suffered harm or abuse at the hands of those who exploited the trust and responsibility they had gained as volunteer leaders in our organization. Our sincere efforts to prevent such crimes have not always succeeded and we are sorry for that and saddened at any resulting harm. We extend our most profound sympathies to all victims and their families.

We reaffirmed our strict policy with respect to reporting allegations of abuse and we were convinced at the time that there had not been deviation from this policy by Scouts Canada—even in historical examples—and that every record of abuse had been handled properly and shared with police. We also announced that we had asked KPMG's Forensic Group to conduct a thorough, arms-length review of all records held by Scouts Canada on leader suspensions and terminations that are related to abuse. We asked them to examine the quality of our processes and to make sure that any records we had were shared with the proper authorities.

In addition, we commissioned a third-party panel of experts in child and youth protection and safety to conduct a complete review of all our policies and procedures on the topic and make recommendations on any additional measures to ensure they meet today's realities, and, to the best of our abilities, that they anticipate the needs of tomorrow.

## F. Child and Youth Safety Policies and Procedures

In addition to our Child Abuse Policy and Procedures, to ensure a safe and secure environment for children and youth, Scouts Canada has adopted and manages a comprehensive set of policies and procedures including:

- Rigorous recruitment and interviewing processes
- Systematic screening processes including Police Reference Check (PRC) and Vulnerable Sector Check (VSC)
- Code of Conduct to be signed annually by all volunteers
- Mandatory training program for all Scouters
- 'Two-leader rule'
- Member screening requirements for all adults
- Child Abuse and Protection Policy
- Bullying/Harassment Policy
- Employee Whistleblower Policy

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## CHAPTER 2

# KPMG REPORT – SCOUTS CANADA RESPONSE

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### A. Mandate to Review Historical Files

We want to have complete confidence that every Scouts Canada record of abuse has been handled properly. To this end, on December 7, 2011, we retained KPMG's Forensic Group to conduct a thorough, arms-length review of all records held by Scouts Canada on leader suspensions or terminations that are related to sexual misconduct against children or youth.

KPMG began their review in early December 2011 with the mandate to work independently and to go wherever the information took them.

Over the last seven months, KPMG has conducted a comprehensive audit of all of our records with an eye to ensuring that all relevant information with respect to child and youth protection has been shared with appropriate police authorities. Until the work of KPMG began, Scouts Canada's current leadership had no reason to believe that any historic example of abuse had not been shared. We now know otherwise and have been forthcoming in acknowledging that fact. More importantly, we have acted by forwarding all such examples to the police.

Whenever KPMG identified a record with gaps, incomplete information or question marks of any kind, it was brought to our attention and the file was forwarded to the police authorities for their review.

At the outset of their engagement, we anticipated that the audit would be limited to the 350 records that we had previously reviewed internally. However, after a nationwide consolidation of historic files from national and regional offices, the final count was 486. We have worked with KPMG to ensure, to the extent possible, that they can state that we have followed a rigorous and reasonable process to ensure all records in our possession have been turned over to them.

We have also provided KPMG with information required on several matters such as completeness of their review, historical context, evolution of our governance structure, confidential list process, evolution of policies and other relevant matters, in order to draft and finalize their report.

Although we are deeply disappointed that the number of files increased, we are satisfied that KPMG did not at any time discover any attempt by Scouts Canada to cover up allegations with the intent of permitting those accused to remain in our organization.

Before addressing the KPMG review findings and our response to each of them, the next two sections address two critical components to appreciate these findings and learn appropriate lessons: the Canadian societal context regarding child abuse and the evolution of Scouts Canada's organization and policies pertaining to volunteer recruitment and training.

### B. Child Sexual Abuse in Canada – Societal Context

In Canada, as in most nations throughout the world, the awakening to the issues of both child abuse and child and youth protection occurred in the mid-1980s. Prior to the late 1970s and early 1980s, there was little recognition of the nature and scope of the problem of child sexual abuse and there was virtually no systematic response. Since the 1980s, however, there has been continued development of awareness and protective action up to the current time<sup>1</sup>.

A watershed moment in Canada was the release of the Badgley Report<sup>2</sup>, commissioned by Canada's Department of Justice and Department of National Health and Welfare and published in 1984. This report documented in detail the scope of the problem of sexual abuse and sexual exploitation of children. It identified it as a very serious social problem that required a comprehensive targeted response. Bill C-15<sup>3</sup>, which to a significant degree was based on the recommendations of the Badgley Report, was introduced in 1988 and marked the most comprehensive introduction of legal tools with which to deal with child sexual abuse and heightened public awareness of the issue.

For more than half of the 20th century, the issue of child sexual abuse lay dormant. It was not until the mid-1970s that the topic appeared on the agenda of mental health and child welfare professionals and not until the late 1970s that the issue of child

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<sup>1</sup> Combatting Child Abuse: International Perspectives and Trends, edited by Neil Gilbert, 1997, Chapter 2, Canada Trends and Issues in Child Welfare, Karen J. Swift

<sup>2</sup> Sexual Offences Against Children in Canada: Summary of the Report of the Committee on Sexual offences against Children and Youths appointed by the Minister of Justice and Attorney General of Canada and the Minister of National Health and Welfare, Government of Canada, 1984. Robin F. Badgley, Ph.D. Professor at Dalla Lana School of Public Health, University of Toronto, was the Committee Chairman

<sup>3</sup> Sexual Abuse and Exploitation of Children and Youths: A factsheet from the Department of Justice Canada, published in 2005 and updated since.

sexual abuse was raised to the level of societal consciousness. The 1980s brought an increasing number of prevalence studies attempting to estimate the true extent of the problem and a significant number of federal government initiatives in the area of child sexual abuse.

The Committee on Sexual Offences against Children and Youth, later known as the Badgley Committee, was established in 1981 by the Canadian Federal Government with a mandate to examine laws and other community resources protecting children against sexual offences and to suggest ways to improve child protection from sexual abuse. In 1984, the committee issued what is commonly known as the Badgley Report, previously mentioned, recognizing child sexual abuse as a serious problem in Canada. In the twenty years that followed there has been constant interaction between research, government response, and societal awareness uncovering new concerns and creating new ways to prevent and deal with child sexual abuse.



### Prior to the 1970s

Child sexual abuse was a largely unspoken and misunderstood problem in the 1960s and before. Although the first recorded Canadian prevalence study focused on child molestation dates back to 1929, there were only four such studies on child sexual abuse prior to 1960 and few thereafter until the 1980s. The lack of these types of studies coupled with the hesitancy to report this type of abuse<sup>4</sup> meant that public and professional knowledge of child sexual abuse was extremely limited and largely misleading during this time period.

### Issue Emergence in the 1970s

Child sexual abuse was elevated to the level of societal awareness in the late 1970s. In Canada, the influence of the women's movement, which was of growing political importance in the Canadian political landscape of justice, brought attention to the issue of child abuse, including child sexual abuse, and the government responded. Statistics on the occurrence of child sexual abuse gathered in Canada were collected during the 1970s largely as a by-product of studies with other purposes; however they did reflect a growing recognition of child sexual abuse in Canada. There was a significant increase in the reporting of child sexual abuse beginning in the late 1970s and rising yearly thereafter for the remainder of the decade<sup>5</sup>. By the late 1970s, child sexual abuse had been "discovered" as a social problem that required immediate and effective attention.

### Growth of Awareness and Response in the 1980s

During the 1980s, societal awareness of child sexual abuse grew tremendously and the response to child sexual abuse became more focused as research documented both the scope and nature of the problem, as well as its long-term effects on the victims.

The first two major milestones regarding child sexual abuse in Canada were accomplished during this decade and are listed below.

- The first was the Badgley Report released in 1984. This detailed research report documented for Canadians the scope and nature of the problem of child sexual abuse, as well as the many problems in criminal and other laws and policies related to the protection of children and adolescents from sexual abuse and exploitation.
- The second was Bill C-15, An Act to Amend the Criminal Code and the Canada Evidence Act, which came into force on January 1, 1988<sup>6</sup>. This bill marked the first focused effort by the Government of Canada to reform law to protect children and adolescents from sexual abuse and exploitation and was the first major legal milestone for Canada in this area<sup>7</sup>.

<sup>4</sup> Scouts Canada – Quote lines excerpted from letters of parents not wanting police involved after their child was sexually abused.

<sup>5</sup> A Historical Review of the Evolution of Police Practices, Policies and Training Regarding Child Sexual Abuse – Canadian Research Institute for Law and the Family, May 2007

<sup>6</sup> An Act to Amend the Criminal Code (protection of children and other vulnerable persons) and the Canada Evidence Act, Bill C-2, June 2005

<sup>7</sup> Outline of Evidence Nicholas Bala 1990, Prior to the 1970's: How did the Law and Legal System respond to Child Sex Abuse?

## 1990 to Present: Continued Development of a More Comprehensive Response

The period from the 1990s to the present time has been characterized by increased public awareness of the problem of child sexual abuse and its effects on victims, as well as a corresponding increase in the development of targeted responses to newly emerging types of sexual abuse. At the beginning of the period, the emergence of a number of historical institutional child sex abuse cases involving multi-victims and multi-offenders had a significant impact on the extent to which child abuse was perceived as a serious problem. Such cases as Mount Cashel in Newfoundland, which resulted in the 1991 Royal Commission Report by Justice Hughes<sup>8</sup> and the Prescott case in Ontario<sup>9</sup>, were well documented cases of historical institutional child abuse that received much media attention and increased public awareness regarding child sexual abuse.

## C. The Evolution of Scouts Canada's Organization and Policies Pertaining to Volunteer Recruitment and Training

### Working to Keep Pace with Rapid Growth: 1910 – 1990

Scouts Canada's organizational structure was decentralized prior to 1990, with local members electing regional/district commissioners who in turn elected 11 provincial/territorial Commissioners. From 1910 to 1990, Scout's Canada membership grew from 6,000 to more than 265,000. The eleven provincial/territorial Commissioners formed a National Council which enacted national policies on a consensus basis. Building this consensus and implementing policies through each of the independent Councils was a complex and lengthy process, which often led to the elapsed time from inception to enactment taking a number of years. Building clarity in Scouts Canada policies on a national basis was often challenging as well, since provincial/territorial Councils had the power to enact their own policies as long as they did not supersede any national policies. National and provincial Councils had paid staff, as did some of the regions, while most districts were completely supported by volunteers.

