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(Student Name)

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**Regulating Families into Compliance – An Institutional Ethnography of Supervised  
Visitation in Ontario**

Practice-based Research Paper

Vidita Singh

Faculty Advisor: Dr. Anne O’Connell

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### **Abstract**

ABSTRACT: Using ethnographic observation, this research paper investigates the work practices of a supervised visitation site in Ontario. Supervised visitation sites are used by families in high conflict divorces where children and their parents can meet for visits or exchanges under the supervision of “neutral” Staff who document their interactions in observation reports. These organizations are mandated by the Ministry of Children, Community, and Social Services and use discourses that state the environment is safe, neutral, and child-focused. Using Dorothy Smith’s Institutional Ethnography (IE), the researcher adopts the standpoint of a Site Observer or worker faced with the problematic: how can we understand safety, neutrality, and child-focused in locked spaces that require high levels of documentation, surveillance and reporting? Through extensive field notes, I map out the spaces used, the forms workers fill out and where they go, and the reporting structure, with special attention given to the visitation centre’s Service Agreement. My analysis of the ruling relations, that link local activities to institutional power show that the agency is not as safe, neutral, and child-focused as it claims to be. Instead, I discover: (1) safety is synonymous with security, (2) neutrality is enforced through compliance (non-compliance is managed by Staff), and (3) “child-focused” is limited to micro-level interactions. The findings argue that workers engage in multiple, overlapping work processes, identified as documenting, observing, communicating, tracking time/movement, and enforcing/referencing policy. These findings emphasize the need for policy and program changes that are more trauma-informed, choice-based and psychologically safe.

## CHAPTER ONE: INTRODUCTION

### **Introduction to Supervised Visitation in Ontario and Positionality as Researcher**

Families can be considered highly complex - family members may love each other and share beautiful moments but they may also argue and fight with one another. Family systems theory posits that all family members are interconnected and what happens to one family member, affects the others (Hardesty and Chung, 2006). In Canada, divorce rates resulting in child access disputes have steadily increased since the 1990s, which was also the time that the supervised visitation program in Ontario was piloted (Allen, 1998; Park et al., 1997). In 2019, there were about 104,000 police-reported family violence crimes in Canada and 107,810 reported victims of Intimate Partner Violence (IPV) (Statistics Canada, 2021). Family violence and IPV remain ongoing public health issues in Canada.

When families become characterized by violence and dysfunctionality, supervised visitation programs are often offered by family courts as a short-term solution to the violence. Children's exposure to violence has been well established in the literature to have detrimental effects on their social, emotional, and psychological well-being, as well as their relationship to the parent perpetrating violence or harm (Russell et al., 2016; O'Hara et al., 2019; Turhan, 2021). In cases of domestic violence, no-contact orders, or other safety concerns in Ontario, supervised visitation programs offer a remedy that the Canadian family courts deem to be preferential when mediation is not an option. Families can be referred or court-ordered to use supervised visitation temporarily or up until the time the child reaches eighteen years of age if there are psychiatric problems, alcohol and substance use, prolonged periods of separation between the parent and child, and high levels of conflict between parents (Kelly, 2011; Park et al., 1997).

My positionality as the researcher for this study is directly connected to the standpoint I use to inform this paper: a Site Observer or supervised visitation worker. I have worked as a placement student and employee at a supervised visitation centre in Ontario for the past 3 years. I worked in both a virtual, hybrid, and in-person capacity during COVID-19 and afterwards. In my role as a Site Observer transcribing visits and exchanges between parents and their children, I have witnessed and taken part in the ways in which parents, children, mothers, and fathers are constructed, treated, and viewed in these settings. Kelly (2011) notes that Canadian judges protect children's rights to meaningful relationships with their parent even when both parents are separated and they may do this through supervised visitation if there are safety concerns. I am interested in the effects of using supervised visitation when many programs in Ontario claim that the goal is to rebuild parent-child relationships and how the program operates to achieve that goal, as well as its effectiveness. The purpose of this research study is to contribute literature from a critical social work perspective to the topic of supervised visitation, as it is often only written about from legal and socio-legal perspectives, which do not consider the lasting impacts on children, parents, and families.

### **Purpose and Relevance of Research**

The research topic I chose is supervised visitation programs and their policies in Ontario. The purpose of supervised visitation is to provide a safe, neutral, child-focused and accessible environment for parents and children to visit one another under the supervision of neutral, third-party staff members (Park et al., 1997 and Straus and Alda, 1997). The staff ensure there is no face-to-face or conflictual contact between the custodial parent who drops the child off to the centre, and the non-custodial or visiting parent who arrives before the other party. Supervised visitation is often ordered by the court for children to use as young as from their birth, up until they turn eighteen years old, if there are psychiatric problems, alcohol and substance use, prolonged periods of

separation between the parent and child, and high levels of conflict between parents (Kelly, 2011; Park et al., 1997). Ontario supervised visitation programs specifically outline that they do not provide therapy, counselling, referrals, or parenting skills programming because it is provided as a neutral service (Lens, 2019; Park et al., 1997). Neutrality it seems, is perceived as being free from therapeutic or parenting education programs, or in other words, free from additional supports for families.

The research problem I sought to explore was a general question because discoveries made during Institutional Ethnography are often revealed in the later stages of the research. This study is interested in exploring: what type of environment does supervised visitation create for service users and staff? Other questions to consider during this process include how the environment constructs or shapes parent-child relationships and how the program policies re-construct power in regards to surveillance and discipline. The Ministry of Children, Community, and Social Services (MCCSS) (2023) claims that supervised visitation sites are safe, neutral, and child-focused environments. This claim or problematic of neutrality and safety versus surveillance and discipline lies at the heart of my study. The supervised visitation environment will be analyzed through the consideration of these three claims using IE, as well as Critical Feminist and Marxist theories.

This research is significant because supervised visitation has become an increasingly used and under-assessed method of increasing parent-child contact in Ontario family courts. The Ministry of Attorney General reported in 2015 that supervised visitation programs were used for 38,246 visits and 32,482 exchanges, serving 40,083 families and 34,338 children and producing a total of 1,456 written reports in Ontario in 2012-2013. These are the most recent statistics reported online and they are from a decade ago, while the last program evaluation for supervised visitation in Ontario was conducted in 1997, over 25 years ago (Jenkins et al., 1997; Park et al.,

1997; Peterson-Badali, 1997). Given the number of families using the program, and the nature of the program focusing on protecting and rebuilding the parent-child relationship, it is concerning to note that the ministry only reports quantitative data and have not studied or assessed the effect of the program on non-custodial parent-child relationships. Despite families having complex issues that lead to supervised visitation, court orders having long-lasting impacts on families, and adversarial processes in courts being detrimental to emotional and psychological health for some individuals, there is an emphasis on a business and neoliberal model that focuses on cost effectiveness and efficiency (Loi and Chen, 2021). There also appears to be a research gap in terms of program effectiveness for families who use the program long-term, meaning for more than one year, despite there being many long-term families using supervised visitation programs in Ontario (Bala et al., 2016; Saini et al., 2017; Stephens et al., 2021). A policy analysis and institutional ethnography may help to de-naturalize the concept and environment of supervised visitation and provide insights and suggestions for both how the policy and program could be improved to better support diverse families coming into contact with the family justice system.

### **Supervised Visitation Program Description & History**

In 1991, Ontario funded the Supervised Access Pilot Project which consisted of 14 locations across Ontario that would offer visits and exchanges to allow noncustodial parents to have access to their children (Park et al., 1997). Supervised visitation is a setting where the transfer of children between parents at the start and end of visits, known as exchanges, and the time a child spends with their noncustodial parent who they do not live with, known as visits, is observed by a neutral, third party staff or volunteer who documents factual notes of the visit or exchange (Park et al., 1997; Straus & Alda, 1994). The staff and volunteers also ensure that there is no face-to-face or any other contact between both parents to prevent conflict between parties. Some safety measures include locked doors, alarm systems, staggered arrival times for both parents or separate

entrances for parents (Park et al., 1997). It is crucial to note that the Ontario supervised visitation programs do not provide therapy, counselling, referrals, or parenting skills programming because it is provided as a neutral service (Lens, 2019; Park et al., 1997). While the purpose of supervised visitation sites are to provide a safe, neutral, child-focused, and accessible environment that leads to the re-building of the parent-child relationship after divorce and separation, the resulting effect is long-term use of supervised visitation programs and older children “aging out” of the program (Jones & Vetere, 2017; Park et al., 1997).

In 2012-2013, supervised visitation programs were used for 38,246 visits and 32,482 exchanges producing a total of 1,456 written reports, and serving 40,083 families and 34,338 children in Ontario (Ministry of Attorney General, 2015). The most recent published statistics regarding program use is from a decade ago from a business model and the ministry only reports on quantitative data pertaining to the number of children and families served, number of reports created and waiting time before families are brought into service by the program. While divorce and IPV remain prevalent issues in Canada, supervised visitation offers the only solution geared towards these families with no assessment of the effect of these programs on the parents, children, or their families as a unit. When considering the choice between cost effectiveness or holistically addressing issues of family conflict and violence, Canadian courts appear to choose the former as a priority. The lack of recent program evaluation and inflexibility to modify the program classifies supervised visitation in Ontario as an unsustainable or limited solution for helping families reduce conflict and re-build their relationships.

## **Overview**

In chapter 2, there will be a deeper discussion of the legal and socio-legal literature presented on supervised visitation programs in Canada. The literature review will examine

concepts such as high-conflict families, Intimate Partner Violence (IPV), custody, access, and court neutrality, therapeutic jurisprudence, perspectives of parties involved in visitation as well as the parent-child relationship, and a conclusion of the literature findings and areas for future research. In chapter 3, I will detail the theoretical and methodological frameworks used in this paper as well as tools to support analysis later such as mapping, indexing, and textual activation. I will also include a copy of the Service Agreement or supervised visitation policies, a brief description of the limitations of this study and I will explain the methods and research design used to conduct research for this paper. In chapter 4, I will present findings and analysis of data collected through IE analysis tools to understand how the supervised visitation environment is co-ordinated. This section will include three discourses in regards to safety, neutrality, and child-focused, and five work processes that supervised visitation Staff engage in throughout their work. The analysis will also be informed by legal perspectives, IE methodology including the use of standpoint, the problematic, and ruling relations, as well as Foucauldian concepts of surveillance and disciplinary power. To conclude, chapter 5 will offer a conclusion that summarizes the literature, discourses and work processes revealed in the findings, and areas that may be useful for future research.

## **CHAPTER TWO: LITERATURE REVIEW**

### **Introduction to the Literature**

The current literature on supervised visitation is focused on perspectives of parties involved including the noncustodial parent, the custodial parent, and children collected through interviews (Jenkins et al., 1997; Laing, 2017; Lens, 2019; Stephens et al., 2021). The great majority of the literature is also primarily presented by legal scholars in legal and socio-legal journals, commenting on the use of supervised visitation as a pathway to resolving child access disputes in family courts

(Flory et al., 2001; Jaffe et al. 2003; Peterson-Badali, 1997). The most current literature on supervised visitation programs in Canada are from the late 1990s to early 2000s when the program had been evaluated after about ten years of being in service. Since then, there are appears to be no more recent literature or program evaluation of supervised visitation in Canada. However, there has been some literature emerging in regards to the creation of custody orders, also known as parenting plans that lead to supervised visitation orders in family courts (Birnbaum et al., 2021; Birnbaum and Bala, 2022).

While there is current literature on supervised visitation from a legal standpoint, there seems to be little to no research from a social services or social work perspective despite the fact that some families use these services long-term and also face various forms of victimization both from the violence that led to separation, and their experiences with the judicial system in Canada (Hardesty and Chung, 2006; Jaffe et al., 2003; Laing, 2017; Lens, 2019; Stephens et al., 2021). One of the main issues with only evaluating and researching supervised visitation from a legal standpoint is that once it is identified that supervised visitation programs reduce conflict between separated parents and are cost effective, there is no further research into the effects of supervised visitation on the relationships between children and their noncustodial parents. There is also no further research on how long families use the program for. In addition, the effects on workers or the functioning of the workplace are not studied. Thus, there exists a gap in the literature in the relational aspects and effects of using supervised visitation on the parent-child relationship. Themes in the current literature include high conflict divorce and intimate partner violence, the family court process, perspectives of parties involved, and the noncustodial parent-child relationship. These themes are relevant to the use of supervised visitation and will be explored in this literature review to support

supervised visitation policy changes that can better address rebuilding the noncustodial parent and child relationship. I also apply Foucauldian concepts to the program.

### High-Conflict Divorce and Separation

High-conflict is a general term used to describe relationships or families whose relationship between the child and parent is strained or hard to maintain, where parents continue to experience interpersonal conflict, ongoing verbal or physical altercations that children may witness, child physical, sexual or emotion abuse or neglect, and domestic violence cases (Bertelsen, 2023; Flory et al., 2001; Hardesty and Chung, 2006; O'Hara et al., 2019). This term seems to be widely agreed upon and similarly defined throughout the literature and is often used when discussing cases of child access disputes and domestic violence in parent relationships. However, Hardesty and Chung (2006) critique the use of high-conflict due to the lack of differentiation between conflict and violence that researchers make and then that courts use for decision making purposes.

