Contact Log

Type **Regular**	Purpose **Case Activity**
Author **Tara Macdougall**	Source **Ongoing Case - 7502509**
Start **30/07/2019 17:29**	End **30/07/2019 17:29**

Narrative

Narrative
Tara Macdougall On 30/07/2019 17:30

From: MacDougall, Tara
Sent: July-30-19 5:29 PM
To: Wade Smith <[redacted]
Subject: CAS v Moore and Kiska

Hello Wade and Debora,

who is the CAS's client?

I am writing to convey that my client has instructed me to proceed with a Status Review Application in CYFSA court seeking a s. 102(1) custody order to Mr. Kiska, with access to Ms. Moore to be at Mr. Kiska's discretion.

I wish to clarify some points that were raised in our meeting and you have mentioned below, in order to be fully transparent.

1. The Society cannot and can never confirm that any matter has a certain probability of success occurring in our court versus family court. Our decision to proceed in CYFSA court is not at all based on this assumption. I am concerned that information to the contrary has been shared with your client.

2. At this time, the Society will be applying for and is in support of, the order as stated above. However, as Ms. Guindon attempted to impress upon Mr., Kiska and yourself in the meeting, as long as the Society is involved, we have an obligation to work with both parents to mitigate child protection concerns such that our intervention is no longer warranted. As such, we will continue to reach out to Ms. Moore to attempt to assist her with her mental health issues such that she can get well. Until we get a final order, the Society would be required, if Ms. Moore were to seek treatment and demonstrate stability and insight etc., to reconsider our position on access, and increasing her role with the children, if it were in their best interests to do so.

I wish to make it clear that the Society must always work with both parents, and must continually reassess any plan a parent presents for their children, up until the time a final order is made.

3. We are choosing to proceed in the matter we have due to the ongoing serious concerns with Ms. Moore's mental health, as well as the information you shared that 1) Ms. Scholey was not appointed in the family context and 2) the family trial would include additional factors beyond custody and access and therefore the focus would not squarely be on the children's' best interests, as it would be in a SRA in CYFSA court. I did not share counsels' optimism that we would obtain a final order in CYFSA court by November 2019, though with Ms. Moore's arrest and detention on criminal matters, this is exponentially more likely now.

We remain committed to supporting the family during this difficult time. I know Mr. Said has enjoyed working with your client immensely, I do hope that their relationship will continue to be productive despite the frustrations Mr. Kiska has felt towards the Society as we considered our position on the upcoming status review.

Mr. Kiska, Ms. Moore and Ms. Scholey will receive our SRA in the next couple days, I can provide you will a courtesy copy if you wish.

Tara

Tara MacDougall

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