During an early timeframe, prior to the 1970s, Scouts Canada had to recruit thousands of volunteers every year to keep up with membership growth. The movement sought to appoint volunteer members of "high moral character" to lead its youth programs. Scouting programs were sponsored by entities such

as churches, service organizations and community organizations and these sponsors were expected to recommend people who were known to the sponsor and were deemed appropriate to be entrusted as Scout Leaders with local youth. There were no clear standards or guidelines on how selection or vetting of these individuals would occur. Records from the time show that local volunteers, in the absence of formalized tools such as Vulnerable Sector Checks, would take it upon themselves to look in to the background or reputation of an individual in the community. In some cases the local Group Committee had connections in the local police service and a discreet inquiry would be made to a "friend of Scouting within the police" in order to validate a prospective leader's credentials or scan for red flags. The membership application process varied by provincial or territorial council.



When a prospective volunteer member claimed prior Scouting experience outside of the local region/district, it was expected that a Service Inquiry would be sent to their previous region/district to confirm service and the character of the individual. These inquiries were sometimes routed through the provincial Council office. Inquiries were also made of sister organizations such as the Salvation Army, Life Saving Scouts or l'Association des Scouts du Canada.

In 1969, the National organization became the keeper of the National Suspension and National Termination list of individuals suspended or terminated by provincial Councils, with copies maintained at each office that had a staff member. Updates were mailed to each office. Until 1968, the original file was maintained by the suspending Council. In 1968, National became responsible for overseeing the suspension and termination process and, in 1969. Administrative

<sup>8</sup> Royal Commission of Inquiry into the Response of the Newfoundland Criminal Justice System to Complaints, Report, The Honorable S.H.S. Hughes, Q.C. Commissioner, 1991

<sup>9</sup> Ritual Abuse Cases in Prescott, Ontario, Canada



Procedure 3 was enacted that governed the process including a Review Board to oversee terminations and appeals. More detailed procedures for suspension and termination of leaders against whom a complaint had been made were established, with discretion left to the provincial Council as to whether termination was handled within the province, or if the individual's name should be added to the national termination list in order to guard against a terminated leader's potential to re-engage in Scouting in another province.

### **Policies Evolve in Parallel with Increased Awareness of Youth Safety Practices: 1990s to Present**

The evolution of Scouts Canada's training regarding the recognition and response to child sexual abuse and family violence, as well as its policies and procedures related to child and youth protection—along with all other Canadian youth-serving organizations—is characterized by rapid and continued development during the past two decades. Related policies and procedures such as Membership Screening, Prevention of Child Abuse, Duty of Care, Administrative Procedures Relating to Suspension and Termination of Membership evolved rapidly between the mid 1990s and 2011.

Child abuse-specific policies emerged in Provincial Councils as early as 1991 when Ontario Provincial Council issued a policy that same year and an update in 1993 that provided reporting procedures.

### **Membership Screening**

Originally, volunteer leaders were selected and screened by the Group's sponsors, often churches or local service organizations, while Scouts Canada focused on providing the programs. Early applications for membership (1958) asked general questions such as the volunteer's occupation and for a list of any youth, church, civic or other organizations they belonged to. The application was approved by the Group Committee, an appointee, and the District Commissioner.

By 1966, the applications for membership started asking more in-depth questions regarding other youth organizations and what offices the volunteer held in church, civic or philanthropic societies. The application was changed to include "Rule 41", which emphasized that every precaution should be taken to admit no person whose character was open to suspicion.

By 1987, the screening of volunteers was moving toward a more thorough process and starting to implement police record checks on a local or provincial basis where available.

Volunteer Canada has been working in the area of volunteer screening since 1994 when it was chosen to be the lead on the National Education Campaign on Screening by the federal government. Since then, a number of provincial initiatives have been implemented to help voluntary organizations adopt screening practices and policies<sup>10</sup>.

*On January 1994, the Government of Canada declared its commitment to combating violence against women and children. Shortly thereafter, representatives of the Departments of the Solicitor General Canada, Justice Canada, and Health Canada, and the RCMP were appointed to an Ad Hoc Interdepartmental Working Group on Information Systems on Child Sex Offenders. The Working Group's mandate was to address the following question: "How can federal and provincial information systems be strengthened to provide better information to police services and organizations conducting background checks on people seeking paid and/or volunteer work in areas where they will have direct access to children?" A series of consultations was held across Canada. Participants included representatives from provincial governments, police agencies, and public and voluntary sector organizations.*

*The importance of appropriate and thorough screening of applicants for positions of trust with children and with other vulnerable individuals was a consistent theme of these consultations. Furthermore, the use of police information systems was clearly identified as an important screening measure, and the strengthening of such systems was encouraged.*

*In November 1994, the Honorable Herb Gray, Solicitor General of Canada, announced that his Department, in cooperation with Justice and Health Canada, would be taking the lead in providing public education on screening, through the National Education Campaign on Screening Volunteers and Employees in Positions of Trust with Children and Other Vulnerable Individuals, a project to be undertaken by Volunteer Canada.*

The overall purpose of the project was to make training and resources about screening widely available to volunteers working with at-risk populations. To facilitate records accessibility and sharing across the country, the Canadian Police Information Centre was created<sup>11</sup>.

<sup>10</sup> Screening Background, Volunteer Canada

<sup>11</sup> Canadian Police Information Centre (CPIC)



Therefore, volunteer screening moved from a set of provincial or municipal initiatives to a unified national policy in 1995, with a Volunteer Screening process developed by 1996, promoted by Volunteer Canada and comprised of ten elements<sup>12</sup>:

- Step 1 – Determine the risk
- Step 2 – Position design and description
- Step 3 – Recruitment Process
- Step 4 – Selecting Volunteers
- Step 5 – Interviews
- Step 6 – Reference Checks
- Step 7 – Police Records Check
- Step 8 – Orientation and Training
- Step 9 – Supervision / Evaluation
- Step 10 – Participant follow-up

Within Scouts Canada, the process for accepting new volunteers and registration procedures evolved largely at the provincial Council level until 1995, when we introduced a national policy for screening volunteer members (BP&P Section 3000), and, in 1996, a national screening process was introduced.

This process was developed in consultation with Volunteer Canada and the National Education Campaign on Screening and Police Agencies and was used as a model<sup>13</sup> for many youth serving agencies when developing their own screening process. At the same time, police record checks (PRCs) were introduced as a mandatory step in the volunteer registration process.

In 1995 an electronic version of the list of suspended/terminated individuals was introduced to supplement the paper-based version, and in 2002, with the implementation of a computerized national Membership Management System, Scouts Canada was able to enter all registration forms on-line and immediately cross check against the Confidential List of individuals unsuitable for involvement with Scouts Canada for potential matches.

Scouts Canada continued working with Volunteer Canada, other youth-serving organizations and police agencies to enhance its volunteer screening and selection processes. New volunteers were required to provide a clean PRC and current volunteers were advised to provide such by September 1998. Revised registration forms were developed by 1998, and by January 1999 Guidelines for Selecting Volunteers, videos on conducting interviews for prospective volunteers and the Parent's Guide to Protecting Children from Abuse were released. With minor adjustments, the three-pronged screening process has remained in force since then, requiring a clean PRC, reference checks, and a personal interview.

The structure of Scouts Canada remained largely unchanged during the later part of twentieth century until 2001 when the various provincial/territorial Councils ceded their semi-autonomy and policy making powers to a national Board of Governors with the sole authority to make policies.

## Screening, Reporting, and Training in 2012

*Chapter 3 – Child and Youth Safety* summarizes the decisions made by Scouts Canada's Board of Governors to ensure that our child and youth protection policies continue to set the highest possible standard.

These decisions include the five new or revised policies approved by the Board related to child and youth protection and several communications, training and education initiatives that have been or will be implemented.

Several of the 34 action items included in the Child and Youth Safety Plan are directly connected to adult screening, training and reporting.

## D. Report Findings – Scouts Canada Response

Although youth safety has always been our first priority and Scouts Canada has made continual improvements in this area throughout its history, there are still areas where we can strive to achieve excellence. The KPMG audit process and report have given us an opportunity to identify gaps in policy and to isolate instances where policies have not been implemented consistently for a variety of reasons.

Through its review of historical files, KPMG developed a view of past and current processes and practices. It also developed an understanding of how Scouts Canada handled these child and youth abuse matters and the various changes that took place over the course of time relevant to their review, from 1947 to 2011.

Scouts Canada initially turned over 350 suspension and termination files to KPMG following an internal review. Following a thorough review of all of the records at the National Office, and at the 20 Council Offices located across the country, 137 additional files were added. This resulted in a total population of 486 files on individuals alleged or convicted of committing abuse among youth both inside and outside of Scouts Canada over 64 years.

<sup>12</sup> Safe Steps: A Volunteer Screening Process – Volunteer Canada 2001

<sup>13</sup> Volunteer Canada – Screening – What is screening?



While even one instance of child abuse is too many, the total number of 486 individuals must be kept in perspective. For 105 years, Scout Canada has brought a world of adventure, outdoor experience, friendship and fun to 17 million Canadian children and youth. Membership evolved from 6,000 children and youth in 1910 to 319,983 in 1965. To deliver our programs we relied on over 20,000 volunteers annually for the past 50 years. With over 100,000 active members in 2012, Scouts Canada is still the largest youth-serving organization in the country with over 24,000 dedicated and caring volunteers.

While Scouts Canada continues to provide a safe environment and great programming for children and youth, the KPMG review has given us a chance to understand and analyze where we may have failed in these cases from systemic, governance, management and operational perspectives and to learn from the findings as we move forward.

Based on the findings of this review, we know that as we put enhanced safety policies and procedures in place, reaching 100% compliance must be our first and most important goal. Vigilance will be our watchword. We will monitor our activities and the implementation of our policies more closely and we will invest time and resources on a continued basis to offer our volunteers, Scouts and parents the best possible training and education programs.

Our new Child and Youth Safety Plan includes a comprehensive set of communications, training, and education initiatives that will be implemented over the coming months and years to develop a cultural change with our staff and our volunteer leaders, our Scouts and their parents. We embrace this challenge with the full support of our whole organization's leadership.