Supervised visitation programs are often recommended for families deemed to be high-conflict. However, the program rules and policies that regulate the use of cellular devices, prohibition of physical discipline, restrictions on what a noncustodial parent is allowed or not allowed to say or bring in terms of snacks and gifts to the visit, and the observation of the parent and child by staff all remain the same despite what specific circumstances led the family to use a supervised visitation program (Jenkins et al., 1997; Park et al., 1997). Despite the law differentiating between types of conflict, the visitation program rules homogenize all families and conflicts. Since the program evaluation of supervised visitation in Ontario in 1997 by Park et al., Jenkins et al., and Peterson-Badali (1997), the program rules have remained the same. The term “high-conflict” used as an all-encompassing term that drives families towards using supervised visitation, poses a problem for families that may be using the program but do not have immediate safety concerns

requiring such high level of restrictions, such as parents and children who have spent an extended time away from each other after a separation, compared to one where children witnessed domestic violence or there is a restraining order requiring no contact between the parents.

### Intimate Partner Violence (IPV) and Secondary Victimization

Intimate Partner Violence (IPV) or domestic violence is also similarly defined amongst researchers in the literature as patterns of physical, sexual, or emotional abuse by a partner while using coercive control (Feresin et al., 2019; Hardesty and Chung, 2006; Jaffe et al., 2003; Turhan, 2021). Feminists argue that IPV is a direct consequence of gender inequality, it stems from one person wanting control and power over another person, and that leaving an abusive relationship does not mean that IPV ends (Feresin et al., 2019). In Hardesty and Chung's (2006) review of the literature pertaining to IPV, parental divorce, and child custody, they emphasize that most of the research is focused on male-perpetuated IPV, although it is acknowledged that men can also be victims or survivors of IPV. The bulk of the literature focuses on the victim's powerlessness and how violence and abuse negatively impact their social, emotional, psychological, and even physical health. Survivors of IPV may experience physical harm in the form of bruises and fractures, emotional harm in the form of trauma, Post-Traumatic Stress Disorder (PTSD) or other mental health challenges, and re-victimization as a result of the abuse (Feresin et al., 2019; Jones and Vetere, 2017; Turhan, 2021). Children may also experience increased aggression, poor performance in school, behavioural issues, grief, and stress (Feresin et al., 2019; Jaffe et al., 2003; O'Hara et al., 2019; Turhan, 2021).

A qualitative study of 62 women and 95 child victims of IPV conducted by Jaffe et al. (2003) highlighted common misconceptions in addressing IPV in child custody disputes. Jaffe et al. (2003) identified that violence does not end after separation for abused women, children are harmed

by exposure to violence, custody determination should account for IPV, and family court professionals alone are not properly qualified to assess the needs of IPV survivors. Similarly, Laing (2017) conducted a qualitative study that explored 22 IPV survivors' experiences of navigating the family law system and how they experienced secondary victimization. Laing (2017) defines secondary victimization as additional harm experienced by survivors of IPV, citing that IPV victims often feel blamed, disbelieved or dismissed, especially when family court parenting arrangements do not consider power differences or coercive tactics of abuse the perpetrator of violence may use before ordering supervised visitation. This can be especially harmful for survivors who experience multiple forms of oppression, such as survivors of IPV who are racialized or part of the LGBTQ+ community, as they may be further stereotyped and labelled by professionals (Bertelsen, 2021).

While the early literature that promoted supervised visitation programs in Ontario highlight the consideration of safety as a prime feature of the program, more recent literature explores how survivors of IPV are not safe from re-victimization when using these programs (Jenkins et al., 1997; Laing, 2017; Park et al., 1997; Peterson-Badali, 1997; Straus and Alda, 1994). Flory et al. (2001) based their assessment of the supervised visitation program's success on a six-month review of program participation to determine that the program increased parental access to children and decreased interpersonal conflict between parents. Once again, it appears there is a gap in the literature in terms of long-term use and effectiveness of the program for families that use supervised visitation for more than one year (Bala et al., 2016; Saini et al., 2017). In contrast, recent researchers have highlighted that survivors of IPV are often deemed uncooperative and re-victimized if they do not cooperate with orders for supervised visitation or other referrals (Allen, 2014; Laing, 2017). Allen (2014) notes that the risk of IPV actually increases when custody and access is mandated and enforced by courts, thereby creating continued and frequent contact between

the parents. Feminists may argue that supervised visitation further harm and re-victimize IPV survivors because violence can continue after victims leave the relationship and in supervised visitation, the court orders requiring them to attend and be supportive participants politically entrap survivors in a cycle of intimidation and coercion (Allen, 2014; Feresin et al., 2019).

#### Custody and Access in Family Court and Neutrality

The pathway for supervised visitation use in Ontario is often through the family court system as a court order for access or supervised parenting time (Birnbaum and Chipeur, 2010; Kelly, 2011; Saini and Birnbaum, 2015). Supervised visitation is a key component of custody and access in Canada with the main goal of creating maximum contact between the child and parent and the only criterion being that it is in the “best interests of the child” (Kelly, 2011; Saini et al., 2011). The maximum contact principle refers to the assumption that it is in the best interests of the child to have regular and frequent contact with both parents, which was based on child development literature that excluded children from violent or conflictual homes (Birnbaum and Chipeur, 2010). In Kelly’s (2011, pp. 298-305) review of the policies and laws related to deciding on supervised visitation in Canadian courts, she identified three themes including: (1) the *Divorce Act* and Ontario provincial family law statutes require access and the principle of maximum contact to be applied, (2) access is often justified by legal professionals as being in, “the best interests of the child”, and (3) access is viewed as the child’s right whether they want to participate or not. A common trend in socio-legal literature discussing supervised visitation is that the framework is focused on rights of the child and parents and how the law and legal principles are applied to various cases in family courts, which can be a very narrow approach when dealing with complexities of family dynamics. A gap in the literature exists as a result of this because in legal research, deference must be given to jurisprudence of Canadian law, meaning that there is little room to discuss issues of IPV, choice,

negotiation, and social, emotional, and psychological effects of these decisions on children and their parents because the law will often override those discussions.

The bulk of the literature on family courts and custody and access are written with a socio-legal perspectives. One central concept in these types of literature is the emphasis of neutrality and impartiality in the application of the law. In family court, the ideal judge must be neutral and impersonal while maintaining procedural fairness when deciding visitation arrangements (Birnbaum and Chipeur, 2010; Dollar, 2020; Lens, 2019). One of the main components of procedural fairness is neutrality which involves an unbiased decision-maker who is transparent about how decisions are made (Lens, 2019). In Lens' (2019, p. 84) ethnographic study of family court proceedings, she identified positive courtroom behaviours that maintained neutrality which included professionals explaining the court process, being prepared, listening patiently, treating all participants the same, and explaining the reasoning behind decisions made.

However, judges are not excluded from bias or opinions entirely. Lens (2019) critiques the idea that facts and the law are all that are required for neutrality, because judges are not value free and instead reflect dominant societal values, as well as courts are shaped by the social identities of people using them, making both judges and courts non-neutral. Deciding supervised visitation arrangements may be dependent on the judge's perception of the facts of the case or a differing interpretation of the law. Some judges order supervised visitation as a compromise because they do not want to completely cut off parent-child access before the parent has a chance to work on addressing the safety concern themselves (Birnbaum and Chipeur, 2010). The level of discretion judges use in determining custody and access varies greatly from person to person. Birnbaum and Chipeur (2010) also recognize that judges may continue to order supervised visitation in cases where there is risk of harm, mental health problems, IPV, and lack of a relationship between the

parent and child without following up on the outcomes of the visits. Even within legal scholarship, gaps identified include a lack of evidence on the effectiveness of supervised visitation programs and re-building parent-child relationships, the effects on children using the program long-term, and whether the program is beneficial or not (Birnbaum and Chipeur, 2010). Family courts appear to be less neutral than they claim to be in their decision-making processes.

Supervised visitation programs are built with the objective of neutrality at its core (Bator, 2020). Supervised visitation centres provide a location that is public for visitations and exchanges, thereby making the location neutral to both of the parents, and provide a neutral third-party professional or paraprofessional who can record objective notes for the court to review in their decision-making about access (Jaffe et al., 2008; Saini and Birnbaum, 2015). While family courts may not always remain neutral, Laing (2017) highlights the issues with family law systems claiming and being neutral, stating that they do not adequately address safety, leaving victims of IPV to handle distressing encounters with lawyers, judges, mediators, and even supervised visitation staff on their own with little support. Neutrality and safety do not seem to be achievable at the same time. Perpetrators of violence may use supervised visitation to harass a spouse using their child or use the program for the time being until they can return to their abusive behaviour (Kelly, 2011). When the social and political issue is IPV, Bator (2020) states that the purpose of the law is to neutralize any social and political issues. Neutrality creates a paradox in which supervised visitation aims to provide a neutral, safe, and child-focused environment, but ultimately cannot be absolutely neutral, safe from re-victimizing survivors of IPV, or child-focused when children are court-ordered to attend the visits.

Family courts can be removed from social and political issues because of the neutral and impartial stance and nature of the law. Several authors note that supervised visitation programs

should be staffed by trained professionals with experience in IPV, and separation and divorce and a knowledge of social work and psychology (Dollar, 2020; Kelly, 2011; Saini et al., 2011). However, due to their neutrality, supervised visitation centres in Ontario are prohibited from providing therapy, counselling, or parenting skills (Park et al., 1997). The absence of therapeutic intervention means that professionals, paraprofessionals, and volunteers working within the program may not be fully equipped with knowledge of the complexities of some of the families using this service. In a study conducted by Walters and Friedlander (2016), they refined a Multi-Modal Family Intervention model for families that had a Resist/Refuse Dynamic (RRD), meaning that the child refused contact with a parent. In their study, they found that a collaborative and innovative approach between legal and mental health practitioners was key in dealing with RRD families because the court-ordered therapeutic interventions led to greater child protection from violence and effecting a change in custody arrangements (Walters and Friedlander, 2016).

### Therapeutic Jurisprudence

A number of legal and socio-legal journals identified a more productive framework to use in family courts called therapeutic jurisprudence, which offers a different lens in which judges and legal professionals can operate within to make decisions regarding access. Therapeutic jurisprudence identifies and examines the relationship between legal arrangements and decisions and therapeutic outcomes to improve the lives of individuals, children and families in family law proceedings (Babb, 2014). Similar to what Walters and Friedlander (2016) identified as being beneficial for child and family outcomes, Jaffe et al. (2008) introduce the concept of supervised therapeutic visitation that engages a mental health professional who works on healing troubled parent-child relationships through counselling and support in their review of spousal violence literature. Therapeutic supervised visitation involves a therapist who intervenes, promotes healthy

parenting, relationship building and cooperation between parties (Jaffe et al., 2008; Saini and Birnbaum, 2015). In practice, this seems to be more difficult and certainly not readily accessible through family courts in Ontario. Some family conflict is too complex for even skilled professionals to navigate or the cost of private facilities that offer therapeutic supervised visitation is too great for families to afford, thereby establishing supervised visitation as a long-term solution (Jaffe et al., 2008; Saini and Birnbaum, 2015).

In contrast, family courts in Singapore have recognized the need for a less adversarial approach to issues of divorce, separation, and parenting time. Loi and Chin (2021) discuss how mandatory mediation and counselling programs have been introduced into the family court process, including collaboration with social workers and mental health professionals, case management of family's court files to address both legal disputes and their underlying causes, and court orders to attend counselling and parenting education programs when supervised visitation is ordered by a judge. In Singapore, therapeutic jurisprudence is readily accessible to families because they recognized the need for a holistic approach to family law and implemented one to encourage healing and long-term conflict resolution, as family ties last a lifetime.

A major gap in the research is the lack of practical application and accessibility of therapeutic jurisprudence in family courts because of a lack of accessible and affordable supervised visitation options. Babb (2014) and Dollar (2020) recommend a cooperative and interdisciplinary approach to judicial recommendations for families in conflict but it seems that family law is primarily concerned with providing conflict resolution in a just and timely manner. The excessive emphasis on time and cost effectiveness in the family court system does not allow for many families to access therapeutic family services. Instead, supervised visitation is often recommended as the primary accessible and timely solution to high-conflict divorce and separation, or cases of IPV.

There is also a great deal of power that family courts have to make decisions for families, and while they may consider individuals' perspectives, the process and effect of these decisions have the ability to damage familial relationships, especially when therapeutic services are not available to individuals who need them (Babb, 2014; Dollar, 2020).

#### Perspectives of Parties Involved (Children, Custodial vs. Noncustodial Parents, & Professionals)

High-conflict families that come into contact with the family justice system have unique experiences that are valuable in determining if supervised visitation is useful. Parties involved include children, the non-custodial or visiting parent, and the custodial or residential parent that the child lives with (Park et al., 1997). Children and parents also come into contact with supervised visitation professionals, as well as legal professionals when navigating conflict and future solutions. Most of the research outlining participant and professional's experiences of both the family justice system and supervised visitation are conducted through qualitative interviews that draw on common themes (Jenkins et al., 1997; Laing, 2017; Lens, 2019; Stephens et al., 2021). These perspectives are important because it appears that most children, parents and professionals believe the program met some of their needs but their attitudes remained stable throughout the use of supervised visitation programs, with little to no effect on improving the relationships between parents, or parents and children (Jenkins et al., 1997; Peterson-Badali, 1997).

