

# Voice of the Child Report

## Information for Parents and Lawyers

### **What is the Voice of the Child Report (VCR)?**

A Voice of the Child Report is a non-evaluative report prepared after meeting with the children of parents who are trying to resolve parenting issues or develop a parenting plan. Any party (parent/guardian), lawyer, or Judge can request the preparation of a VCR at any point in the process of dispute resolution services or litigation. However it is at the discretion of the trained VCR practitioner and the child whether the report is completed.

In Ontario, children have the right to be heard when decisions are being made about them (i.e. United Nations Article 12; Divorce Act revised January 2020; CLRA Section 24 (2)(b), CYFSA)

Obtaining a VCR can help the parents learn about the child's views, perspectives, wishes, concerns and preferences, for consideration in negotiation, mediation, litigation and other dispute resolution processes. A VCR can be very useful at any point to allow the parents to gain a better understanding of the child's views and needs, and assist with settlement. Further, it saves the child from having to share sensitive information directly to the parents, or to the Court. It can also delete the need for a full parenting assessment.

Most parents appreciate hearing their children's views and agree that it is in the children's best interests to be heard. Parents often appreciate that the Report is about what their child had to say, and is not a full custody and access assessment about the strengths and limitations of each parent's parenting abilities.

VCR's can be most useful when there are minimal complex 'clinical' issues (e.g. mental health, addictions, child abuse, etc.). If complex concerns exist, a more in-depth custody and access assessment may be more appropriate.

In confidential meetings/interviews, the trained VCR practitioner allows the child to determine what information is shared with the parents and what is not to be shared. Such assurances of confidentiality can encourage children to be more comfortable and open to sharing. Most children want to have their voice heard and considered.

A VCR is NOT completed when there are criminal charges against a parent and where the child might have to testify in criminal court; or, there are criminal charges against a parent and bail conditions prohibit contact with the child; or, if there is any other legal reason; or there is a recently completed child custody and access assessment under the C.L.R.A. s. 30 or a clinical investigation under the C.J.A. s. 112; or, if it's thought that there may be repercussions to the child for participating. The discretion for completing the VCR remains with the trained VCR

professional and the child. A VCR will only be completed if both parties (parents/guardians) consent and there is consent for participation from the child. As with any meeting with a child, disclosures about any safety issues or potential safety issue must be reported to child protection authorities.

Each parent is required to complete an Intake Form, describing their perspective on the issues in dispute and information about the children. If the VCR has been court ordered, a copy of the court order must be submitted.

VCR's are limited in scope and do not constitute an assessment or investigation of any kind. Collateral information is not sought, nor are recommendations made by the interviewer.

### **How Does It Occur?**

The trained VCR practitioner will determine with each parent, where and when the meetings shall take place. Each child shall be brought to the meetings by each parent and there shall be at least two meetings with each child. Children are seen individually and not with siblings in the room. Sometimes the interviewer may need to meet with the child online or by telephone if circumstances limit face to face meetings. The meetings are typically one hour or less depending upon the child. The child must be afforded privacy.

### **What to tell the child about it?**

- You don't need to say much.
- What you should say must be simple and not about the other parent or what you want.
- You want to show that you are supportive of the child sharing his/her own thoughts and feelings and not those of either parent.
- You should not blame the other parent or say bad things about the other parent.
- Don't ask the child to keep secrets
- Don't talk about the court case or anything related.
- Do not influence your child or force the child to give information.
- Don't promise your child something for participating or sharing certain information.
- And, of course, do not influence or threaten the child.

You might say:

"Your \_\_\_\_ and I (or Judge) thought it may be helpful for you to meet with a special person who works with children when parents separate and divorce. This person would like to know what your thoughts and feelings are so that person can help us to come up with a plan that works for everyone."

"You won't be asked to choose between us."

“It gives you an opportunity to share with someone other than us, where you can say what you want to say”

“The special person will only tell us (or the lawyers/Judge) what you want us to know.”

### **When the meetings are completed?**

Don't ask the child what was asked of them or what they said.

The Professional will write a Voice of the Child Report or share the information verbally. The Professional will only share what the child is comfortable sharing.

The report may include basic factual information, the child's shared information, information about the child's maturity and ability to provide information, and observations of the child. What is shared with the parents is at the discretion of the child, and the Professional. If there are any concerns that what is shared may be detrimental to the child, the Professional may terminate the process and/or not share information.