Having reviewed our files, the KPMG report addresses the following areas:

- Background
- Relevant Policies and Context
- Review Methodology
- Analysis and Findings: State of the Files
- Analysis and Findings: Governance
- Analysis and Findings: Contact with Authorities
- Analysis and Findings: Suspensions and Terminations
- Analysis and Findings: Other Observations

Scouts Canada's response will focus on the five Analysis and Findings sections.

### **Analysis and Findings: State of the Files**

Scouts Canada acknowledged that prior to 2001 there was no defined protocol or process for maintaining records of leader suspensions and terminations. Records were managed and stored by provincial Councils who acted independently from our organization's National Office. In 2001, when governance was centralized, all past records of this type were to be sent to the National Office, but this did not happen in all cases.

The state of the records analyzed by KPMG—disorganised, incomplete and inconsistent—demonstrates that Scouts Canada was not managing these matters centrally, or enhancing national safety standards by effectively learning from past mistakes often made at the local level.

## Scouts Canada Response

- Scouts Canada recognizes that the state of these sensitive and important corporate historical files is inappropriate.
- Our records management system needs to be significantly upgraded, and we are moving rapidly to improve them. Myscouts.ca – our enterprise-wide association management system, launched in March 2012 as a major upgrade to our previous system from 2001, will support robust collection and management of electronic membership data. We are currently introducing a thorough document management protocol and appropriate tools that volunteers and staff will be required to use to capture information consistently and manage our records effectively. Records management will remain centralized at our National Office.
- Moving forward, the records management protocols will require one individual to be designated to monitor and track records while the Complaint Procedure will indicate exactly what forms and information are to be included in each and every record. Records management will remain centralized at National Office.

## Analysis and Findings: Governance

Building consensus and implementing policies through each of the eleven independent Councils was a complex and lengthy process, the result of which was that the elapsed time from policy creation to implementation could often take many years. The governance model in place until 2001 had a profound impact on Scouts Canada's handling of abuse files during much of the time under review.

Analysis reveals that in practice, policy was not always well understood, was left up to interpretation, changes were not well communicated, and training was not always sufficient. The contents of files were variable and incomplete. Regional differences led to inconsistencies in decision-making processes and outcomes.

Pivotal to the centralization and reorganization of Scouts Canada was the creation of the National Board of Governors in 2001, which had the sole authority to create policy. All employees came under the jurisdiction of the National Council.

- **In 1995**, Scouts Canada introduced a national policy for screening volunteer members and in 1996 a national screening process was introduced with eleven elements. Police Record Checks were introduced as a mandatory element. Screening procedures evolved over the years.



- **In 1996**, an electronic version of the list of suspended/terminated individuals was provided to Councils on diskette to supplement the paper-based version. In 2002, with the implementation of the electronic Membership Management System (MMS), all registration information was entered directly into the database which allowed an immediate check against names previously listed as ineligible for membership with Scouts Canada.
- **In 2004**, building on previous policies, the Board of Governors enacted a national policy on child abuse. Around 2004, a Risk Manager position was created and all abuse incidents were reported to him. The Risk Manager would manage complaints and ensure proper authorities and support services were contacted, work with legal counsel and provide support during the membership termination process.
- **In February 2012**, the position of Executive Director of Child and Youth Safety was created to provide support to the development of policies and programs and support the Child and Youth Protection Advisory Committee.

The standards set by Scouts Canada during the post 2001 period were high and the changes described above were a reflection of efforts to meet these standards.

Unfortunately, abuse files remained inconsistent and in some cases decisions continued to be made at the local level, although with more National involvement. KPMG identified four cases since 2001 where evidence indicates that Scouts Canada does not appear to have shared information with authorities at the earliest time they had evidence that abuse had taken place. All four incidents have been reported to the authorities by Scouts Canada in 2012.

KPMG also identified 12 cases since 2001 where individuals were not listed for over 180 days despite Scouts Canada's policy to list all persons immediately if they were suspected of abuse.

### Scouts Canada Response

- This past May, Scouts Canada's Board of Governors approved five new or revised policies related to child and youth protection.
  - But based on the findings mentioned above, we know that reaching 100% compliance with these policies will be the first and most important goal.
  - The new Child and Youth Safety Plan includes a comprehensive set of communications, training and education initiatives that will be implemented over the coming months and years to develop a culture change with our staff, volunteer leaders, and our Scouts and their parents.
  - Regarding cases where Scouts Canada's policy/procedures were not followed, this is clearly unacceptable despite the will to do the right thing. This report will be very useful to build understanding and support with all of our volunteers for a rigorous implementation of our policies and procedures, 100% compliance with screening requirements, increased training and education, and permanent vigilance in all of their activities.
  - KPMG suggests there were cases where Scouts Canada's policy/procedures do not appear to have succeeded in keeping an inappropriate individual from becoming involved in Scouting. This may have happened in the past but the risk of such situation occurring in the future should be much more limited thanks to our new centralized association management system, myscouts.ca, as well as the rigorous implementation of our revised screening policies and procedures. That said, our greatest child and youth safety asset will always be the vigilance and full support of our volunteers who are all committed to the well-being of our young members.
- **Scouts Canada staff/volunteers disregard and/or do not understand policy** – We are convinced that our volunteers and staff clearly understand our policies. Our challenge is to ensure full compliance in all circumstances from people who are focusing on their weekly Scouting activities, and to provide tools and education to help volunteers recognize the warning signs of abuse and act on them.
  - This calls for a culture change where all volunteers and staff will recognize Child and Youth Safety as their highest priority and fully leverage the value of our policies and tools to guide their Scouting activities, each and every day.
  - Upgrading education and training and instituting the annual acceptance of a Code of Conduct will contribute to addressing this issue.
  - Moving forward, compliance to mandatory training requirements for volunteers and for staff will ensure a much improved knowledge of the issue of abuse and an improved understanding and adherence to Scouts Canada policies.
  - In June 2012, we issued a Child & Youth Safety Update to all of our Scout Leaders to instruct them that as of September 1:
    - No pending member will be allowed to participate in Scouting programs or wear the Scouts Canada uniform without first completing all steps of registration and screening.
    - All Volunteer members must complete the three modules of the compulsory training.
    - The modules are available on Scouts Canada's e-learning platform which is accessed through MyScouts.ca. In-person training will also be available through local Council or Area.



## Analysis and Findings: Contact with Authorities

KPMG's findings relate to Scouts Canada's policy of immediately reporting incidents of abuse to authorities.

The first inclusion in Scouts Canada's written policy of the need to ensure contact with authorities does not appear until the April 1992 revision of Administrative Policy Number 3 (AP3).

KPMG reviewed the entire population of files for evidence of any contact with authorities. Of the 486 cases over a 67-year-period, the authorities were contacted by Scouts Canada in 29 cases. In 65 cases, there is not enough evidence in the file to be confident that Scouts Canada shared the information with the authorities immediately, but all the records have been turned over to police authorities in 2012. Overall, in 73% of all records, the police authorities were aware of incidents of abuse, with either Scouts Canada alerting the authorities or the authorities alerting Scouts Canada. Before 1992, this average was 63% while post-1992, the average increased to 85%.

There does not appear to be a significant difference between time periods but the Child Welfare League of Canada mentions in its report "... research has indicated that the number of children investigated for maltreatment increased dramatically in most jurisdictions since the early 1970s."

The two key influencers as to why the authorities knew before Scouts Canada are: time elapsed between the incident's occurrence and when it is reported; and whether the victims are Scout youth.



## Scouts Canada Response

- Despite the KPMG findings that show the complexity of the phenomenon and the many factors that could prevent Scouts Canada from being aware first, we remain committed to our very strict policy to suspend first, inquire later, immediately refer the matter to police and child protection services and support their investigation in any way that we can.
- Great care is necessary to ensure the children and youth in Scouting are protected from those who would do harm, and "vigilance" is our watchword in the implementation of our policies and procedures. We will invest time and resources on a continued basis to offer to all of our volunteers, Scouts and parents the best possible training and education programs.
- In instances where Scouts Canada does not appear to have contacted authorities although they should have, it is important to recognize that no files reviewed by KPMG found a systemic intent to "hide" an individual or abuse incident. The report recognizes that more often than not, Scouts Canada learned of a member's digressions either from the police or through media coverage. When the police were involved, then, Scouts Canada gave its full support to the investigation.
- The cases where Scouts Canada failed to contact authorities over the last two decades were primarily when an adult came forward to report past abuse. Often they were encouraged to contact authorities directly, although we would code the names of the accused leaders, after confirming they were no longer active in our organization, to prevent them from working with Scouts Canada youth again. Other cases reflect confusion over whether a volunteer's behaviour was actually criminal or not.
- Over the past decade, Scouts Canada has lowered the threshold for contacting authorities whereby allegations of any violations of youth protection procedures and guidelines against a volunteer result in immediate suspension and reporting.
- Our Executive Director of Child and Youth Safety guides staff and volunteers to ensure adherence to our protection policies.



## Analysis and Findings: Suspensions and Terminations

The findings relate to Scouts Canada's practices around suspension, termination and listing of leaders involved in abuse cases on the national Confidential List.

The Confidential List is a list of names of individuals who have either had their membership revoked or have been denied membership due to failure to pass the screening process. The list also includes those who have had their membership suspended pending a review of an incident or allegation that puts their membership in question. As an added precaution, if Scouts Canada becomes aware of former members who subsequently come into conflict with the law they are also listed as unsuitable for membership.

The available policy documentation starts in 1972 and although the matters evolved over time, it is summarized by KPMG as follows:

*Scouts Canada's written policy appears to be one of suspend first and investigate after but promptly.*

*The policy above with its defined time limit appears to have been designed to force a decision to ensure the termination and listing (on the confidential list) of a person (if appropriate) within the 180 day time frame.*

The two main challenges in listing individuals on the Confidential List within the prescribed time appear to have been a) concern about the organization's liability and b) waiting for adequate evidence, such as the results of a police investigation or court conviction. The balance between protecting Scout youth from abuse and the protecting the organization from potential legal liability for wrongful dismissal of a leader sways over time.

In 1995, Scouts Canada introduced a national policy for screening volunteer members and in 1996 a national screening process was introduced with eleven elements. Police Record Checks (PRC) were introduced as a mandatory element. Screening procedures evolved with regular updates and most recently in 2010 with the addition of the Vulnerable Sector Check.