#### *Children*

Children using supervised visitation often do not fully understand why they are using the program. Laing (2017) highlights that the focus in family courts is to protect children's rights to an ongoing relationship with both of their parents, usually resulting in supervised visitation orders that both parents and children must adhere to. According to Jenkins et al. (1997), 58% of children did not know why they were coming to the centre and 17% of children had a limited understanding of

why they were attending. Some of the older children understood that they were attending the centre because their parents would not be fighting there or they could meet their non-custodial parent, usually their dad, in a safe place, however, younger children did not understand the purpose of supervised visitation or the rules (Jenkins et al., 1997). As a result, older children may be more curious and have more questions for the non-custodial parent. Children who asked questions about why they needed supervised visitation often were re-directed both by staff and non-custodial parents, as per the program rules (Jones and Vetere, 2017; Park et al., 1997).

More recent literature highlights the ways non-custodial parents struggle to nurture the rebuilding of the parent-child relationship, citing that children expressed apathy and frustration with their father's lack of interest in them and lack of time spent with them, and they felt tense and awkward when engaging with their father (Holt, 2015; Walters and Friedlander, 2016). Children prioritized having conversations and spending quality time with their non-custodial parent over the non-custodial parent bringing them gifts or taking them different places (Holt, 2015). In contrast, a study of online virtual supervised visitation during the COVID-19 pandemic conducted by Oehme et al. (2021), found that children and non-custodial parents relied on professionals to suggest virtual activities that were age appropriate because they required more active engagement during the visits due to the children's limited attention span. An ongoing gap in the research is that there is limited information on the relationship between children and their fathers, fathering abilities, child adjustment after visitations, and scarce research on children's experiences with both divorce and IPV (Birnbaum and Chipeur, 2010; Hardesty and Chung, 2006; Turhan, 2021). Researchers call for research about whether children find supervised visitation beneficial and how links between the legal and mental health or therapeutic realms could improve visitation programs (Birnbaum and

Chipeur, 2010; Walters and Friedlander, 2016). Overall, children's perspectives on supervised visitation seem to be limited due to their limited understanding of the program.

#### *Custodial/Residential and Non-Custodial/Visiting Parents*

Both custodial and non-custodial parents using supervised visitation programs expressed satisfaction in terms of neutrality and safety and dissatisfaction or a lack of understanding of what the program offered. Park et al. (1997) noted that custodial parents were more satisfied with the program than non-custodial parents, however, both parents were more satisfied with supervised visitation than other legal services. This is mainly due to parents feeling they were being judged, stereotyped, and labelled by legal professionals, despite doing everything in their power to make the best of their situation (Bertelsen, 2021). Studies state that 90% of parents using supervised visitation programs agreed that the program was neutral and safe and were satisfied with workers not favouring one parent over the other (Jenkins et al, 1997; Park et al., 1997). However, 97% of parents did not know that observation reports would be written and a number of parents thought that the supervised visitation program would offer mediation and counselling, despite the centres not offering those services (Jenkins et al., 1997). These findings signify that parents have a partial but not complete understanding of the supervised visitation programs and view visitation as an alternative to court.

Custodial/residential parents felt they were excluded from parenting supports, feared raising issues of violence, and felt obligated to be cooperative and supportive of visitations due to fear of being punished in court (Hardesty and Chung, 2006; Jaffe et al., 2003). Survivors of IPV experience unique challenges in using the visitation centres compared to parents who were going through a non-violent divorce. They expressed feeling re-victimized, silenced, controlled, and undermined because they felt forced to maintain contact with their abusers through supervised visitation

(Hardesty and Chung, 2006; Jaffe et al., 2003; Laing, 2017). They also believed their needs based on their class, race, marital status, disability, sexual orientation, and other demographics were not being met or considered both in court and throughout use of the visitation program (Hardesty and Chung, 2006; Lens, 2019). There seems to be little research on how intersectional identities experience and navigate the family justice system. Another gap is the limited research on women's lives after leaving an abusive relationship, as their coping strategies are often researched but only up until one year after separation and while in contact with IPV resources and services, despite supervised visitation having no time limit or cut off for its use (Jones and Vetere, 2017). Mothering after IPV remains an area of research that needs to be explored to understand children's experiences of using the program when living with custodial parents.

On the other hand, non-custodial/visiting parents felt punished, unsure of how to interact with their children or answer their questions, and victimized when using supervised visitation programs (Allen, 2014; Bertelsen, 2021; Jones and Vetere, 2017). Allen (2014) states that parenting time distributions of custodial and non-custodial parents serve to elevate the custodial parent to a primary status and the non-custodial to a secondary status. This resulted in non-custodial parents feeling disciplined and victimized when using supervised visitation. Bertelsen (2021) also outlined how fathers and non-custodial parents who sought legal services for help with custody arrangements felt obligated to use the supervised visitation program because otherwise reaching out for help would have been pointless. There seems to be research on post-divorce parenting but not in the context of IPV from the father's perspective or on their parenting in supervised visitation programs (Hardesty and Chung, 2006; Holt, 2015). Researchers identified gaps in the lack of research about the role of fathers in parenting, interventions for abusive men and how to engage them as fathers, and a lack of longitudinal studies to determine risk and if safety and less violence is achieved

through supervised visitation (Hardesty and Chung, 2006; Holt, 2015; Jaffe et al., 2003). This research could help non-custodial parents understand how to best use supervised visitation and may even lead to families moving to unsupervised visitation, as their parenting and interactions with children improve.

### *Professionals*

Some professionals working in supervised visitation centres found it difficult to remain neutral and were unsure of when to intervene during visits to facilitate parent-child interactions, redirect a parent's behaviour or language, respond to comments a child makes, or decide how to respond when a parent requested support, despite parents feeling that the staff behaved neutrally (Jenkins et al., 1997; Kelly, 2011; Park et al., 1997). There appears to be a disconnect with perceived neutrality and training that staff receive on intervening. Some professionals also struggled with their role because if they witnessed more subtle forms of intimidation by the abuser, they felt they could not intervene due to the neutral nature of the program (Kelly, 2011). These professionals have the ability to wield a bit of power in child and parent interactions but seem unsure of how to.

In a study conducted by Saini and Birnbaum (2015), a supervised visitation checklist was introduced which acted as a risk assessment tool for judges, lawyers, and mental health professionals. As previous research identified, there have not been many successful attempts at risk assessment for ongoing violence in the family justice system. Saini and Birnbaum (2015) found that judges sought a clinical tool to help them make decisions about whether supervised visitation was appropriate, while lawyers agreed that the decisions were highly subjective since there was limited research on child and parent outcomes of using supervised visitation. Judges and lawyers also exhibit a positive attitude about Ontario's supervised visitation programs believing that it saves the legal system time and money (Peterson-Badali, 1997). With the legal system constantly

overburdened, cost effectiveness and timely proceedings seem to be a priority for legal professionals. On the other hand, mental health professionals expressed a need for children to have more of a say in decisions, particularly if they did not want to maintain a relationship with one of their parents (Saini and Birnbaum, 2015). Mental health professionals also call for changes on how family courts operate and address coparenting in cases of IPV (Russel et al., 2016; Stephens et al., 2021). Overall, it seems that most legal professionals seem satisfied with supervised visitation, due to their perceived decrease in conflict and hostility between parents by using supervised visitation, despite parents saying there was no change in hostility (Peterson-Badali, 1997). Despite lawyers and judges commending the program, there are still further areas of research and training that supervised visitation workers may benefit from.

#### Non-custodial/Visiting Parent-Child Relationship

A major gap in the research on supervised visitation involves the lack of research or discussion of the non-custodial/visiting parent's relationship with their child and how or if their relationship progresses after using supervised visitation (Birnbaum and Chipeur, 2010; Turhan, 2021). Children expressed awkwardness and discomfort around seeing their non-custodial parent, rejected their parent, and felt scared or confused using supervised visitation (Holt, 2015, Straus and Alda, 1997; Walters and Friedlander, 2016). During COVID-19, children using virtual supervised visitation were comfortable with using technology and being in their home environment, but lacked the attention span for visits longer than half an hour and preferred in-person and physical contact with their parents (Oehme et al., 2021). Parents seemed to think that online visitation did not help their relationship with their child, but it was the only option available during the pandemic.

Flory et al. (2001) noted that frequency of visits and contact of children and non-custodial increased while using supervised visitation which seemed to be the only improvement that was

revealed. In high-conflict relationships, fathers tend to disengage after 2 years of separation (Hardesty and Chung, 2006). If the only goal of supervised visitation is to increase contact between the parent and child, then research demonstrates that the program is successful. However, sometimes parents do not behave in ways that restore their relationship with their child. Children are also disconnected from other professionals they may be connected with after their parent's divorce, such as therapists, Ontario Children's Lawyer (OCL), or other advocates working with them (Walters and Friedlander, 2016). This means they may not be able to process the interactions they have with their non-custodial parent free from the judgment of their custodial parent. The custody process is a long one and children may use supervised visitation in the long-term, requiring their psychological and emotional needs to be integrated into supervised visitation programs to help both the parents and children to develop new ways of interacting (Hardesty and Chung, 2006; Stephens et al., 2021). O'Hara et al. (2019) also claim that higher quality post-divorce parenting is associated with better mental health outcomes for children. Evaluating supervised visitation requires understanding how the parent-child relationship is constructed during visitations.

### **Conclusion of the Literature Review & Future Research Considerations**

The existing literature provides an understanding of high-conflict divorce and separation, IPV, custody and access, therapeutic jurisprudence, and perspectives of children, parents, and professionals involved in supervised visitation, there is still a gap in research about the non-custodial parent-child relationship. Most research also focuses either on divorce or IPV, with a lack of research that explores effects on families who experience both divorce and IPV. Since supervised visitation programs are so closely connected to the family justice system, most of the literature is from a legal and socio-legal perspective, using a methodology of qualitative interviews and policy analyses. There is also a lack of longitudinal research surrounding use of supervised visitation programs with a need for more long-term research as parents and children may use the program up

until the child turns 18 years of age (Hardesty and Chung, 2006; Park et al., 1997). While Flory et al. (2001) note that supervised visitation achieves the goal of increasing a child's access to their non-custodial parent, there is limited to no research on the effects of using the program outside of frequency of contact between parents and children. While there is an abundance of research in the United States on supervised visitation, Canada lacks more recent research on the program and continues to rely on a program that was created in the 1990s and most recently evaluated in 1997. The most recent statistics reported on use of the program was also in 2012-2013 which was a decade ago, and it was limited to how many participants used the program, as well as how many observation reports were created (Ministry of Attorney General, 2015). Evidently, there is a need for research that goes beyond reporting perspectives and whether parents and children had contact with each other.

Therapeutic jurisprudence may also be a useful area of research that could lead to implementing new policies or strategies for families navigating the family justice system while seeking supervised visitation (Babb, 2014). Exploring ways to implement therapeutic jurisprudence into supervised visitation programs and policies may also showcase the limitations of existing policies to children's post-divorce social and emotional adjustment. Singapore's family justice courts system provides a practical framework for how family courts in Canada could implement therapeutic jurisprudence in practice, including through court-ordered counselling, medication, parenting courses, and case management (Loi and Chen, 2021). These measures would work to support families and parents instead of regulating and controlling their interactions. The literature provides an appropriate starting point for improvements to the family judicial system in Canada, but lacks application to court-ordered programs such as supervised visitation.

A policy analysis of supervised visitation guidelines from an intersectional, social work lens that accounts for race, class, gender, age, and religion of those using supervised visitation has not been conducted but may help to understand complexities of how diverse families experience the family justice system and supervised visitation. A Foucauldian approach to analyzing the policies may also reveal discourses around power, governmentality, disciplining parents, especially those who are perpetrators of IPV, and surveillance (Bertelsen, 2021; Lens, 2019). This approach may also help researchers to examine family dynamics in the context of violence and the role that the Canadian government and judicial system plays in how families interact with each other. Further exploration of how power is re-constructed in the context of supervised visitation programs may help to understand areas of program policy improvement and how relationships between the non-custodial parent and child is constructed in these settings. Other useful areas of discussion include exploring how the structure of supervised visitation may influence the process of re-building the parent-child relationship. While it may take a while to gain a deeper understanding of long-term effects of supervised visitation, parent-child relationships can be explored by examining how the non-custodial parent and child relationships are constructed when using supervised visitation through IE and Foucauldian concepts.

### **CHAPTER THREE: THEORETICAL FRAMEWORK AND RESEARCH DESIGN**

#### **Theoretical Framework**

The theoretical frameworks this research draws from is a critical Feminist-Marxist Theory and Foucauldian/Poststructuralist concepts about discipline and surveillance. Feminist-Marxist and Foucauldian concepts are used to critique the ways in which liberalist ideas of the law, its neutrality, and the state's exertion of power limits the relationships families are able to form after they come in contact with the family justice system (Leiter, 2015). IE was developed by combining Marx's

materialist method and feminist consciousness-raising to allows researchers to shift from focusing on women themselves to the operations and institutions that keep them subordinated (DeVault & McCoy, 2004). The analysis portion of this research focuses on consciousness-raising as a way to speak from the worker’s perspective and insider knowledge to become aware of the institutional practices and processes that occur in supervised visitation sites (Ferdinands et al., 2022). Rankin (2017) advises against combining IE with other frameworks or theories when conducting an analysis because it tends to interfere with data analysis. This was mitigated during the research process through multiple readings of the data sources to produce findings that unpack the coordination of work practices and the discourses they rely on. An IE using Foucauldian concepts is appropriate because both critical analytical frameworks focus on social relations that are coordinated day-to-day. Using Foucauldian concepts is useful to explain how usages of language in texts shape social life, the environment, and maintain power relations in the visitation programs (Lens, 2019). Supervised visitation is a program that is coordinated by the program policies so a combined feminist-Marxist and Foucauldian approach is appropriately used in this research.

#### *Feminist-Marxist Theory – The Problematic, Standpoint and Legal Positivism*

Critical Feminist and Marxist theory in this research is not used in isolation. Its use is directly connected and imbedded in the use of Institutional Ethnography. Feminist theory involves examining power and when combined with IE, it consists of working through perceptions of the experienced world, or the supervised visitation environment, as problematic (Smith, 1987). Smith (1987) argues a “gender subtext”, stating that forms of thought and images we use, as well as culture are manufactured by those in dominant positions, usually representing men’s standpoints as universal, impartial, and objective while denying subtexts in play. While this research project does not investigate gender subtexts, this concept is used to investigate institutions such as the family

justice system and the supervised visitation policies created by the Ministry of Children, Community and Social Services and how they manufacture and construct the supervised visitation environment through relevant subtexts and work practices. In the supervised visitation environment, Staff or Site Observers are tasked with observing family visits and exchanges and documenting them “objectively.” Ferdinands et al. (2022) recommends in IE to focus on people’s *work*; any task they do that involves thought, energy and time in order to stay grounded in the material world. Therefore, this theory is used to comment on work practices used in supervised visitation and to establish the problematic in this research: the “neutral” supervised visitation environment and how it is constructed through organized practices and policies. In this way, we see how local activities are tied to institutional power and trans local sites where decisions are made far away.

Marxist theory imbedded in IE is concerned with social relations and critical analysis of the relationship between ideas and material interests (Corrigan and Leonard, 1984; Devault, 2006). Marxist theory in IE is meant to be used critically and, in this paper, it establishes a standpoint to support analysis for the researcher. Devault (2006) notes that IE analysis traces social relations people are drawn into as a result of their work; with social relations presented in a Marxist sense to mean connections among work processes, not relationships. The purpose of tracing social relations using mapping later on in the analysis section is to show how people in one localized place align their activities with institutional power produced somewhere else, to explicate forces that shape experiences at the point of entry (Devault, 2006). In other words, this theory helps to demonstrate how the work practices used by the established standpoint of the supervised visitation worker is aligned with policies outlined in the Ministry of Children, Community and Social Services regarding supervised visitation. It also allows for an analysis of services and neoliberal economies that view services in an efficient, market-based manner.

The literature demonstrates how supervised visitation is tied up with family court processes in Ontario. Since supervised visitation is guided by policies and closely connected to divorce and family law, legal positivism offers a legal perspective that can contribute to an IE and Foucauldian analysis of the field notes. Leiter (2015) defines legal positivism as the view that laws are socially constructed and they have no connection to morality, and they are maintained through social norms. Leiter (2015) also states that according to the Marxist ideology theory of law, that aligns with legal positivism, law is guilty of the Interests mistake and the Genetic mistake. The Interests mistake states that people falsely represent what the real interests of a particular group are and the Genetic mistake states that the Interests mistake is possible because people accept the interests without justification of how those beliefs were determined to be true (Leiter, 2015). This legal philosophy outlines how supervised visitation is suggested to families in the “best interests” of the child, as well as how judges may continue to recommend supervised visitation even when it may not be the most appropriate course of action (Birnbaum and Chipeur, 2010; Kelly, 2011). A Marxist approach using this legal philosophy is considered in the analysis to critique the liberalist stance of the law and supervised visitation programs being neutral. Legal positivism and the Marxist IE approach appears later in the analysis of supervised visitation work practices and one of the discourse findings about how child-focused supervised visitation programs are.

### *Foucauldian Concepts – Disciplinary Power and Surveillance*

Foucauldian/Poststructuralist concepts will also be used to analyze the texts of supervised visitation policies. Prasad (2005) notes that post-structuralists like Derrida and Foucault are influenced by classic structuralism that use linguistics as a basis for understanding social realities, while searching for underlying codes or meanings of texts. My textual analysis of the program policies will use Foucauldian concepts to help understand the regulatory and disciplinary nature of

supervised visitation programs. Foucault states that social institutions act as disciplinary entities that achieve social control through the constitution of subjectivity and that disciplinary power is often exercised through laws and courts by using compliance to a clearly articulated system of rules and procedures and surveillance (Prasad, 2005). My use of Foucauldian concepts will be to denaturalize the supervised visitation environment and explore how discipline and surveillance emerge through its use. This will help me outline the discursive effects of the program on families and how the discourses created and enforced by these policies give shape to the relationships formed and experienced using supervised visitation (Prasad, 2005).

Disciplinary power is a Foucauldian concept that functions as a complex web of power embedded in environments such as the home, classroom, or workplace through control of the body's routine activities (Lavoie, 2019). This concept is later examined in relation to the supervised visitation Service Agreement policies that outlines rules service users must abide by. Disciplinary power is a method of social control that uses observation as a technique, similar to the Panopticon, a prison design that allowed guards to see all the prisoners while the prisoners had no view of the guards (Prasad, 2005). The supervised visitation environment demonstrates a variation of the Panopticon in which Staff can observe and write about the family's every interaction, while the family cannot see what is being written about them. This concept will be examined when discussing ruling relations and the notion of hierarchical observation; what Foucault refers to as decision-making power being affixed to certain individuals like Staff and compliance being affixed to others such as service users (Lavoie, 2019). Normalizing judgment is another tool used that limits behaviour and talk through targeting exact behaviours and talk, as well as anything subject to some kind of penalty (Lavoie, 2019). The supervised visitations policies act as intentional disciplinary powers that allows for micro-penalties to occur for service users in the environment.

Surveillance is another Foucauldian concept that will be utilized in this research. In an outline for inquiry written by Walby (2005), they noted that IE has the ability to explicate how surveillance subjects are linked to and managed by different forms of power. Walby (2005) argues that researching surveillance involves the research engaging in “watching” which requires an ethical approach of honesty and respect. The collection of data for this study was obtained through ethnography in the form of field notes, which involved writing field notes that had a reflexive component. As previously stated, disciplinary power is often accompanied by observation as a means of social control. Foucault states that texts are the parts of rational knowledge systems in which bodies are controlled, citing that information is collected on subjects by an agent or agency, stored using a filing system, and then often used in the future to punish or control the subject which is how the state executes its power (Walby, 2005). Discourses are systems of knowledge and this research paper seeks to understand the discourses associated with the supervised visitation environment, particularly to assess whether the environment does what it claims to do in terms of safety, accessibility, being child-focused, and neutral. The field notes were coded through textual activation using Foucauldian concepts to reveal discourses and will appear later on in the findings along with the methodology of Institutional Ethnography throughout this research paper.

### **Methodological Approach**

I used an approach that employed an institutional ethnography of an Ontario supervised visitation program with myself situated as a worker of the program, as well as applied Foucauldian concepts of disciplinary power and surveillance on supervised visitation policies to reveal discourses. My work is qualitative in nature, as it allowed me to examine institutional and social practices and processes in supervised visitation to identify barriers and areas for improvement, as well as examine what circumstances make the program a successful or failed intervention (Starks

and Trinidad, 2007). While the bulk of literature on supervised visitation is qualitative, it is effective for me to continue that trend in my research because quantitative data would not fill the gaps in understanding how the supervised visitation environment is constructed by the program policies and Service Agreement.

### Overview of Institutional Ethnography

An Institutional Ethnography (IE) is a method of inquiry created by Canadian sociologist Dorothy E. Smith to discover how everyday things happen and are socially organized by organizations, administration, and other social relations with an emphasis on ruling relations, mapping, and examining discourses and texts (Bordoloi, 2016; DeVault & McCoy, 2004; Doll & Walby, 2019). IE is useful because it may help to understand how supervised visitation policies and procedures produce experiences of subordination, but also allows researchers to shift from focusing on the service users to a broader investigation of how social relations are constructed in these programs (Bordoloi, 2016). An institutional ethnographic approach to examining supervised visitation may prove useful in making recommendations for policy and program changes in the future. Supervised visitation is used when there has been domestic or Intimate Partner Violence (IPV) as well as other safety concerns such as substance use, prolonged periods of separation between a parent and child, and high conflict between parents (Kelly, 2011; Park et al., 1997). Since IE is a feminist epistemology, it is appropriate to use this methodology to understand not just how violence against women, children and victims are experienced, but to go beyond their experiences and to analyze how institutional relations coordinate their lives (Bordoloi, 2016). IE has foundational concepts that will be outlined below and guide this research throughout the entire process from determining the research question to analyzing and reporting the findings.

### Standpoint: The Site Observer

There are various components to completing an institutional ethnography. The starting point of inquiry is often gleaned through interviews or concrete experiences of participants such as the Site Observers in supervised visitation, which then leads to second level data which can be texts and policies (Bordoloi, 2016). Field notes of the work practices Staff engage in during visitations onsite may act as the starting point in an IE about supervised visitation in Ontario, and the program's Service Agreement and Ministry policies may be the secondary data that is analyzed after an analysis of the entry point. Doll and Walby (2019) also describe the foundational elements of IE including standpoint, texts, text activation, intertextual hierarchy, and mapping, noting that IE is a useful technique for criminal justice and socio-legal studies because it reveals how people are governed and ruled by organizational processes. Since the topic of supervised visitation has been greatly researched in legal and socio-legal journals, it seems that an application of IE may be suitable to the topic as service users often come into contact with the program after involvement with the family justice system.

Establishing a standpoint as the researcher in IE is important because it creates material, tangible evidence that exposes ruling relations by directing the researcher's focus (Rankin, 2017). While there has been some research on worker perspectives of training they receive or emotional burnout they experience, there has not yet been research from the standpoint of supervised visitation workers. A standpoint is defined as a stance that has an empirical locations within an institution (Rankin, 2017). Each person in a setting occupies a standpoint. In cases of supervised visitation, standpoints may include custodial or non-custodial parents, children, or even staff working with the program. My standpoint as a researcher will be as a staff member of the supervised visitation program. The researcher must keep in mind the standpoint informant's experiences, what they know, and what they do, to understand the ruling relations present in institutional texts and

practices, as well as how the standpoint informant's experiences are being coordinated by those elements (Doll and Walby, 2019; Rankin, 2017). By observing the supervised visitation environment from the standpoint of a Staff member, this research seeks to understand the complex set of ruling relations that exist to explicate a problematic (Rankin, 2017).

*The Problematic: How the Supervised Visitation Environment is Constructed*

Rankin (2017) notes that the problematic must be formulated on behalf of the standpoint of the Staff or Site Observers to discover how policies are activated. The problematic is formed to express the researcher's discoveries about when knowledge shifts and encapsulates the junctures or disjunctures in what actually happens compared to what is stated in texts (Rankin, 2017). In this paper, the research problematic is defined as how the "neutral" supervised visitation environment is constructed in relation to what is claimed in policies. Rankin (2017) highlights that the research problematics are not obvious and must be discovered. In order to guide my analysis and view of the problematic, I use the Ministry of Children, Community, and Social Services (2023) program goals that claim that supervised visitation programs provide a, "safe, neutral, and child-focused" setting for visits and exchanges to take place. I ask: how is neutrality possible in a legal system embedded in multiple power relations of discipline, punishment, and surveillance? In order to explore these terms further, I use Foucauldian concepts of disciplinary power and surveillance to analyze whether the goals of supervised visitation cited by the MCCSS is achieved based on the field notes (Lavoie, 2019). Thus, the problematic and associated discoveries will be examined using Foucauldian concepts later in this paper to understand if the construction of the supervised visitation environment is safe, neutral, and child-focused.

*Ruling Relations: Text-in-use and Service Agreement*

Understanding the disjunctures of the problematic may be useful in tracing the ruling relations that exist in the supervised visitation environment. Ruling relations are defined as social relations that organize work from afar and they are created away from the standpoint but are activated by people in a local setting (Rankin, 2017). In supervised visitation, the policies are created from afar by the Ministry of Children, Community and Social Services, while being activated by Staff working in supervised visitation centres through the Service Agreement. This process is known as text-in-use. IE provides a useful methodology for examine how institutions coordinate the experiences of family members using the supervised visitation program, however another type of analysis is needed to develop recommendations for policy and program changes. Discourse analysts argue that language is meaningless but becomes meaningful when systems of signs and words are mutually agreed upon to be used in a certain way (Starks and Trinidad, 2007). When policies in supervised visitation are used, they become a mutually agreed upon entity that controls and constructs what service users can and cannot do and how they interact with staff. Discourse analysts are also concerned with how knowledge, meaning, identities, and social goods are constructed and negotiated through language-in-use (Starks and Trinidad, 2007). vanDijk (1993) also notes that discourse analysis is related to power and the less access or control a person has to discourse, the less power they have; meaning that non-custodial parents who use supervised visitation may be viewed as controlled users of a service. This perspective has not yet been researched but combining IE with Foucauldian concepts may provide new insights and reveal discourses about supervised visitation programs that have not been yet discovered by existing research. An analysis of supervised visitation policies that incorporates Foucauldian concepts to reveal discourses is appropriate considering the programs are created, structured and provided to service users based on the program rules outlined in the Service Agreement. The legal nature of the

program also explains why a policy analysis would be useful to suggest policy improvements for future programs. The Service Agreement helps to analyze the data in this paper by providing a text to examine the use of it.