The Scout leader screening policy establishes a stringent and thorough process with multiple check-points.

### Scouts Canada Response

- These KPMG findings are important to Scouts Canada. Listing practices have evolved and been enhanced significantly over the last decade but some significant issues remain to be addressed.
- Cases have been identified where an individual was not put on the Confidential Records but should be. To prevent such cases from happening in the future, we are clarifying our operating procedures (COPS 401) to facilitate easier understanding of the process and ensure full implementation.



- There have been delays in placing an individual on the Confidential List. With the introduction of our association management system, first introduced in 2002 and significantly upgraded in 2012 with the introduction of MyScouts.ca, suspended leaders are flagged immediately in our member database, preventing them from re-entering the organization until a decision has been reached on reinstatement or termination.
- KPMG identified instances of individuals allowed to be active when they should not be prior to screening being completed and historically while waiting for Service Request to be fulfilled. To ensure zero-tolerance of non-compliance in the future, Scouts Canada's Board of Governors has taken several actions to enhance our screening and registration policies.
  - Development of an enhanced Volunteer Screening and Registration Policy;
  - Introduction of enhanced compulsory training for all volunteers;
  - Communications campaigns to increase Child and Youth Safety education and explain 100% compliance requirements;
  - Promotion of spring registration of volunteers to complete PRCs before the new Scouting year begins.
- Regarding confusion as to whether someone needs to be convicted to be on termination records: Any Scouts Canada member will be immediately suspended and placed on the Confidential List as soon as Scouts Canada learns that they are suspected of abuse of a child or youth. Then, Scouts Canada's process consists of supporting the police investigation and ultimately deciding whether to terminate or reinstate the member. Scouts Canada membership is a privilege, not a right, and an individual can be terminated from Scouting before the police investigation is complete. They can also be terminated without being convicted of the crime of which they were charged. However, a rigorous Complaint Procedure must be followed and the individual Council must forward the case to the National Review Board for consideration for formal termination.

## Analysis and Findings: Other Observations

### Communication with Scouts in other Countries and Other Organizations in Canada

KPMG review showed inconsistent practices with regard to communication with Scouting organizations in other countries as well as with other youth serving organizations within Canada.

#### Scouts Canada Response

- Scouts Canada is committed to developing agreements/ protocols with other Scouting organizations and other youth-serving organizations in Canada where we can collaborate. For example, when Scouts Canada begins the registration for a new member, we could ask the organizations with whom we collaborate to review the prospective leader against their database as well for any pertinent information. We will also explore the possibility of implementing confidential lists database cross-referencing through formal agreements with other Scouting organizations, such as the Boy Scouts of America.

### All Volunteers are not equally screened

The KPMG review identified certain gaps in the screening policy and/or application. For example, Scout youth are not subject to the screening process. Another situation is that of individuals who avoid registering all together but are regularly involved with Scouts Canada. Occasional volunteers do not need to be screened unless they are participating in overnight activities.

#### Scouts Canada Response

- **Screening youth members for previous convictions:** The challenge is that information regarding criminal charges against youth is protected by Canadian privacy legislation, and will not appear in a PRC, for example. Moving forward, youth in designated leadership roles (Activity Leaders/ Scouters In Training) will be required to complete all steps of volunteer screening with the exception of producing a PRC (Police Record Check). All Rovers (members aged 18–26) will also require a PRC and screening. Although the Rover section is considered a youth program designed for the individual's personal development, the reality is that they often are closely involved with youth in younger sections. The safety of those youth is paramount.
- **Individuals use name other than their legal name or use aliases:** with the PRC, centralized reference checks, and other requirements of the screening process, the risk that a person listed on the Confidential List can register under another name or an alias is very small. Improvements in the screening process will result in the highest possible verification of prospective volunteer's identification.

- **Individuals who avoid registering but are involved with Scouts:** we have revised and tightened up the screening and training requirements for all adults prior to their participation in any Scouting activity. Requirements include mandatory Child and Youth Safety Training, Code of Conduct signed annually, and Police Records Checks and Vulnerable Sector Checks for those accompanying overnight trips and events.



### Resignations

In its review, KPMG came across a number of examples of individuals resigning before Scouts Canada's suspension and termination procedures could be completed.

#### Scouts Canada Response

- **Individuals resign instead of being terminated:** This is an inappropriate way to deal with any member of our organization who is the subject of an abuse allegation, and is inconsistent with our policies and procedures. The fact that we have recent examples shows that our policies need to be updated and that we must be vigilant in compliance and enforcement.
- Moving forward, any volunteer who does not complete screening will be coded in Scouts Canada centralized database as a "Category 3" — Failed Screening.
- An individual who resigns after an allegation of abuse is raised but prior to the completion of an inquiry will be automatically be coded as unsuitable for our organization. The appropriate authorities will still be contacted.

## Status of Membership

KPMG's review identified evidence of inconsistent practice when it came to listing individuals who had been involved in incidents of abuse but were not currently registered members when Scouts Canada became aware of the allegations. Where an individual has been involved in Scouts Canada in any way, whether an individual is registered or not at the time Scouts Canada finds out about abuse, should not impact a decision to list them.

### Scouts Canada Response

- Scouts Canada recognizes that the listing process must be improved and implemented faster and more efficiently whenever an abuse case occurs. Scouts Canada policy is clear: whenever we learn of such an incident involving a former volunteer, the individual will be listed within our association management system, regardless of how long they have been inactive and unregistered.

## Unsanctioned Events

KPMG observed instances where individuals took advantage of their status as a Scout Leader to hold unsanctioned events where they committed acts of abuse involving Scout youth.

### Scouts Canada Response

- To prevent such situation we will also offer educating programs to our youth members and their parents.
- Scouts Canada will introduce a number of youth educational programs in September 2012, aimed at teaching youth how to stay safe and to open a dialogue about abuse.
- We have collaborated with educational agencies to develop a series of youth safety modules that will engage youth and their parents during regular section meetings through activities, games and take home activities that will reinforce positive messages which will help empower them and support a culture of safety among all members of Scouting.
- We will also mobilize all of our volunteer leaders to be vigilant in all of their activities.



## Allowed to Remain Active in Scouting

The KPMG review identified individuals who were registered and allowed to continue to take part in Scouting activities despite being suspended or terminated and possibly listed as ill-suited for Scouts Canada leadership.

### Scouts Canada Response

- To ensure zero-tolerance of non-compliance in the future we have taken several actions to enhance our screening and registration policies:
  - Development of an enhanced Volunteer Screening and Registration Policy;
  - Introduction of enhanced compulsory training for all volunteers;
  - Communications campaigns to increase Child and Youth Safety education and explain 100% compliance requirements;
- We will conduct face-to-face section visits that will confirm that only active volunteers are engaged in program delivery.
- We have also clearly indicated to alumni associations that it is unacceptable for them to have any member, or association with an individual, who would be considered unsuitable for membership within Scouts Canada, especially those on the Confidential List. Also, no alumni member is permitted to wear a Scouts Canada uniform unless they have completed all steps of the volunteer screening process.
- Staff performance management expectations for volunteers and staff will also be revised to avoid permitting such situations to happen.



## CHAPTER 3

# CHILD AND YOUTH SAFETY

### A. Child and Youth Safety Plan

Since nothing is more important to Scouts Canada than the safety of children and youth, we want parents and the public to know the full extent of our commitment to providing a safe, secure and nurturing environment for their children.

Historically, Scouts Canada has been a leader for decades in Child and Youth Safety. We were the first organization to institute a comprehensive volunteer screening policy, and to adopt the 'two leader rule,' whereby two registered adult leaders, or one registered leader and another adult, are required at all times. We have always been known for continuously enhancing our safety procedures. As KPMG points out in their report, *"Scouts Canada's screening process was adopted as a model by other youth serving agencies when developing their own screening models."*

To meet today's expectations and anticipate the future, we must refresh our culture of safety and entrench it more deeply at every level of our organization and in each of our activities.

To deliver on its promise, Scouts Canada's Board of Governors has decided to start from a strong foundation and mobilized the whole organization's leadership to participate in an extensive reflection on the multiple dimensions of Child and Youth Safety. In addition, we have appointed an esteemed third party panel of experts to identify ways that we can maintain our edge in the future.

We have looked carefully at all our interactions with children and youth as well as to all the elements behind these interactions that we must manage, implement and monitor rigorously, such as: screening, training, educating, programming, policies, procedures, processes, etc. We need to revamp our delivery mechanisms and improve our monitoring processes.

To fully understand our challenges, we have examined the best practices of several of the most respected Canadian and international Scout and youth services organizations. We have also wanted the exercise to be closely guided by the Board of Governors and the external Child and Youth Protection Advisory Committee, which is composed of child and youth safety experts from a variety of highly credible organizations operating nationally or regionally or in a wide range of settings. They have provided significant guidance to Scouts Canada in our efforts to identify emerging trends, such as youth-to-youth abuse, and our efforts to counteract that with appropriate actions.

We realize the importance of opening a dialogue around abuse. Every professional or expert who works with this issue agrees with the importance of breaking the silence surrounding child or youth sexual abuse. Promoting supportive community conversations about abuse is necessary because if it takes a village to raise a child, we need to mobilize adults, families and communities to take actions that protect children and youth before they are harmed.

Working with children and teens, our volunteers have a critical role in protecting them and creating a positive setting for them to grow and be healthy and happy. We need them to obtain the knowledge and resources they need to create a safe environment for children and youth, and we need them to step in when they see inappropriate behavior. They must recognize warning signs and take steps to keep a child safe from sexual abuse.

Our ultimate goal is to regain our leadership position and make Scouts Canada the reference in Child and Youth Safety across Canada. We are profoundly aware that we will not achieve this objective in the short term and will have to invest considerable and sustained effort, with the commitment and collaboration of all of our volunteer members, to move in this direction.

For Scouts Canada, this represents an exciting and compelling challenge because it goes to the very core of our raison d'être.



## Timeline and Process

As mentioned earlier, starting in November 2011, the Board of Governors identified key issues that required Scouts Canada's immediate action: the formal apology, the review of historical files and the comprehensive review of policies, processes and procedures related to Child and Youth Safety.

In addition, in order to develop awareness for Child and Youth Safety among children, parents and volunteer leaders, several new initiatives were implemented over the last few months including:

- An updated Child and Youth Parent Fact Sheet based on feedback from the Child and Youth Protection Advisory Committee;
- An updated Child and Youth Safety section on our Scouts.ca website, with resources for parents, links to partner sites, links to online child safety support tools and information to educate parents, youth, and leaders;
- The promotion of the Kids Help Phone line (1-800-668-6868) as well as the [KidsHelpPhone.ca](http://KidsHelpPhone.ca) website in Scouts.ca's Child and Youth Safety section;
- The insertion of Child and Youth Safety information in spring recruiting and popcorn fundraising packages;
- The insertion of a Child and Youth Safety message with links to resources introduced as lead-off piece in each *ScoutScene* bi-weekly newsletter;
- The insertion of 156,000 Kids Help Phone wallet cards in recruitment kits; and
- The insertion of a Child and Youth Safety message in donor reminder mail outs.

On January 22, 2012, the Board of Governors created a special task force to develop a new and comprehensive Child and Youth Safety Plan. With the full support of the executive team and the Child and Youth Protection Advisory Committee, the task force worked diligently to fulfill its assignment and a new plan was presented to, and approved by the Board of Governors on March 20, 2012.

To make Child and Youth Safety a priority for all volunteers and engage them in culture change, the meeting of the National Service Team on March 30-April 1, 2012, focused on this topic. Five workshops were conducted on the Child and Youth Safety Plan, In-Person Support, Training, Change Management Framework, and Organizational Structure.



Council Commissioners, Council Executive Directors, and Council Youth Commissioners committed to three in-person visits by support team per section in the coming year. They also committed to model positive in-person support both now and in the future.

A first round of "safety moments" was developed for distribution and the National Leadership Team reviewed the status and deliverables of the 90-Day Plan at each of its regular meetings.

Council Commissioners, Executive Directors, and Youth Commissioners dedicated several meetings in March to find ways for engaging staff in the refreshment of the Child and Youth Safety "culture." They examined possible staff training strategies and looked at organizational considerations and job descriptions.

Scouts Canada staff and volunteers developed drafts of Bullying/Harassment, Child Protection and Whistleblower policies. They were submitted to the Child and Youth Protection Advisory Committee for review and were amended based on advice received. Scouts Canada's By-Law, Policies and Procedures (BP&P) are also being reviewed and updated.



## Ten Steps to Creating Safe Environments\*

\* Scouts Canada's Child and Youth Safety Plan was developed based upon the Canadian Red Cross methodology – *Ten Steps to Creating Safe Environments*.

<b>STEP 1</b>	<b>UNDERSTAND THE PROBLEM</b>	
<b>Descriptor:</b> Understanding the current or potential categories, types and forms of violence that could exist within the organization.		
<b>Scouts Canada Actions:</b> <ul style="list-style-type: none"> <li>Engaged with victims of abuse and their families</li> <li>Initiated extensive review of Scouts Canada suspension and termination files by KPMG</li> </ul>		<ul style="list-style-type: none"> <li>Created an Advisory Committee of outside experts to help understand generic societal trends and inform our Child and Youth Safety strategies</li> <li>Conducted internal child and youth safety audit</li> </ul>
<b>STEP 2</b>	<b>RECOGNIZE PEOPLE'S VULNERABILITY AND RESILIENCE</b>	
<b>Descriptor:</b> Violence affects people of all ages, genders, backgrounds and status. Some groups are at a higher risk than others. While people live with some vulnerability, they have resiliency.		
<b>Scouts Canada Actions:</b> <ul style="list-style-type: none"> <li>Spoke with victims and learned from their experiences</li> <li>Explored best practices with experts such as Big Brothers Big Sisters Canada, Canadian Red Cross, Canadian Center for Child Protection, and Child Welfare League of Canada</li> </ul>		<ul style="list-style-type: none"> <li>Explored opportunities for victim resiliency by engaging them as part of their healing, speaking with them about prevention opportunities and offering counseling to victims</li> <li>Delivered apology to those that suffered abuse</li> </ul>
<b>STEP 3</b>	<b>DEFINE PROTECTION INSTRUMENTS</b>	
<b>Descriptor:</b> What are the national and regional legal mechanisms that protect people from violence?		
<b>Scouts Canada Actions:</b> <ul style="list-style-type: none"> <li>Provided volunteers, staff, parents and youth fast access to safety legislation and child protection agency contacts through Scouts Canada website</li> </ul>		
<b>STEP 4</b>	<b>CREATE A PREVENTION TEAM</b>	
<b>Descriptor:</b> Creating a safe environment is a team approach. Establish a prevention team that includes diverse participation, appropriate budget, clear terms of reference and ensures accountability.		
<b>Scouts Canada Actions:</b> <ul style="list-style-type: none"> <li>Appointed Child and Youth Safety Advisory Committee – a third-party panel of experts to conduct thorough review of policies and procedures and make recommendations going forward</li> <li>Assembled a Board of Governors steering committee to advise on and approve policy changes and strategy</li> </ul>		<ul style="list-style-type: none"> <li>Appointed an Executive Director, Child and Youth Safety who was tasked with coordinating the development of a Child and Youth Safety Plan</li> <li>Created volunteer and staff team to direct policy and procedure updates</li> <li>Organized Child and Youth Safety conference for senior volunteers and staff</li> </ul>
<b>STEP 5</b>	<b>COMPLETE A RISK ASSESSMENT</b>	
<b>Descriptor:</b> A risk must be known before it can be managed. Risk assessments measure and evaluate the potential for violence.		
<b>Scouts Canada Actions:</b> With the aid of the Child and Youth Safety Advisory Committee reviewed: <ul style="list-style-type: none"> <li>Screening procedures – identified gaps and implemented solutions including: all members over the age of 18 and youth under the age of 18 in leadership positions are properly screened</li> </ul>		<ul style="list-style-type: none"> <li>Policies – identified five new policies that were approved by the Board of Governors in May 2012</li> <li>Education materials – identified areas for improvement</li> <li>Training – added Child and Youth safety component and require 100% compliance training completion</li> </ul>

STEP 6   DEVELOP POLICIES AND PROCEDURES	
<b>Descriptor:</b> Organizations have responsibility to ensure appropriate policies to address violence including screening, code of conduct, harassment policy, child and youth protection policy.	
<b>Scouts Canada Actions:</b> <ul style="list-style-type: none"> <li>• Policies and procedures updated based on recommendations from Advisory Committee and approval by Board of Governors</li> </ul>	<ul style="list-style-type: none"> <li>• Thorough review ongoing of organization’s overall Bylaws, Policies and Procedures to coincide with new Child and Youth Safety policy and procedure changes</li> <li>• Developed workshops and tools for the field to ensure 100% compliance</li> </ul>
STEP 7   EDUCATE ADULTS, YOUTH AND CHILDREN	
<b>Descriptor:</b> Education increases knowledge and allows people to understand how to address violence.	
<b>Scouts Canada Actions:</b> <ul style="list-style-type: none"> <li>• Reviewed and adapted materials used by respected Scouting and youth-serving organizations</li> <li>• Developing age-appropriate child and youth educations tools</li> </ul>	<ul style="list-style-type: none"> <li>• Ongoing program review to include extended Child and Youth Safety programming</li> <li>• Continue to provide extensive and regular communications with audiences</li> </ul>
STEP 8   RESPOND TO DISCLOSURES	
<b>Descriptor:</b> Adults need to understand what they need to know, what they need to do and when they need to do it when a disclosure of violence occurs.	
<b>Scouts Canada Actions:</b> <ul style="list-style-type: none"> <li>• Partnered with organizations like Kids Help Phone</li> <li>• Continue to instill a culture of accountability/responsibility across organization</li> </ul>	<ul style="list-style-type: none"> <li>• Clearly defined procedures for volunteers and staff on how to respond to reports of violence</li> <li>• Provided staff with procedures on handling victim phone calls</li> <li>• Reviewed all abuse files and provided police with files that may not have been investigated</li> </ul>
STEP 9   MEET THE BARRIERS	
<b>Descriptor:</b> Creating safe environments can have societal, organizational or individual barriers. Organizations need to take concrete steps to overcome barriers.	
<b>Scouts Canada Actions:</b> <ul style="list-style-type: none"> <li>• Continue to foster a culture of safety within organization</li> <li>• Deployed new Child and Youth Safety training modules and new code of conduct</li> <li>• Enhanced structure around policies, procedures and compliance</li> </ul>	<ul style="list-style-type: none"> <li>• Developed new communications resources to encourage parental participation in Scouting</li> <li>• Developed educational tools, training and resources for children and youth, parents, volunteers and staff</li> </ul>
STEP 10   MAINTAIN SAFE ENVIRONMENTS	
<b>Descriptor:</b> Once systems are developed to create safe environments, it is equally important to maintain them.	
<b>Scouts Canada Actions:</b> <ul style="list-style-type: none"> <li>• Centralized management of policies and procedures</li> </ul>	<ul style="list-style-type: none"> <li>• Identified local volunteers to do audits and checks</li> <li>• Draft strategy for sustainability</li> </ul>

To monitor compliance with our Policies and Procedures in the field, we planned and completed by the end of March fifty random spot checks in each of our 20 councils. These visits and spot checks have been very useful to identify specific needs in the field for clarification around Child and Youth Safety policies and procedures and to reinforce the importance of the 100% screening compliance. We also explored the possibility of using the myBackCheck service to improve our speed and rigour in the reference checks process for new volunteer candidates.

In addition, the National Service Team held a session on compliance and submitted a request for advice from the Child and Youth Protection Advisory Committee on Police Reference Check and Vulnerable Sector checks.

In order to get a clear sense of the best practices in Child and Youth Protection, specifically for training and education materials, in-depth research was conducted among an extensive number of organizations including:

#### **Youth Services Organizations**

- Canadian Centre for Child Protection
- Children's Aid Society
- Commit2kids
- Kid's Help
- PREVNet
- Canadian Red Cross
- Save the Children
- myBackCheck.com
- Winning Kids Inc.

#### **Scouts Organizations**

- Boy Scouts of America
- Scouts Australia
- Scouting Ireland
- The UK Scout Association
- WOSM (World Organization of the Scout Movement)

We looked at their training and educational materials and identified excellent resources and material; some of these organizations expressed a clear desire to work with Scouts Canada and served as collaborators during the review process.