*IE Tools: Mapping, Indexing, and Textual Activation*

Conducting analysis in IE requires the researcher to implement a set of tools known as mapping, indexing, and textual activation. Mapping is a tool used in IE analysis that prevents people's experiences from disappearing, by using texts and social relations to map connections, interchanges, and ruling relations that may not be evident at first, making IE a method of conducting deeper qualitative analyses (Doll and Walby, 2019; Rankin, 2017). Field notes used in IE can also have a visual mapping of their occurrence, in words or diagrams that will help describe the features of social interactions that take place in supervised visitation centres. This tool appears later in understanding how safety is constructed in the supervised visitation environment and examining ruling relations.

Indexing is another tool used in IE. Indexing is a way to organize data into linked practices that support an analytic view of the institution (Rankin, 2017). It is a tool that prevents researchers from conducting thematic analyses that do not fit with the IE methodology and allows researchers to organize their data. Rankin (2017) conducted a study in which she indexed work activities to understand how they were linked and to ensure that analysis was oriented to the materiality of the data. Indexing can be used to categorize or code work processes when used in IE. In this study, work practices for the standpoint of the Site Observer or Staff member were observed and documented in the field notes and then categorized through the process of indexing to determine what activities Staff engage in and how they relate to the text-in-use or ruling relations.

IE also looks at text-in-use or text activation because they organize what happens to people in their everyday lives and workers rely on those texts in their work (Doll and Walby, 2019). In supervised visitation, these texts refer to the policies or Service Agreements that outline rules that participants have to follow in order to use the service. Rankin (2017) notes that texts can be linked, mapped, or indexed in order to find their relationships and how they are activated. This tool supports the initial coding conducted by the researcher through textual activation of the Service Agreement. The goal of using IE to examine supervised visitation in Ontario is to explore how the program works to coordinate the interactions between service users such as visiting parents, residential parents, children, and staff. Before moving onto limitations of this study and the research design, the Service Agreement will be attached in the following pages as they are crucial to understanding the program, the analysis, and the discussion of findings later on.

### **Service Agreement**

The following section includes pasted images of the Service Agreement that has been redacted and used to inform this study, which can also be found in Appendix 3. The Service Agreement is a total of 6 pages and includes a consent signature at the end of the document for service users to sign. This document is provided in the body of this research paper to provide a more complete understanding of what supervised visitation policies entail.

## Page 1 and 2:

**AGREEMENT FOR SERVICE**  
**PARTICIPANTS AGREE TO THE FOLLOWING TERMS AND CONDITIONS**

IT IS AGREED THAT ALL PARENTS/RELATIVES AND STAFF WILL MAKE EVERY EFFORT TO ENSURE CHILDREN HAVE AN ENJOYABLE VISIT WITH FAMILY MEMBERS

**1. SAFETY**

- The Centre staff request that only one person attend the building to drop-off/pick-up the child(ren).
- Residential parent or designate will not have consumed either illicit drugs or alcohol prior to picking up or dropping off the child(ren). In such circumstances the police may be contacted to determine level of sobriety.
- Visiting parent/authorized guest will not have consumed either illicit drugs or alcohol prior to the visit, or the visit will not occur.
  - Visits: **Suspicion** regarding the impaired state of a person is sufficient reason to request that the person leave the Centre's premises immediately. In such a situation, the visit is immediately cancelled with reason for cancellation noted in observation report.
  - Exchanges: If the Centre's staff suspects that a party has consumed alcohol or drugs on drop-off, the incident is noted. On pick-up, the child(ren) are not released to the party if they are believed to be under the influence of alcohol or drugs.
  - For both visits and exchanges, if a party is suspected to be impaired by drugs or alcohol, staff suggest that they take public transit or a taxi or allow the party to wait at the Centre for another person to come and pick them up.
    - Police are contacted by staff if the party refuses all of these options and decides to drive a vehicle.
  - The Centre notifies lawyers for both parties of any suspicion of impairment during visits/exchanges and contacts CAS.
- Residential parents and visiting parents/authorized guests must show staff everything brought to the Center – staff will document. All items you wish to give to the other parent/child(ren) must be discussed with staff without the child(ren) present. Staff reserve the right to check all parcels and baggage and make final decisions regarding any items being passed. Items that cannot be passed at the Centre include, but are not limited to Court Documents, Passport Application Forms, Child Support Payment, Transportation Fee, Mail, and Insurance Forms.
- The Centre prohibits the use of verbal aggression (e.g. profanity, abusive language, etc.), physical aggression, or acts of intimidation. Weapons are not permitted, this includes all knives.
- Each participant is to arrive and depart at the specified times. The arrival and departure times of the participants will be staggered by 15 minutes.
- It is the expectation of the Centre staff that proper child restraint devices (car seats, seat belts) will be used by all parties when transporting children. Centre staff will not be responsible for ensuring that proper child restraints are being used when a child(ren) is released from the centre.
- Children are not to be removed from the Centre except as previously agreed to for an exchange. In the event of a medical emergency, a child may be removed only when accompanied by a designated staff person or emergency service personnel.
- The residential parent, or their designate will be responsible for the safety and whereabouts of the child(ren) until released of this responsibility by program staff. Should the residential parent

fail to pick up the children at the scheduled time, the emergency contact person will be notified. If Centre staff are unable to reach the designated persons, the Child Protection Services will be contacted.

- For safety reasons, all participants including children are required to bring/wear indoor footwear.

**2. EXPECTATIONS**

- You will follow the direction of staff when attending the visitation site
- You will speak English unless alternate arrangements are made with the program in advance.
- The Centre provides a professionally trained interpreter at all visits and exchanges in situations where the visiting party or the child is unable to communicate effectively in English or French. Please note that the interpretation service will **only** be provided when there is a language barrier between the visiting party and the child(ren).
- All fees associated with interpretation service must be paid **prior** to the scheduled visit. You may contact the office for more details.
- All fees associated with late cancellation for interpretation service is applicable to the party who incurs it, regardless of court orders or signed agreements. These fees are not considered to be a part of our service fees. You may contact the office for more details.
- The residential parent will support and encourage your child(ren) to attend the visits/exchanges.
- The residential parent will be responsible for the drop-off/pick-up of the child (ren), unless otherwise specified by the court order. At the time of intake the residential parent shall provide emergency contact people who may be designated to provide transportation, if necessary. These individuals will be required to show photo identification.
- Residential parent/authorized pick-up/drop-off person will be expected to leave the premises once the visit has begun, and to be on time for dropping off and picking up your child(ren).
- You will follow the terms and conditions of the court order or agreement made in relation to your visit/exchange.
- You will ensure that the program has an accurate telephone number and address on file
- You will provide documentation as requested by the program
- You will address issues and concerns to the office and NOT at the visitation site
- You will advise the program coordinator immediately of any police or Children's Aid Society involvement
- You will inform the Centre and provide necessary documentation when our services are no longer required

**3. MEDICATION:**

If medication is needed during visits, written consent from the residential parent is required, giving permission to the visiting parent/relative to administer the medication. Arrangements are to be made with the Program Coordinator or designate prior to the visit. The Centre staff will not be responsible for the supervision /administration of any medication. If your child requires an epi-pen they will be required to bring it to the visit. If they do not bring their epi-pen, the visit will be cancelled. In the event that a party does not return medication sent on an exchange, service is suspended and the parties are directed to their lawyer and/or the courts

**4. SCHEDULING**

- The frequency and duration of visits will be subject to the availability of the Centre.

## Page 3 and 4:

- All visits must be approved and scheduled by the Program Coordinator or designated. Should parties arrive at the center with a new court order or arrangement, expect the existing order/agreement to stand unless you follow the above noted procedure.
- Attendance rate required for continued service for all clients (includes new and re-opening) must be maintained at a minimum of 70% at all times.
- Any alternatively arranged, outside parenting time not included in the court order or agreement is grounds for file closure
- Parents/authorized visitors are to arrive at and depart from the Centre precisely at the prearranged times. Repeated lateness, frequent cancellations, and no shows could result in a fee payable, disruption in service or service being discontinued.
- Lateness is considered 15 minutes after the scheduled arrival time. The visit/exchange will be cancelled if a party fails to arrive 15 minutes after the scheduled arrival time.

**5. CANCELLATIONS**

- Please contact the office **no later than 4:00pm the Thursday before your scheduled Friday visit, and no later than 4:00pm the Friday before your scheduled Saturday/Sunday visit** to advise us of any cancellation.
- A fee of \$30.00 will apply to cancellation after this time, to any party who fails to attend a scheduled visit, and to any party who arrives to the center late. Please note that this fee is also applicable to any party who doesn't attend a scheduled visitation without any prior notice. This is considered a 'no show' fee.
- Please note that any late cancellation/'no show' fee is to be expected to be paid by the party who incurs it, regardless of court orders or signed agreements. These fees are not considered to be a part of our service fees.
- The Program will only accommodate make up visit if the visit is cancelled by the program due to center closure.

**6. CHILD REFUSALS**

- Supervised Parenting Time Centres are child-focused environments that facilitate contact between children and non-residential parties, but do not enforce the contact.
- Program staff assist to encourage child(ren) to attend the centre. However, child participants are not forced by the Centre to attend any visits or exchanges.
- Police enforcement in cases of child refusal is not supported on the Centre site. If a party calls the police to enforce the visit/exchange, the situation must be removed from the centre. Centre does not support this type of intervention.
- After three consecutive refusals by the child, access will be put on hold and the matter will be referred back to parties' lawyers if there are any for review by the courts.
- Staff will not, under any circumstances, go to a party's vehicle to get a child or to try to get the child to come into the Centre
- Regular fee will be charged for child refusals** as the Program arranges staff based on the number of visitation scheduled. In a child refusal, the participant is still taking a 'spot' and there is still a staff being utilized for that family to observe and write notes

**7. PICK-UP AND DROP-OFF OF CHILDREN BY RESIDENTIAL PARENT:**

- The residential parent will be responsible for the drop-off/pick-up of the child (ren), unless otherwise specified by the court order. At the time of intake the residential parent shall provide

emergency contact people who may be designated to provide transportation, if necessary. These individuals will be required to show photo identification.

- Park your vehicle in the parking lot when you drop off and pick up your child(ren) at your specified arrival and departure time
- Depart from the property immediately after dropping off and picking up your child(ren)
- Closest place to park your vehicle during the visitation time: **2 minutes driving distance from the Centre property**

**8. RESIDENTIAL WHEREABOUTS DURING VISIT:**

The residential parent is responsible to inform Centre staff of his/her whereabouts during the visit by providing a phone number where he/she can be reached

**9. VISITING PARENT/AUTHORIZED GUEST VISITATION GUIDELINES**

- The visit should focus on the present so that the child experiences a calm and pleasurable visit. References to some past events and to future parenting time plans should be avoided in discussions with the child. (Past events may have caused stress/trauma and the child is uncertain about the future.)
- Visitors can invite but not demand or coerce physical contact with the child.
- Visitors are not to be alone with or engage in whispered conversation with the child. **Please speak loud enough so the Centre staff can hear you.**
- Visitors are not to speak ill of the other parent or his or her relatives, friends or loved ones.
- Visitors are not to question the child about the other parent, their household, friends, income and/or activities.
- Visitors are not to ask the child for information about where they go to school, where they live or any other identifying information.
- Visitors shall be responsible for the cleanup of toys, food and beverages at the end of their visit.
- Visitors can bring unwrapped gifts unless the court order specifies otherwise. Gifts that have recording equipment are not permitted to be used at the Centre, this includes but is not limited to Ipads, cell phones and cameras. These gifts will be forwarded to the residential party via staff.
- Visiting parent and authorized guests:
  - Park your vehicle in the parking lot during the visitation
  - Arrive at the Centre property at your specified arrival time
  - Depart from the Centre property at your specified departure time
- Designated driver for visiting parent and authorized guests:
  - Park your vehicle in the Centre parking lot when you drop off and pick up visiting parent and authorized guests at the specified arrival and departure time for the visiting parent
  - Depart from Centre property immediately after dropping off and picking up the visiting parent and authorized guests
  - Closest place to park your vehicle during the visitation time: 2 minutes driving distance from the center property

**10. AUTHORIZED GUESTS/VISITORS**

Visitors will not be permitted to attend the visit without prior approval of the Program Coordinator or designate. Unless visitors are court ordered, both parents must agree to their attendance. Guests are **only to attend every 2<sup>nd</sup> visit**. Due to space restriction, Program can only accommodate a maximum of **two (2) guests at a time**. Guest attendance for visits is subject to space availability. **It is**

Page 5 and 6:



the responsibility of the visiting party to inform all guests of the Program policy prior to the guest attending the Centre. The Centre reserves the right to limit and restrict visitors.

**11. RELAY OF INFORMATION BETWEEN RESIDENTIAL AND VISITING PARENTS**

- a) Centre staff will only pass written information from one party to other concerning the immediate care of the child(ren) during on-site visits. Staff reserve the right to photocopy all correspondence. Children must not be used to relay information between parties.
- b) A communication book may be passed through the centre during exchanges only. Staff will not be responsible for reviewing the contents of the book. Should an issue arise surrounding the communication book, each party is responsible for resolving this through their legal counsel or through the Court. Staff documents in the observation notes that a communication book was exchanged at the center, however staff did not review the contents.

**12. FEES:**

- a) An application fee of \$50.00 per family is due upon registration with the program. This fee is non-refundable and will be credited to annual fee if service is accepted.
- b) Annual fee of \$400.00 per family is due prior to the start of service. This fee is charged annually based on the service starting date.
- c) Please be advised that the Supervised Parenting Time Program's fee for court appearances is \$500.00 per staff, per day. This fee must be paid in advance of the court date.
- d) No refunds for payment or pre-payment of observation notes, letters or reports

**13. DISCONTINUING SERVICE:**

The Centre reserves the right to cancel or terminate a visit or use of the program when there exists a violation of the Agreement for Service or when the Program Coordinator or staff feel it is necessary to protect the well-being of the child(ren) and/or others involved with the Centre. Reason for immediate termination include, but are not limited to: attempted abduction, stalking, physical violence toward a child, other participants, or staff.

**14. IN ADDITION:**

- a) If requested in writing, we will provide copies of the observation reports to the parties and/or their lawyers regarding factual observations of the visits/exchanges. There is an additional fee for this service and payment will be required prior to release of report(s). Please allow two (2) weeks' notice for observation reports to be prepared. Payment must be received prior to notes being released.
- b) Client information is confidential and cannot be released without written informed consent, except when required by legislation or directed by the courts. Examples of such exceptions may include reporting suspicion of child abuse or a child in need of protection to the Children's Aid Society; informing someone in a position of authority if a client is in imminent danger of harming themselves or others; or providing information as directed by the courts through subpoena, search warrant or other legal order.
- c) From time to time individuals other than Centre staff and volunteers may be on site. Example: students and assessors from Office of Children's lawyer.
- d) Tobacco products are not permitted on the premises.



- e) The residential parent is requested to supply clothing, bottles, formula or whatever else is needed for good care of the child (ren) during the visit. A well-loved stuffed toy, blanket or game can be sent with the child (ren) to facilitate his/her emotional comfort while at the Centre.
- f) Visiting party may bring a camera and request staff to take up to 10 pictures during a visit unless the court order states otherwise. Camera is to be used by staff only. The use of cell phones, pagers and other recording devices (e.g. video cameras, tape recorders, and tablets) is not permitted on the premises. **Pictures are not to be taken on any client cellular devices**
- g) The Centre is closed on all long weekends.
- h) The Centre does not provide decision-making responsibility or parenting ability assessments.
- i) Should the Centre need to close due to poor weather conditions, please contact the program's direct line [redacted] as the greeting will indicate if the Centre is closed.
- j) If a family previously, or is currently, receiving supervised parenting time services from other Ministry-funded Centers, the parties are requested to give consent for information to be shared amongst these Centers.
- k) **Center is unable to guarantee an allergen-free environment**

**15. COMPLAINT PROCEDURE:**

Problems or concerns regarding the Supervised Parenting Time Program should be discussed with the respective staff member and/or the Program Coordinator. If unresolved the complaint can be addressed in accordance with the client complaint procedure of the sponsoring agency [redacted]

The Supervised Parenting Time Program is funded by the Ministry of Children, Community, and Social Services [redacted]. Our responsibility is to ensure a safe visit to all participants. We strive to provide services in a sensitive and thoughtful manner reflective of our concern for the well-being of children and families. If at any time should you have a question or concern regarding the service you receive, we would appreciate hearing about these. We encourage you to contact the Program Coordinator.

**PROVISION OF SERVICE – CONSENT TO PARTICIPATE AGREEMENT**

I read the **AGREEMENT FOR SERVICE**. I understand that failure to comply with these conditions may result in an interruption in service or discontinuation of the service being offered.

**SUPERVISED SERVICE:**  Visits  exchanges  Visits/Exchanges  Other \_\_\_\_\_

**REVIEW:** I understand that not all services are intended to be long term. I agree to review my service requirements (seeking legal advice if appropriate) and discuss next steps with Supervised Parenting Time Program Personnel on: \_\_\_\_\_

**NOTES/GOALS:** \_\_\_\_\_  
 \_\_\_\_\_

**Limitations**

While conducting this Institutional Ethnography using concepts, there were a few limitations that shaped the research findings. Most of the limitations were in regards to how IE is implemented and used as a methodology. Rankin (2017) notes that IE should not be combined with incompatible frameworks because they interfere with explication. However, this was mitigated in this study through using Foucauldian concepts as a complement to explicate how the supervised visitation environment was constructed. The MCCSS program objectives were used as a guiding frame for examining discourses surrounding supervised visitation sites.

A limitation to this observational study was that only one supervised visitation site was observed due to time and access constraints. This impacts the findings by making them highly subjective to the environment in which was observed but also was a key feature of IE. IE is focused on understanding how experiences in the local environment are coordinated by larger institutions

and structures (Rankin, 2017). Therefore, although the findings are specific to one supervised visitation site in Ontario, since the MCCSS policies are governed provincially, there is the ability to apply these findings to supervised visitation programs in general.

Another limitation was that while this paper was in line with the standpoint informer being the Site Observer, there were little opportunities to examine what the literature identified as gaps in service provision. Some of these gaps include a lack of evidence of the effectiveness of supervised visitation programs on re-building parent-child relationships, effects on children long-term, and whether the program is beneficial or not beyond increasing contact between parents and children (Birnbaum and Chipeur, 2010; Flory et al., 2001). While the analysis developed throughout the course of this study was informative and presented new information about supervised visitation work processes, this limitation highlights a major area for future research. More research is needed to understand how supervised visitation impacts parents, children, and their relationships.

### **Methods and Research Design**

The research design evolved over the course of this project. Based on the literature, there was a gap in assessing the supervised visitation program's effectiveness on rebuilding the non-custodial parent and child relationship, particularly in long-term use of the program for more than one year (Bala et al., 2016; Saini et al., 2017; Stephens et al., 2021). Originally, I had wanted to observe and record field notes of families using the program while maintaining confidentiality, however that was limited by time constraints of obtaining informed consent from families. Instead, my research design focused on the standpoint of the Staff member and included recorded observations of the work practices engaged in during a supervised visitation shift. This change supported the use of IE through observing work practices that could be indexed during the analysis stage, as well as maintaining the standpoint pre-determined before data collection

occurred. IE as a methodology also encourages a wide range of data collection methods so this research paper includes findings from ethnographic field notes and texts such as the Service Agreement, a Site Observer job description, and MCCSS service objectives as the data used for analysis (Smith, 1987).

### *Participant Selection and Recruitment*

Participant selection in this study was limited to other workers at the supervised visitation site that the researcher worked at. This was convenience sampling but also influenced by the standpoint of the Staff or Site Observer being the knowledge informant in IE. The participants were Staff who currently work, volunteer, or have placement at the same supervised visitation program in Ontario as the researcher. The researcher's interactions with these participants were included in anonymized forms in the field notes by assigning an anonymous label to them such as Staff #1, Student #1 or Coordinator. There was no identifying information about the workers included in the field notes and they were provided with informed consent forms that included an opt-out section if they chose not to participate in the study as well as an explanation of ongoing consent since the field notes were collected over the course of 3 separate shifts, which can be found in Appendix 1.

### *Data Collection*

In terms of ethnography or observation, my research design included 6 sets of data. I wrote observation field notes twice a day over the course of 3 work shifts as a Staff Site Observer at a supervised visitation program in Ontario. The reasoning behind having 2 field notes per work shift was because as the standpoint informer, I knew that there is a lot of information that is read, shared, and used during a shift and I did not want the field notes to get convoluted. As Ferdinands et al. (2022) recommends, it is important in IE to stay grounded in the material world, so I wanted to ensure that whatever data I collected could be analyzed thoroughly by including as much detail as

possible about what occurs during a supervised visitation shift. Bordoloi (2016) states that concrete experiences of participants are the starting point of gathering data so my Institutional Ethnography (IE) was informed by my experience, knowledge and work practices from the standpoint of a Staff member.

I documented my fieldnotes in a notebook that only I had access to while on site and later transcribed them on a Word document that was stored securely with password protection on a personal laptop. Field notes were structured by time of occurrence, jot notes of what was happening, background information or context, and reflections. I started each field note by labelling which data set it was from one to six, and by including the date, time, and place of observation. The content of the jot notes and background context were informed by a summary of what happened during the shift, reference to policies or common experiences I had had as a worker in the environment, sensory impressions, specific words and abbreviations, and reflections on an ongoing basis. After the data was collected, it was then transcribed on a Microsoft Word document using the Observation Template found in Appendix 2. Microsoft Word was selected instead of using a coding software because Rankin (2017) cautioned against using technological data management systems in IE since they focus heavily on themes, codes, and categories and do not closely align with IE's underpinnings. The transcribed field notes also included a spatial map I created on a website called Visual Paradigm to map the layout of the centre as well as a legend that highlighted features on site such as emergency buttons and locked doors. In addition, I added a sample weekend update document that can be found in Appendix 2 that outlined when families would be arriving for visits and exchanges. There was also a list of code words used in every field note defined at the top of the field note transcription stating that VP stood for Visiting/Non-custodial parent, RP was for Residential/Custodial parent, Coordinator was the supervisor, TL referred to me the researcher and

observer, Staff were Site Observers and Students referred to placement students who worked at the centre.

### *Texts as Second-Level Data*

After my entry point of ethnographic field notes, I moved onto the second-level data, which is the Supervised Parenting Time Service Agreement and the Ministry of Community, Children, and Social Services Act – Service Objectives of Child Welfare and Protection that outlines what rules the Service Agreement must include. My standpoint as the staff member conducting field notes of my work practices and interactions with other workers supported my analysis of the text through textual activation. Textual activation is understanding how the policies are used throughout the field notes and I used indexing to organize my data into linked practices of supervised visitation and how it is socially organized (Doll and Walby, 2019). I used mapping in my field notes to show what the supervised visitation environment looked like during the visits. After conducting IE with the field notes and analysis of policies, I applied Foucauldian concepts to the field notes by doing multiple read-throughs of the notes to explore how supervised visitation acts as an environment that uses discipline and surveillance (Prasad, 2005). My textual analysis in the IE portion of my project as well as the discourse findings were informed by feminist-Marxist approaches that encouraged me to look at how power is constructed in this environment, how the family legal system creates social norms, and how institutions operate to keep people subordinated and compliant (DeVault & McCoy, 2004; Leiter, 2015).

### *Data Analysis*

Data analysis was conducted through multiple readings of the data. IE involves textual analysis which can only be analyzed in the local site where people work with these texts (Walby, 2005). In Walby's (2005) discussion of surveillance and IE, they state that the text activator is

someone who engages with the text from their set of interpretative skills and subjectivities. In the field notes from this study, the standpoint of the Staff members were the text activators. They were the ones using the policies on a daily basis throughout their work. Thus, the first stage of analysis involved open coding for textual activation; all the times that a Staff member used, referenced, explained or interacted with a policy from the Service Agreement. This was done by developing a codebook with the headings: Code/Policy, Data Bit, Representative Data Set, and an Analytical Memo. The code was the policy number and subsection (i.e. Policy 1c), the data bit was copied and pasted from the field note, the representative data set was the page number and field note the data bit was pulled from, and the analytical memo was used for reflections, connections to theory, and citing literature that highlighted junctures or disjunctures from the research. I read through the Service Agreement line by line and coded the field notes according to if a policy was activated in some way in the field note. I colour-coded the different policies by either highlighting them or changing the text colour and proceeded to read through the field notes policy by policy and highlight every time a policy was activated. This was the first stage of analysis that supported an analysis of the problematic of how supervised visitation environments are constructed when looking at discourses surrounding neutrality, disciplinary power, surveillance and compliance.

After the first read through of the ethnographic data, I noticed that there were common recurring actions or practices that Staff were engaging in. Through these observations, I started to develop a list of pre-determined codes to conduct a second stage analysis. This was done through indexing work practices used by Staff or Site Observers in the supervised visitation environment (Rankin, 2017). Similarly, to the first stage of analysis, the codebook included headings of: Codes/Associated Words, Definition, Data Bit, Representative Pg/Data Set and an Analytical

Memo. These codes included documenting, observing, communicating, tracking time/movement, and enforcing/referencing policy, which will be outlined and defined later in the analysis section. Second stage coding using pre-determined codes after reading through field notes multiple times supported the analysis of ruling relations and text-in-use to understand how institutional work practices coordinate the lives of service users, which then contributes to how the supervised visitation environment is constructed.