### **Child and Youth Safety Plan's Approval**

On March 20, 2012, the Board of Governors approved the Child and Youth Safety Plan to outline the initiatives Scouts Canada will be taking to ensure that

- We provide a safe and secure environment for the children and youth that have been entrusted to our care;
- Key internal and external stakeholders view our policies and procedures as best practices in the area of Child and Youth Safety.

The Child and Youth Safety Plan contains seven key elements and 30 action items (tactics), much of which requires coordinated action at both National Office and local levels, namely Councils, Areas, Groups, and Sections. The seven key elements of the plan are:

- Oversight and Management
- Historical Review
- Policies and Procedures
- Adult Screening
- Adult Training
- Child, Youth and Parent Education
- Internal and External Communications

Each tactic has been assigned to a specific responsible party with a reference timeframe—from 60 to 180 days—based on priority and the amount of work required.

A dedicated Child and Youth Safety Team was created to help build an organizational culture and commitment to member safety. The Team will also be responsible to oversee the design, execution and evaluation of Child and Youth Safety strategies and initiatives and its members will serve as key points of contact for Child and Youth Safety.

## The Child and Youth Safety Team is composed of:

### Members of the Board of Governors

- Steve Kent, Chief Commissioner
- Jessica Page, Vice Chair - Strategic
- Michael O'Connor, Board Member

### Members of the National Leadership Team

- Ian Mitchell, Acting ED, Child and Youth Safety
- J. Anderson, Deputy National Commissioner, Child and Youth Safety
- Andrew Price, Deputy National Commissioner, Volunteer Services
- John Petitti, Executive Director, Marketing and Communications

### External advisors

- Tim McNaughton, Council Commissioner, Greater Toronto Council
- Brenda Sweeney, Cub Leader, PR Professional

On May 5, 2012, the Board of Governors approved five new or revised policies related to child and youth protection:

- Code of Conduct (replacing Duty of Care)
- Bullying/Harassment Policy (new)
- Child Abuse and Protection Policy (revised)
- Employee Whistleblower Policy (new)
- Member screening requirements changes for all adults (revised to include mandatory child and youth safety training, code of conduct signed annually, etc.)

This section will be completed with additional information on the Child and Youth Safety Plan main tactics/action items implemented since May 2012 and planned for the remaining part of the year.

- Adult Screening
- Adult Training
- Child, Youth and Parent Education

We recognize that child abuse is unacceptably prevalent in all areas of Canadian society. As an organization committed to the well-being and personal development of youth, we take very seriously the opportunity to better prepare our members to stay safe in all domains of their lives.

To continue our efforts in keeping children and youth safe, we launched our Child and Youth Safety training program on June 1, 2012. This program is mandatory and must be completed by all volunteer members before they can be made active for the 2012–13 Scouting year and permitted to participate in Scouting activities.

In September 2012, we will introduce a number of youth educational programming packages, aimed at teaching youth how to stay safe and to open a dialogue about abuse. We have collaborated with the abuse education partners to develop a series of youth safety modules that will engage youth and their parents during regular section meetings through activities, games and take home activities that will reinforce positive messages which will help empower children and youth and support a culture of safety among all members of Scouting. For older youth, these modules include sections on peer to peer abuse. They will be delivered through our Scouting programs but will have application in all aspects of a child's life, including outside of Scouting.

## Child and Youth Protection Advisory Committee

### Child and Youth Protection Advisory Committee: Recommendations To Date

#### Excerpts from Meeting Minutes and Scouts Canada Response

Scouts Canada wants to ensure that its child and youth protection policies continue to set the highest possible standard. Therefore, in November 2011, they invited Peter Dudding, then CEO<sup>14</sup> of the Child Welfare League of Canada to chair a third-party panel of experts in child and youth protection and safety: the Child and Youth Protection Advisory Committee.

The Child and Youth Protection Advisory Committee was formed in December 2011 to perform a thorough review of all of Scouts Canada's policies and procedures related to child and youth safety. They were asked to make recommendations on any additional measures to ensure we meet today's realities, and, to the best of our ability, that we anticipate the needs of tomorrow.

The Committee's mandate has extended beyond advising on Scouts Canada's child and youth protection policies to include providing guidance on our training methods, curriculum and in-the-field implementation. Care was taken to ensure that the Committee was comprised of Canada's leading experts in child protection and abuse prevention including leaders from the fields of youth services, education, law enforcement and government.

### Members

Peter Dudding (Chair until June 13, 2012)

*Former Chief Executive Officer, Child Welfare League of Canada*

Jeremy Berland - Deputy Representative

*BC Office of the Representative for Children and Youth*

Lynn Barry - Director and Continuing Education Coordinator,  
*Canadian Society for the Investigation of Child Abuse*

Chief Gary Crowell (retired)

*Halton Regional Police Service*

Gordon Phaneuf (Chair), Acting Chief Executive Officer,  
*Child Welfare League of Canada*

Judi Fairholm - National Technical Director,  
*Canadian Red Cross*

Dr. Jean Yves Frappier, MD, FRCPC, MSc, Professor of  
paediatrics, *Université de Montreal and President,*  
*Canadian Paediatric Society*

*Please Note: At this time the Advisory Committee has not had a chance to review the KPMG report and recommendations or to assess the thoroughness of Scouts Canada's response. Scouts Canada has asked the Committee to undertake this work and to continue to provide their expert advice on implementation of revised policies, procedures and oversight. The Committee has strongly recommended to Scouts Canada that sufficient time be taken to ensure a comprehensive approach is taken and to report back regularly to the public on these measures.*

### Mandate

The purpose of the Child and Youth Protection Advisory Committee is to provide advice and make recommendations to the Board of Governors of Scouts Canada regarding all child and youth protection policies and related programs provided by Scouts Canada.

More specifically, the Committee's task is to:

- Review current policies and procedures. Collaborate with Scouts Canada to revise and develop programs with the highest standards of prevention and protection for participating children and youth;
- Review all related documents provided to children/youth, parents, leaders, volunteers, and staff;
- Review the report of the Historical File Investigation by KPMG;
- Collaborate with Scouts Canada and external academics, service delivery partners and stakeholders to develop information on current leading practices in child and youth protection;
- Collaborate with Scouts Canada to ensure that information collected by Scouts Canada is consistently and effectively applied for continuous improvement; and
- Collaborate with Scouts Canada to develop strategies to implement the recommendations emanating from the Committee.

The Committee operates at arm's length from Scouts Canada and is supported by Scouts Canada's Executive Commissioner and CEO, the Chair of the Board of Governors and Chief Commissioner, and the Executive Director Child and Youth Safety.

### Process

The Committee commenced its work with a thorough review of all Scouts Canada's material pertaining to child and youth safety. It reviewed governance, policy and programming documents such as Scouts Canada's Bylaw, Policies and Procedures (BP&P), Duty of Care, and Operating Procedures and focused on five core areas:

- Policy Review
- Screening
- Training
- Education
- Communication

<sup>14</sup> On May 28, The Child Welfare League of Canada announced the departure of its Chief Executive Officer, Peter Dudding. He also resigned from his role with the Committee on June 13, 2012 and was replaced by Gordon Phaneuf, acting CEO with the League.



The Committee reviewed Scouts Canada's 90-day work plan to address the numerous priorities and contributed to the implementation of the plan as advisors, providing professional advice and conducting research to support Scouts Canada's Child and Youth Safety effort.

Committee members referred Scouts Canada to numerous outside agencies and were educated on other Scouting organizations during this process. All agencies and Scouting organizations were willing to share their policies, child safety information, educational materials, screening, and training criteria with Scouts Canada, providing a wealth of knowledge for review. To list just a few that participated:

- Canadian Red Cross
- Big Brothers Big Sisters of Canada
- Hockey Canada
- Can Society for Investigation of Child Abuse
- Canadian Centre for Child Protection
- Child Welfare League of Canada
- PREVNet
- World Organization of the Scouting Movement (WOSM)
- Boy Scouts of America
- Scouting Ireland
- The UK Scouting Association
- Scouts Australia



## Committee's Recommendations and Scouts Canada Response

The following sections provides a summary of the Committee's recommendations, and the actions that Scouts Canada is taking to address these recommendations. The are drawn from the minutes taken of conference calls and face-to-face meetings. At this stage in its engagement with Scouts Canada, the Committee has focused on four key areas: Updated and New Policies, establishment of a Victim's Advisory Group, Volunteer Screening and Volunteer Training.

### Updated and New Policies

#### *Code of Conduct*

- The Committee's review of the Code of Conduct Policy—an update to Scouts Canada's existing Duty of Care—resulted in numerous suggestions that will help shape the policy into a "living" document that can play a greater role in sustaining a culture of safety.
- It is currently part of the Scouting youth section program to draft a Code of Conduct at the beginning of the Scouting season. The Committee advised that this represents an opportunity to introduce the new Code of Conduct document as the consistent model for this activity for the coming Scouting year.
- The Committee recommended that Scouts Canada consider incorporating their Code of Conduct with their Duty to God, Duty to Self and Duty to Others principles.
- It was recommended that the Code of Conduct should be signed by each member annually, that the items covered in the Code of Conduct should be read and understood by each member, and they should commit to be accountable for them.
- The Committee noted that there was no section found in the Code of Conduct that mentioned website and social networking. In a time where the web and social media are dominant and play a huge role in the lives of youth it can be considered a major risk factor. It was recommended that a section on Web and Social Media should be introduced into Scout Canada's new Code of Conduct.

## Scouts Canada response

- On May 5, 2012, Scouts Canada's Board of Governors approved five new or revised policies related to child and youth protection including a Code of Conduct, replacing Duty of Care. While the principles have not changed, the Code's standards have been modified to reflect a Scouter's personal commitment to upholding the Policy. Moving forward, the Code will be signed by each volunteer member annually.

## Alcohol, Drugs and Smoking Policy

- The Committee recommended that this policy should be reviewed by legal counsel to refine its language. It should be simplified and written in a more direct style. The Committee also recommended that this policy could be integrated into the Duty of Care document.
- An example of an all-encompassing phrase the Committee has proposed is: It is inappropriate for any Scout leader or volunteer to smoke in front of or expose youth to second hand smoke.