### **Ethical Considerations**

The major ethical consideration in my research project was maintaining confidentiality of both the families and program that I collected data from through field notes. In order to achieve this, I decided to record observations of what Staff including myself do on a day-to-day basis during a shift while ensuring that I maintain confidentiality so that the families and individuals using the program cannot be identified. If families were ever referenced, they were only referred to as VP or RP and identifying information was excluded. In order to maintain confidentiality, I did not list any identifying information in my field notes and I did not name the program that I work for. I redacted any information in the Service Agreement that may have disclosed what organization I work for. I focused the majority of my observation notes on work practices observed and participated in by Staff onsite, as well as interactions between Staff and myself with their informed consent. While not being able to speak on the relationships between non-custodial parents and their children limited what I could contribute to the existing literature, it did enrich this study by ensuring that the standpoint was centered throughout the data collection and analysis process, keeping in line with IE as a methodology, as well as enriched the discussion of work practices Staff engage in.

Another ethical consideration was managing personal biases. Since I have worked for the program for about three years, I am used to the environment. The purpose of this project is to

denaturalize the supervised visitation environment, and while I may understand why some of the policies are used in my work, it is important that I do not let that influence my analysis and reflections in my field notes. Some bias may be unavoidable, however, I must be able to identify any existing biases in order to mitigate the effects it may have on my analysis of the data. It was useful in my analysis to disclose any biases that other staff and I actively have during the visits about families or participants if they appeared. This was done by including a “Background Information/Context” column in my observation note template while conducting field notes. Reflexivity was also a useful tool in analyzing how relationships between Staff and service users are constructed in supervised visitation, particularly in terms of the staff and non-custodial parent relationship. This was achieved through the addition of a “Reflections” column in my observation field note template that allowed me to comment on work practices, the rationale for doing them, and how it might contribute to power imbalances.

I made myself aware of the fact that my research may have implications for practice, such as policy changes to the program. Another goal of my research is to highlight the areas in which the supervised visitation policies could be improved. While my goal is to create some action or discussion about if the program is best serving families in Ontario, I am aware that I am dealing with sensitive information about how the program operates and is structured, as well as interact with families that use the program who have a history of IPV. I maintained confidentiality by only providing relevant and necessary information in my field notes and by ensuring all documents and policies I used are publicly available to view. I redacted any identifying information and attached it to my appendix. Both my data collection and analysis were focused on maintaining confidentiality and managing any personal biases in order to protect the ethics of this study.

## **CHAPTER FOUR: FINDINGS AND DISCUSSION**

## **Findings and Analysis**

Institutional Ethnography was the methodology that guided this research project from its onset by adopting the standpoint of the Site Observer and by establishing the problematic of how the supervised visitation environment is constructed. The research question posed was a general question that allowed for discoveries to be made using IE. This study seeks to understand: what type of environment does supervised visitation create for service users and staff? The use of IE in this paper looks at texts, mapping, and connections to the literature to explore the MCCSS (2023) claims that supervised visitation is safe, neutral, and child-focused and how they are rooted in everyday work practices. The findings revealed discourses that construct the supervised visitation environment including: (1) safety is synonymous with security; (2) neutrality is enforced through compliance and non-compliance is managed by Staff; and (3) “child-focused” is limited to micro-level interactions. The findings also suggest that supervised visitation workers engage in multiple work practices that are closely tied to disciplinary power and surveillance within the institution including: documenting, observing, communicating, tracking time/movement, and enforcing policy.

### **Discourses that Construct the Supervised Visitation Environment**

#### *Discourse 1: Safety is Synonymous with Security*

One discourse revealed through mapping and textual activation was that safety is synonymous with security. Families are directed to use supervised visitation programs via court orders when mediation is not an option, often in cases of domestic violence or when there are psychiatric problems, alcohol and substance use, prolonged separation between child and parent, or high levels of conflict between parents (Kelly, 2011; Park et al., 1997). The pathway to supervised visitation is often because there are safety concerns regarding the parent and child relationship or how conflict between parents may impact children. Before families even begin to use supervised visitation, safety acts as primary concern that families and legal professionals must consider.

During analysis, safety emerged as a common theme among the texts that govern supervised visitation. Safety measures of supervised visitation programs include locked doors, alarm systems, and staggered arrival times for both parents or separate entrances for them (Park et al., 1997). When looking at the extra-local policy of the Ministry of Children, Community and Social Services (2023) service objectives that can be found in Appendix 4, it references safety in accordance with supervised visitation standards highlighting that staff and volunteers will be adequately trained and supervised, and that the facilities will be safe. MCCSS (2023) outlines requirements for facilities used as supervised visitation centres that ensure they are provided in a physical space that is contained, safe, accessible and comply with the Ontario Building and Fire Codes. They further state that the program site should have private office facilities for the Coordinator to hold confidential information and conduct intake interviews. This description of “safety” illustrates the ministry’s efforts to control, manage, and secure the space where families meet each other from afar. It is crucial to note that safety as defined by the ministry included safety measures without a clear definition of what is meant by the term “safe.” Therefore, during my analysis, the consideration of safety gave rise to the question: what constitutes safety?

After transcribing the field notes, I decided to use mapping in a visual form to explicate what was meant by safety in the ministry policies. While writing the field notes, I observed that there were several times I documented that Staff, Students, and the Coordinator were returning to the 3<sup>rd</sup> visiting room, which was a room designated for Staff to use, and have confidential information and intake interviews. In the first field note, I also described the supervised visitation environment as I entered the building and checked in at the security desk to obtain an access card badge to get in and out of the visiting rooms. The following excerpt is from the first field note where I entered the supervised visitation building at the start of my shift and described what I saw:

- *I parked in parking lot, security unlocked front door and I checked into building at security desk by typing my name on iPad and got my visitor access card*
- *Security guard asked us to leave by 4:29pm and I informed them that the program rents building until 4:30pm and that is the time of the last exchange so we will be leaving then*
- *I entered waiting room which has a train set and is painted with a mural of children with different ethnicities, abilities, etc., then used key card to get to visit rooms*
- *Opened the doors to all 3 visit rooms and scanned layout – Chairs in 1st room against the walls and 2nd room had loose pink paper and random blanket on couch*
- *I entered 3rd room, put laptop and iPad to charge and connected to secure wifi w/password and clocked in online*

There were a few observations I made in the background information and reflection columns in the first field note pertaining to my description of entering the building. These included that only Staff were given access cards, the building is rented, the waiting room mural was “child-friendly”, the 3<sup>rd</sup> visiting room is used as a Staff room since there is no office onsite and the environment appeared to be secure since not everyone can enter the building freely. The “safety” measures as access cards, locked doors, and separate 3<sup>rd</sup> room for Staff further illustrates how time and space is controlled by ministry guidelines not only for service users, but also for Staff. Reflecting on those observations, I realized that it would be useful to map the actual layout of the supervised visitation site to have a visual representation of some of the safety features that existed on site.

Mapping involves using texts and social relations to map connections, interchanges, and ruling relations (Doll and Walby, 2019; Rankin, 2017). My approach involved creating a simple, spatial map of the supervised visitation environment as it helped to understand context behind the interactions and ruling relations experienced in supervised visitation. Grouling (2022) states that maps can look different for each institutional ethnography but are legitimate as long as they support analysis of the link between individuals and ruling relations. Figure 1 below is a map of a supervised visitation site in Ontario in which the research field notes were collected from as well as a legend for associated symbols.



**Red X = Emergency Buttons**

**Lock Symbol = Locked doors – require access cards**

**No Phone Symbol = Box we put VPs phones in**

Figure 1: Spatial Map of Supervised Visitation Site and Legend of Symbols

According to the excerpt from the first field note describing the supervised visitation environment, and the spatial map presented above, it appears that the supervised visitation environment is in line with what the MCCSS describes as safe. Their description of safety however, was representative of measures that allow for controlling where people can move around in the space. The supervised visitation building was a secure environment in which Staff needed access cards to enter visiting rooms, there was a private 3<sup>rd</sup> visiting room used by Staff as an office space for the purpose of holding confidential information and intakes, there was a security desk, security guard, and online security system that tracks who enters and leaves the building, and there were several locked doors, emergency buttons in each room and the washroom, and a gated/fenced playground. These features are in alignment with what MCCSS (2023) defines as safe in terms of

being contained, safe, accessible, and having a private space as well as includes safety features outlined by Park et al. (1997). While this analysis confirms what the literature says, it also demonstrates the ruling relations that exist between the ministry and organizations that offer supervised visitation programs in Ontario. The buildings chosen to host visitations and exchanges must be in line with the ministry policies, and based on this study, it is clear that the environment used to hold visitations for service users is facilitated by ruling relations, meaning their visits are influenced by the secure supervised visitation environment before they even start to use the service. However, a deeper analysis is required to determine what truly constitutes safety in this environment and this was done using the IE tool of textual activation.

Textual activation was also used to inform this discourse by coding the policies under the “safety” heading in the supervised visitation policies or Service Agreement that can be found in Appendix 3. In the field notes, there were many times Staff referenced, used, or explained one of the Service Agreement policies either to another Staff member or to a service user. In the first stage of coding, I created colour codes for each of the policies in the Service Agreement and highlighted any text that matched the policy. This process was called textual activation or text-in-use to understand how Staff working in supervised visitation understood and facilitated “safety” for service users and themselves (Doll and Walby, 2019). Figure 2 below will be referenced in this section multiple times because textual activation and coding for text-in-use was crucial in conducting IE analysis in this study. Figure 2 is a table that organizes or indexes the frequency of textual activation in the 3 work shifts observed at the supervised visitation site, inclusive of all six field notes.

*Textual Activation*

**SUPERVISED VISITATION PROGRAM POLICIES  
SERVICE AGREEMENT**

POLICY	FREQUENCY	POLICY	FREQUENCY	POLICY	FREQUENCY
1C ALCOHOL/DRUG USE	1 TIME	4B & C ATTENDANCE RATE AND COURT ORDER STIPULATIONS	16 TIMES	10 AUTHORIZED GUESTS	7 TIMES
1D BAG CHECKING	10 TIMES	5A & B CANCELLATIONS AND LATE CANCELLATION FEE	13 TIMES	11 RELAYING INFO BETWEEN PARTIES	4 TIMES
1F STAGGERED ARRIVAL/DEPARTURE	76 TIMES	6A & B CHILD REFUSAL	9 TIMES	12 FEES FOR SERVICE	6 TIMES
1J INDOOR SHOES	4 TIMES	6C & D 3 CONSECUTIVE CHILD REFUSALS	9 TIMES	14A & H OBSERVATION REPORTS & PARENTING ABILITY	26 TIMES
2B & C INTERPRETATION SERVICES	14 TIMES	7D WAITING 2 MINS DRIVING DISTANCE OFF SITE	2 TIMES	<b>TOTAL # OF TIMES TEXT WAS ACTIVATED</b>  <b>251 TIMES ACTIVATED OVER 3 WORK SHIFTS</b>	
2F RP SUPPORTING/ ENCOURAGING CHILD	18 TIMES	8 RP AVAILABLE TO CALL DURING VISIT	4 TIMES		
2H RP LEAVES IMMEDIATELY	6 TIMES	9 GUIDELINES FOR VP VISIT	26 TIMES		

Figure 2: Textual Activation of Supervised Visitation Service Agreement Policies Frequency

In the supervised visitation Service Agreement found in Appendix 3, policies pertaining to safety include policies 1a to 1j. There are 10 listed policies under the section of safety. During the coding process, I read through the field notes based on each policy, starting with 1a, then 1b, and so on. In terms of what was documented in the ethnographic field notes, there were 5 policies in this section of the Service Agreement that were activated. Policy 1c prohibited the use of alcohol or drugs for parents stating that even suspicion was enough to cancel a visit, policy 1d outlined that Staff will check both RP and VP’s bags and document what they brought, policy 1f defined the staggered arrival and departure times as 15 minutes apart from the other party, and 1j stated that indoor shoes were required when attending the centre. During coding, textual activation was applied

broadly meaning that a text was activated if it was referenced, explained, questioned, breached, or interacted with in any way by Staff members or service users. There were a total of 91 times the text was activated in regards to safety and the most recurring policy that appeared was the staggered arrival and departure time. No-contact between the parties using the program, also known as the VP and RP and ensuring staggered arrival and departure times for them were mentioned in the literature as a safety measure in supervised visitation, especially in cases involving IPV (Kelly, 2011; Park et al., 1997). Once again, the control of service users' arrival and departure times illustrate how time and space is controlled in supervised visitation programs – demonstrating that the ministry controls and co-ordinates people's daily actions when attending visitations from afar.