## Scouts Canada response

- Scouts Canada is drafting a Drug and Alcohol Policy consistent with the Committee's recommendations for approval by the Board of Governors.

## Bullying and Harassment Policy

- The Committee advised that that this represents an opportunity for Scouts Canada to become true champions in the areas of bullying and harassment, but found that the current Policy lacks the detail and precision required to achieve that. One example would be the incident reporting process, which is currently lacking in detail. Given the significance and impact of bullying among both youth and adults, the policy should be examined carefully. Scouts Canada consulted with Promoting Relationships and Eliminating Violence Network (PREVNet), who developed the new policy approved by Scouts Canada's Board of Governors in May 2012.
- The Committee's main concern with this Policy was that it lacked defined terms that would lend greater meaning to the document, and hence greater value. It recommended that terms like bullying, harassment and abuse should be defined. The victim, instigator and perpetrator should be defined as well and an emphasis on the definitions of witness and bystander are crucial when dealing with bullying. Bullying is a difficult issue to deal with and there are many types—youth on youth bullying, adult on adult, adult on youth—and many venues where it can occur.

- Concerns were also raised that the Policy is overly complex and needs to be simplified. The Red Cross has already partnered with Scouts Canada in Alberta on issues like these and it is suggested that Scouts Canada adapt Red Cross resources and use them as a model, applied consistently across Canada.
- The Committee recommended that Scouts Canada explore working with PREVNet, an organization that can apply surveys to measure bullying in Scouting and create a baseline against which to measure. It proposed that there is a strong opportunity to create an education piece on bullying and become leaders on the issue.

## Scouts Canada response

- On May 5, 2012 Scouts Canada's Board of Governors approved a revised Bullying/Harassment Policy. The new policy is consistent with the Committee's recommendations.



Scouts Canada's Child and Youth Safety Web pages link parents with a range of child safety resources.

## Whistleblower Policy

- Overall the Committee found that the document was very employee/corporate focused and contained mixed metaphors switching between employee and volunteer language. The Committee recommended that the policy be reorganized and structured for a more volunteer oriented Scouts Canada or separate policies for employees and volunteers. A policy for employees was drafted and approved by Scouts Canada's Board of Governors in May 2012. A policy for volunteers is to be developed in the coming year.



*On December 8, 2011, Chair of the Board & Chief Commissioner Steve Kent expressed Scouts Canada's commitment to openness and transparency.*

- This Policy would also benefit from greater detail and precision, advising that it must make clear who the whistleblower is, who he/she is talking to and at what level. Definitions are also needed to help the audience understand the difference between a complaint and an allegation.
- The Committee also found that the Policy must present a defined reporting process that anticipates Scouts Canada's complex organizational structure and places greater emphasis on the issue of confidentiality and the associated concerns.

#### Scouts Canada response

- On May 5, 2012, Scouts Canada's Board of Governors approved a new employee whistleblower policy. The policy was refined to respond to the Committee's concerns and recommendations. A volunteer whistleblower policy is currently being developed.

#### Child Abuse Policy

- The Committee recommended that this Policy should stem from the Code of Conduct and should clearly define Scouts Canada's stance within the context of Canadian law.
- The Committee recommended the inclusion of more detail defining the types of allegations and the type of Scouting member the allegation is against (volunteer, staff, youth...). It also recommended that the Policy place greater emphasis on the individual's duty to report and to how the reporting process against volunteers or staff might differ.

- The Committee urged Scouts Canada to engage someone with experience to draft child abuse prevention policy to complete this task.
- The Committee advised that it would be prudent to have a policy for victims when they come to Scouts Canada for help. Scouts Canada now offers and arranges counseling for victims who ask for it, but there is no policy in place to follow or a plan that describes who gets counseling, how long it is offered for or where the funding comes from. This should be looked at in greater detail and a formal policy should be written.

#### Scouts Canada response

- On May 5, 2012, Scouts Canada's Board of Governors approved a revised Child Abuse Policy and Procedures. The new Policy has been drafted to incorporate the Committee's recommendations. A formal Victim Support policy is in development and will be finalized in the new Scouting year.

#### Volunteer Screening

##### Vulnerable Sector Check

- The Committee noted that the key strength of the Vulnerable Sector Check (VSC) is that it checks against the pardoned sex offender database—a database of over 15,000 individuals who have been pardoned. The VSC does not check the child abuse database or pedophile and sex offender registry. The Police Record Check (PRC) searches criminal and local records but does not check against the pardoned sex offender's database.
- There was considerable discussion as to the pros and cons of continuing to use the Vulnerable Sector Check, but the Committee recommended that Scouts Canada continue to require the VSC as a part of their screening process when members first join or return after an absence that exceeds the three year PRC/VSC renewal. While the Committee felt that the VSC does not offer a great deal of value to the screening process, and can sometimes be burdensome to the volunteer, the implications of no longer requiring it could potentially undermine Scouts Canada's Child and Youth Safety standards.
- The Committee confirmed that Scouts Canada policy of getting PRCs re-checked every three years is adequate, but emphasized that a section on self-disclosure is an important step that should be formalized as part of the screening process. The annual performance review of a member plays a crucial role as the character check while they are in between their three-year check. A self-disclosure step or reporting clause on the evaluation would be a good way to not only check in on a member but also give them a chance to report on anything that may be troubling them.

## Scouts Canada response

- Scouts Canada will continue using Vulnerable Sector Check (VSC) in combination with the PRC. However members who have completed VSC once will not be required to repeat it when they are being re-screened every three years unless they have been absent from Scouting for a period exceeding three years.

## Finger Printing

- The Committee recognized that finger printing has created a significant backlog in processing back checks: The system flags anyone who has the same name and gender or birth date as an individual in the database. The result is that a large number of people are flagged as 'potential' offenders. Due to the time and cost associated with the process, approximately one third of potential volunteers abandon the process.
- The Committee recommended that if a potential volunteer is awaiting their Vulnerable Sector Check, that Scouts Canada can manage the risk of having them serve actively for a limited time. If the candidate has cleared their PRC and awaits only their VSC, then they should be allowed to volunteer as long as they are in the presence of two fully screened volunteers.

## Scouts Canada response

- Moving forward, Scouts Canada will follow the Committee's recommendation.

## Reference Checks and Interviews

- The Committee recommended that reference checks must be explored in greater detail, with the questions asked of references reevaluated. It also advised that written reference checks are problematic as many people are reluctant to put negative thoughts in writing, and this may influence references to highlight only the positive in their comments.
- The Committee recommended that Scouts Canada's reference check process include clearly-defined parameters for acceptable references.
- The Committee recommended that the volunteer interview guide be more specific about the questions that are asked and advised that it is not acceptable to have a broad and grassroots volunteer base responsible for conducting interviews. A consistent approach should be applied across Canada whereby a staff member or a select number of experienced/senior volunteers are well trained and tasked with the interview process. Alternatively, it could be outsourced to a third-party organization.

- The Committee advised that Scouts Canada needs to document a detailed process for screening that can be accessed for easy reference. It found that Scouts Canada's current screening process has many components that seem segregated and complex, recommending that more thought be devoted to the structure of the process and that some single authority within Scouts Canada needs to take ownership of it.

## Scouts Canada response

- Scouts Canada is committed to ensuring not only that the youth in our care are protected and safe, but that the Scouters we recruit to serve as leaders and mentors are of the highest possible caliber. The rigor of our interview and selection process for prospective volunteers is critical to safe Scouting, and is also critical to delivering on our promise of value to our members and their parents.
- To facilitate our selection of the best fit for the role, we have implemented numerous updates to the interviewing process. Specifically, teams of interviewers will be required at the Area level and trained in interviewing techniques Area by Area, Group by Group, we will identify and recruit these resources and have interview teams in place for the fall.
- Additionally, the process of reference checking will be contracted out to a third-party company which specializes in this area. This will allow greater rigor in the process as well as shortened timelines for completion. Scouts Canada intends to sign a contract with myBackCheck.com before the end of June 2012 to assist in this area.



*Scouts Canada partners with leading Canadian youth safety organisations like Kids Help Phone.*



## Volunteer Training

Following a review of the Scouter Training Framework for Child and Youth Safety, the Committee expressed concern over some of the content presented. A substantial training plan for an issue as significant as child protection and safety requires a comprehensive approach that addresses both the strategic and operational goals of the training curriculum.

Specific recommendations that the Committee made related to Child and Youth Safety training included:

- A discussion about the cultural change required to achieve sustained success;
- A discussion about the barriers to reporting and strategies for overcoming them;
- A complete and integrated curriculum, with an evaluation piece;
- Stronger focus on Scouts Canada's policies related to reporting; and
- An introduction to Healthy Relationships piece — possibly drawn from the PREVNet curriculum.

The Committee expressed a degree of concern over the quality and expertise in the proposed “train the trainer” module of the program. It advised that in practice, the further an organizational network is distanced from the original trainer and content expert, the more diluted the content can become. Trainers and trainees will likely raise issues that require a content expert and there may be attendees who have experienced abuse and require professional support. Based on the Committee’s concerns, Scouts Canada replaced the “train the trainer” model with an e-learning model for the initial phase of the enhanced training program.

## Scouts Canada response

- Scouts Canada committed to including a comprehensive introduction on the topic of abuse in the e-learning module, and to reinforcing the Duty to Report. The Committee concurred that the e-learning format can support easy and direct access by members, and also found that it would support compliance and accountability in that Scouts Canada will be able to immediately identify each member’s training status.



Child and youth safety resources are developed based on an international best-practice review of youth services organizations.

In order to facilitate the reading of Scouts Canada's Child and Youth Safety Update document, here is a list of definitions of words, expressions and acronyms that have a specific meaning within Scouts Canada and more specifically in relation to the matters addressed in this document.

## Scouts Canada Organization

Scouts Canada is a volunteer driven organization with a permanent staff of about 240 managers and employees located at the Ottawa National Office and regional offices located in several provinces. A significant number of the leadership positions are matched with one volunteer, such as the Chief Commissioner and Chair of the Board of Governors (Steve Kent) and a paid staff, such as the Executive Chief Commissioner and CEO (Michael McKay).

The Corporation of Scouts Canada is governed by a Board of Governors and administered and managed by the National Leadership Team.

**Board of Governors:** The Board of Governors is chaired by Steve Kent, Chief Commissioner, and is composed of 20 members including the Executive Commissioner and CEO who is not a voting member.

**Council:** Council is used to collectively describe the membership of Scouts Canada in a geographic area. Since June 2003, as mandated by the updated By-Law 2, there are 20 Councils from coast to coast. A Council's prime focus is membership development. Councils also provide Areas with support in the delivery of program activities, including the recruitment of youth, starting new Groups and program support.

**Area:** A Council may designate any area under its jurisdiction as a Service Area. The prime focus of a service Area is program delivery, service and support of Scouts Canada's program.

**Group:** A Group is chartered by Scouts Canada to operate and deliver one or more program Sections while ensuring that all Scouts Canada's policies, procedures and processes are implemented and carefully monitored in each of their sections. The Group Commissioner is responsible for ensuring leaders have training specific to their roles.

**Section:** A Section is a subdivision of a Group based on a program of Scouts Canada, including Beaver Scouts, Cub Scouts, Scouts, Venturer Scouts, and Rover Scouts.

**National Leadership Team:** Chaired by the Chief Commissioner, the National Leadership Team is composed of volunteer Deputy National Commissioners, the Executive Commissioner and CEO, and National Office Executive Staff.

**National Service Team:** Chaired by the Chief Commissioner, the National Service Team is comprised of Key 3s from all Councils (Council Commissioner, Council Youth Commissioner and Council Executive Director) and the members of National Leadership Team.

**The three leading positions in each Council (Key 3) are:**

- Council Commissioners
- Council Executive Directors
- Council Youth Commissioners

**Council Youth Safety Commissioner:** a new position created by the Board of Governors for each council as part of the Child and Youth Safety Plan.

**Area Commissioner:** volunteer leader in charge of the area.

**Child and Youth Protection Advisory Committee –** Advisory Committee to Scouts Canada, created in December 2011, initially chaired by Peter Dudding, CEO, Child Welfare League of Canada, and composed of six external advisors with a strong expertise in Child and Youth Safety.

**Child and Youth Special Task Force:** Committee set up on January 22, 2012 and composed of members of the Board of Governors, related volunteers, and senior executives with the mandate to develop a 90-day Child and Youth Safety plan.

**Child and Youth Safety Plan:** The plan, approved by the Board of Governors on March 20, 2012, contains seven key elements and 34 action items (tactics), much of which requires coordinated action at both National Office and Field levels

**Executive Director Child and Youth Safety:** new senior staff position created by the Board of Governors in January 2012 — to focus solely on Child and Youth Safety.

**Child and Youth Safety Team:** created by the Board of Governors on March 20, 2012, to oversee the design, execution and evaluation of the Child and Youth Safety strategies and initiatives identified in the Child and Youth Safety Plan.

# APPENDICES



## Appendix 1 – Scouts Canada’s Child and Youth Safety Partners

Boy Scouts of America  
[www.scouting.org](http://www.scouting.org)

Big Brothers Big Sisters Canada  
[www.bigbrothersbigsisters.ca](http://www.bigbrothersbigsisters.ca)

Canadian Centre for Child Protection  
[www.protectchildren.ca](http://www.protectchildren.ca)

Canadian Red Cross  
[www.redcross.ca](http://www.redcross.ca)

KidsHelpPhone  
[www.kidshelpphone.ca](http://www.kidshelpphone.ca)

MyBackCheck  
[www.mybackcheck.com](http://www.mybackcheck.com)

PREVNet  
[www.prevnet.ca](http://www.prevnet.ca)

The Scout Association (UK Scouting)  
[www.scouts.org.uk](http://www.scouts.org.uk)

Scouting Ireland  
[www.scouts.ie](http://www.scouts.ie)

Winning Kids  
[www.winningkidsinc.ca](http://www.winningkidsinc.ca)

World Organization of the Scout Movement (WOSM)  
[www.scout.org](http://www.scout.org)

## Appendix 2 – References

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2. Sexual Offences Against Children in Canada: Summary of the Report of the Committee on Sexual offences against Children and Youths appointed by the Minister of Justice and Attorney General of Canada and the Minister of national Health and Welfare, Government of Canada , 1984. Robin F. Badgley, Ph.D., professor Dalla Lana School of Public Health, University of Toronto, was Committee Chair.  
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3. Sexual Abuse and Exploitation of Children and Youths: A factsheet from the Department of Justice Canada, published in 2005 and updated since.  
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10. Volunteer Canada – Screening – What is screening?  
<http://volunteer.ca/screening>  
<http://volunteer.ca/topics-and-resources/screening/workbooks-and-resources>
11. Screening Background, Volunteer Canada website  
<http://volunteer.ca/topics-and-resources/screening/background>
12. Canadian Police Information Centre  
<http://www.cpic-cipc.ca/English/index.cfm?CFID=2831805&CFTOKEN=88788955&jsessionid=bc30954621339268381232>
13. Safe Steps: A Volunteer Screening Process – Volunteer Canada 2001  
<http://volunteer.ca/files/SafeSteps.pdf>
14. On May 28, 2012, the Child Welfare League of Canada announced the departure of its Chief Executive Officer, Peter Dudding. He also resigned from his role with the Committee on June 13, 2012 and was replaced by Gordon Phaneuf.  
[www.cwlc.ca/sites/default/files/Member%20Announcement%20-%20CWLC%20Announces%20Departure%20of%20PD%20-%20May%202012%20-%20FINAL\(1\).pdf](http://www.cwlc.ca/sites/default/files/Member%20Announcement%20-%20CWLC%20Announces%20Departure%20of%20PD%20-%20May%202012%20-%20FINAL(1).pdf)



## Appendix 3 – Child and Youth Protection Advisory Committee

### Work Plan Outline and Meetings

The Child and Youth Protection Advisory Committee held its first conference call in December 2011. Chief Commissioner Steve Kent took that initial opportunity to present an overview of Scouts Canada and discussed the volunteer screening process that has been in place since the mid 1990s and some of the challenges associated with the driving role of volunteers. Several other themes were also discussed including Scouts Canada's accountability and monitoring structure, the Child and Youth Protection Advisory Committee Terms of Reference, and the schedule of the next conference calls. The Committee also submitted a Work Plan Outline of the documents that Scouts Canada intended to follow.

The Child and Youth Protection Advisory Committee held four conference calls from January to the end of March and a face-to-face meeting on April 2–3. It was agreed from the outset that the main role of the Committee was to review and provide comments on the documents listed in the work plan outline. However, the Child and Youth Protection Advisory Committee expressed its intent to look at any additional documents containing information on Scouts Canada's child abuse and neglect policies.

During its February 1<sup>st</sup> call, the Child and Youth Protection Advisory Committee asked to see a roadmap of the 90-day plan and discussed how it would relate to the Committee's assignment. Chair Peter Dudding clarified the difference between Child and Youth Protection versus Child and Youth Safety, explaining that in his view, the Child and Youth Protection Advisory Committee would do more than review policies and procedures related to abuse of children and youth and would help develop a broader policy on youth protection involving issues such as bullying and harassment.

The Chair also informed the Child and Youth Protection Advisory Committee that another working group had been formed to focus on the review of Scouts Canada By-Laws, Policies, and Procedures document, with the Executive Director Child and Youth Safety, Ian Mitchell, ensuring liaison between the two working groups.



On February 22, the Child and Youth Protection Advisory Committee was presented with an overview of where KPMG was going with their audit and made several comments on the need to clarify the suspension and termination rules and processes, deal with child and youth abuse files in a professional, rigorous and dedicated manner and regulate procedures across the country. The Child and Youth Protection Advisory Committee also received an updated version of the policy review document. Several matters were discussed and the Committee members offered suggestions and comments.

On March 21, the Child and Youth Protection Advisory Committee was informed that the Board of Governors had approved the Child and Youth Safety Plan the previous day. The Chief Commissioner Steve Kent thanked the Child and Youth Protection Advisory Committee for their advice and input and recalled that its final report would represent a significant contribution to Scouts Canada's Child and Youth Safety strategy. He also emphasized that the Child and Youth Protection Advisory Committee would also play a major role in the 90-day plan as key advisors and partners to the various action items presented. In addition, it would review the KPMG report and offer recommendations as well as identify where Scouts Canada has closed the gap and where they need to improve.

The Child and Youth Protection Advisory Committee held a very productive meeting in Ottawa on April 2 and 3. Clear concern emerged over how the plan would be implemented in the field, where it would be difficult to bring about culture change. To address this very serious issue, each Council will appoint a volunteer, ideally with a background in child and youth safety, as Deputy Commissioner of Child and Safety. In their role, the commissioners will help to create a network and play a key role in implementing the plan at the grassroots level.

The Child and Youth Protection Advisory Committee agrees that the topics associated with youth safety will prove challenging for Scouts Canada and many barriers will need to be first identified and then planned around. There is also a great opportunity to develop a strong education plan for youth.

The Child and Youth Protection Advisory Committee took a further look at the 90-day plan and expressed several questions and comments regarding specific tactics, timelines associated with each element and reporting and quality assurance involved in developing it. Committee members made several recommendations based on similar situations they had experienced in other organizations.

The Child and Youth Protection Advisory Committee then discussed the idea of a Victims Advisory Group, the KPMG review, file management and responsibility; information shared with Boy Scouts of America, and asked questions about and commented on each of the drafts of new/revised policies.

The Child and Youth Protection Advisory Committee suggested that the Code of Conduct should be signed by each member annually. The Committee also looked at the differentiation between the Police Record Check and the Vulnerable Sector Check, and discussed reference checks and interviews, the need for getting re-checked every three years, youth membership, and the scouter training framework, content and delivery mechanisms.

Although the Child and Youth Protection Advisory Committee's work was originally meant to extend over four months, the members agreed that it was too soon to disband and preferable to stay on longer to see the plan through to its completion. Although they believed that Scouts Canada was on the right track, the current plan could only be considered Phase One in the process. It was clear to them that they were still far from achieving their goal of making Scouts Canada a leading example for child and youth safety.

Scouts Canada was pleased to learn that the Child and Youth Protection Advisory Committee would continue to support the implementation of its Phase One Child and Youth Safety Plan and the development of a more comprehensive Phase Two Plan.







**It starts with Scouts.**

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