In the first field note, the first visit for the day was scheduled from 10:00am to 11:30am with VPs scheduled to arrive at 9:45am and RPs and the children scheduled to arrive at 10:00am. In the first field note, I experienced an encounter with a family where the VP was running late. I documented the work practices I engaged in as a result of their lateness which can be seen below:

- *I bring all the VPs in by 9:45am and call any that are late*
- *Only one VP was late so I called VP to see how long they would be, then I called RP to let them know VP was running 10 mins late and to wait 2 mins driving distance away from site*
- *Once VP arrived and entered the visit room, I called RP and let them know they can come to site*
- *Around 9:55am-10:00am, I go to front door of building and bring all the kids inside for their visits*

In calling the RP to let them know the VP had not arrived yet, I ensured there was no contact between both parties, maintaining a perceived sense of safety. I also noticed during this observation that while I was activating policy 1f, the staggered arrival and departure, I was also referencing policy 7 that states parties must wait at least 2 minutes driving distance from the building if they arrive before their scheduled visit time. While textual activation demonstrated that safety is achieved by ensuring no-contact orders are abided by in the program, it also exemplified that

institutional texts coordinate the experiences of service users. Before the service users even reach the facility, these policies coordinate the experiences of workers and service users through prioritization of rules that do not consider the reality of people's lives, such as trouble with transportation, traffic, or even emergency situations. In addition, when service users interfere with the control of space and time by being late, these occurrences are documented in the observation reports by Staff as a disciplinary tactic. Day to day activities are coordinated by people working with texts and these texts directly involve surveillance and disciplinary processes (Lens, 2019; Walby, 2005). The Staff or worker is known as the surveillance agent that activates the text in order to encourage compliance of the program policies (Prasad, 2005; Walby, 2005).

Foucault's ideas about discipline and surveillance are helpful to think through the ideas and impacts of supervised visitation policies. While both the ministry policies and Service Agreements state that safety measures are implemented and the research findings were in line with those features, there were disjunctures in what happens in the environment compared to what the policies promote, seen in the following example. Custodial parents or RPs, particularly those who were survivors of IPV felt obligated to be cooperative and supportive of visitations despite feeling re-victimized, silenced, controlled, and undermined while using the program because they feared being punished in court (Hardesty and Chung, 2006; Jaffe et al., 2003; Laing, 2017). The family justice system, ministry policies, and Service Agreement work to control not only space and time of service users but also attitudes they have about visitations. Policy 2f clearly states that RPs must support and encourage children to attend visits, regardless of their personal histories with the VPs, making re-victimization through supervised visitation possible and pervasive.

In the fifth field note, I observed the Coordinator training the Coordinator Trainee that was going to take over their position when they took their leave of absence from work. The Coordinator

explained what happens if an RP does not comply with court orders that recommend supervised visitation. The following excerpt highlights the resulting consequences:

- *At 9:35am, I hear Coordinator tell Coordinator Trainee that an RP has not reached out to the program since their court order was finalized and that the VP's lawyer can serve RP and police may make a house call to RP's house or charge RP with failing to comply with the court order*

One of my reflections in this section was that the family justice system is heavily tied up in the process of starting supervised visitation, particularly when supervised visitation is not sought out voluntarily. I also reflected on how this process of enforcing court orders may serve to re-victimize survivors of violence because they are subjected to penalties, such as the police showing up to their house, for non-compliance of court orders that protect their child's right to see their parents (Kelly, 2011). Lavoie (2019) notes that Foucault's disciplinary power is enacted in this consequence because it controls the RP's activities by making it mandatory for them to bring their children to supervised visitations. This reveals a disjuncture in what the supervised visitation and ministry policies claim to do in terms of facilitating safety. Survivors of IPV are deemed uncooperative and re-victimized if they do not comply with court orders or referrals. Critical feminist theory acknowledges how supervised visitation can harm IPV survivors because court orders require them to attend and be supportive, which politically entraps them in a cycle of intimidation and coercion (Allen, 2014; Feresin et al., 2019). Again, this reveals the disciplinary measures for both parties extend beyond the confines of the supervision site.

There is a lack of evidence to support the claim that supervised visitation protects service users' psychological safety. For the purposes of this paper, the difference between safety and security is that while safety may encompass physical and psychological safety, a secure environment focuses solely on the physical elements of that environment, similar to other secure facilities such as locked wards or jails. Thus, based on mapping, textual activation, and Foucauldian

concepts about power, disciplinary power and re-victimization, supervised visitation sites are safe, in the sense that they are secure environments that focus on maintaining and upholding the physical safety of participants. This is achieved through controlling time, space, and tracking minute behaviour such as if a parent is arriving even one or two minutes late. In addition, the service treats all families the same, homogenizing the diverse and complex families who may require more care, consideration and safety. Greater research into the psychological or emotional effects of using supervised visitation on the survivors of IPV may be useful for future recommendations to implement a more trauma informed approach to these programs. The idea that one can achieve physical security separately from emotional well-being is problematic in and of itself for survivors of violence, children, and families in general.

*Discourse 2: Neutrality is enforced through compliance (non-compliance is managed by Staff)*

The second discourse revealed through textual analysis of a supervised visitation worker job description, textual activation, and ruling relations was that neutrality is enforced through compliance and non-compliance is managed by Staff. Analyzing the Site Observer job description found in Appendix 5, textual activation, and mapping the ruling relations and organizational hierarchy supported my analysis. While safety has been addressed in the previous analysis, the MCCSS (2023) claims that supervised visitation programs are “neutral” places to have visitations and exchanges that reduce tension for the child as well as adults who are expected to follow centre policies and procedures. This environment is also deemed a neutral service based on the fact that Ontario supervised visitation programs do not provide therapy, counselling, referrals, or parenting skills programming (Lens, 2019; Park et al., 1997). This definition of neutrality is problematic because it reinforces state power while preventing service users from accessing mental health or other supports they may need during visitations. Neutrality as a supervised

visitation measure does not holistically support the rebuilding or protection of meaningful parent-child relationships. Instead, it works to reinforce neoliberalism and a business-model by maximizing cost efficiency and reducing social services or supports that could help facilitate more meaningful relationships between children and their parents.

A central concept in the literature was that of neutrality and impartiality in courts when applying law related to family law proceedings. The family court judge is expected to be neutral and impersonal while maintaining procedural fairness when deciding visitation arrangements (Birnbaum and Chipeur, 2010; Dollar, 2020; Lens, 2019). Since these proceedings usually lead to families entering into service, it is important to note that some judges are not fully impartial in their interpretation of the law and may order visitation as a compromise because they do not want to terminate parent-child access and usually do not follow-up on outcomes of the visits (Birnbaum and Chipeur, 2010). While acknowledging the greater institutional structures that claim to be neutral is important, this finding focuses on the local knowledge of the standpoint informer, the Site Observer, who are central to running the “neutral” environment by being neutral third-parties and documenting factual observation notes. In order to explicate the claim that supervised visitation sites are neutral because the Staff working there are neutral, it is important to first understand what a Staff member or Site Observer does.

While writing the field notes, I made observations and reflections based on my standpoint as the Staff member including my work practices, my rationale for making decisions, and personal feelings and thoughts about the work I was doing. One example of the work I was doing in the first field note was checking the weekend update, a document that outlines the scheduled times that families will be attending for their visits as well as instructions for working with families. While checking the update, I had a question about a family which is shared below:

- *At 11:20am, I ask Coordinator about a family that is no longer on weekend update that has been long-term (more than 2 years of program use) and Coordinator informs me that they went back to court and got approved for unsupervised visitation*
- *Coordinator states that they are “glad they got out” of service and I agree*
- *When I learnt that this family is now doing unsupervised visits, I am surprised but happy for them b/c their visits used to go very well with no concerns*
- *I’m surprised b/c it’s not common to see “long-term” families get unsupervised visitation after using the program for more than a year*

In this example, I share my personal opinions about a group of service users and a general assessment of their parenting ability. I also feel surprised regarding a family progressing out of service into unsupervised visits, which demonstrates that it is not a common occurrence for family relationships to improve or no longer need supervised visits. As a Staff member who has worked with the program with three years, being surprised that a family would eventually have unsupervised visitations demonstrates the priority of the ministry to maintain their business model and uphold neoliberal capitalism by keeping families in service. Supervised visitation is a service people pay for and if they continue to have to use the program long-term, then they also continue to fund the organizations and institutions that control and regulate their parent-child relationship, thereby being targeted by institutional power. Evidently, even when Staff do not act on their biases, it would be inaccurate to say that Staff working in the supervised visitation environment do not hold any preconceived biases. These preconceived biases may play a role in the execution of how policies are enforced by Site Observers during visitation. Such concrete experiences gleaned through the perspective of standpoint informants often leads to second level data which are texts and policies associated with the experiences (Bordoloi, 2016).

This led me to my analysis of the Site Observer job description that can be found in Appendix 5. Taking a first look at the job description, it states that workers are responsible for the facilitation and documentation of all visits and exchanges in a safe, neutral and child friendly environment as well as intervening in response to safety concerns while adhering to program

policies and procedures, and escalating to Supervisor when needed. There is no clear definition of what neutrality means in instances where Staff may have to intervene, leaving it up to the Staff to decide when to, how to, and if they will intervene. Lens (2019) defines neutrality in the court system as being fair, unbiased in decision-making, and transparent about how decisions are made. This author also notes that while judges claim to be impartial, they are not value free and often represent dominant societal values, similar to how Site Observers may have their own personal values that come into conflict with their work. By leaving neutrality open, Staff and supervisory discretion remains possible and transparency is further limited.

Applying this definition of neutrality to the supervised visitation environment and the role of Site Observers reveals a gap in the Site Observer's understanding of how to maintain neutrality and when to intervene. While analyzing the job description, the Marxist view of law pertaining to legal positivism surfaced. Legal positivism is the view that laws are socially constructed, have no morality attached, and are maintained through social norms (Leiter, 2015). Site observers rely on the policies and procedures of the organization to do their work that were socially constructed based on Ministry guidelines, they are promoted to be "neutral, third-party observers," and they enforce policies by intervening during visitations (Ministry of Children, Community and Social Services, 2023). Specifically, the Interests mistake appeared in this textual analysis of the job description because it involves falsely representing the real interests of a group (Leiter, 2015). Site Observers claim to be neutral which is a false representation of what their role is. Instead, according to their job defined by the job description, it appears that the role of Site Observers is to ensure compliance with the program policies and procedures and intervene when they are breached. Therefore, this textual analysis supports the claim that

compliance is demanded – through a signed contract – with punishments outlined in relation to the police, Children’s Aid Society, and lawyers.

Texts hold and generate power in society, particularly in regards to surveillance and the connection of texts and an organization’s work processes (Walby, 2005). In supporting compliance to policies, textual activation was directly linked to Site Observer interventions. An example from the fourth field note demonstrating Staff enforcing policies was when I observed a VP and they spoke about future outside access. They spoke about an activity they wanted to do in the future with their child outside of the centre. Because this breached policy 9 regarding visiting parent and authorized guest visitation guidelines found in the Service Agreement, my role as Staff was to intervene and document the occurrence, seen in the example below.

- *Around 3:00pm, the VP mentioned future outside access and where they would want to take their child so I intervene and ask them to talk about something else because we are not allowed to talk about future access since we are not sure what it will look like in the future*
- *VP tells me they do not understand why they cannot talk about activities they want to do with their child*
- *I repeat that based on the Service Agreement policy, the expectation is that parents focus on the present moment when visiting with their children and conversations about future or outside access are not allowed at the centre*
- *I document in the observation notes that I intervened and what time it happened in the summary of visit and I also copy and paste it into the Staff intervention section below*
- *The VP starts to verbally express their frustration and I document what they say in quotations*
- *The child then wants to play outside so I get up and follow the family to the playground*
- *The VP no longer speaks directly to me for the rest of the visit*

This example confirmed findings in the literature that claim that service users do not understand neutrality as it appears in the supervised visitation environment. Children who asked about why supervised visitation was needed were re-directed by Staff and visiting parents as per the program rules despite not understanding the rules (Jones and Vetere, 2017; Park et al., 1997). While the literature exemplified children not understanding the policies, the previous example demonstrates that sometimes adults or parents using the service also may not understand why

Staff intervene. This continues to demonstrate a reliance on program policies from the standpoint of the worker in order to maintain “neutrality.” It also reveals how policies organize space and dictate the content and volume of conversations resulting in the control of space and time.

In addition, there were several times other workers in the field notes appeared apprehensive or unsure about when, if, and how to intervene. This confirms what the literature states about paraprofessionals who work in supervised visitation centres. They find it difficult to remain neutral and are unsure of when to intervene when facilitating visitations, re-direct a parent’s behaviour, respond to a child’s comments, or decide what to do when parents request support, which is seen in the example below (Jenkins et al., 1997; Kelly, 2011; Park et al. 1997).

- *I check my work email and see an email from Coordinator asking all Staff to read and sign updated Service Agreement*
- *The email states that in a previous visit, one of the Staff checked the child’s diaper when the VP asked Staff to – Coordinator instructed all Staff to document that VP asks but not to check if the diaper is wet or dry as that is the parent’s job*

One of the reflections I recorded in this section was that some Staff struggle with policies if they have never encountered a situation before and may not know what to do, which is why the Coordinator sent the Service Agreement to all Staff to review. Disciplinary power attempts to cover all human behaviour, however, this example demonstrates how it is an impossible and incomplete task to do so, regardless of how many times the Service Agreement may be updated or changed. IE focuses on what people do, how they work, and how this doing and working is tied up in a web of ruling relations that is mediated through surveillance texts such as the Service Agreement (Walby, 2005). Workers engaging with or helping the parents is mediated by not only the Service Agreement but also instructions from a supervisor to enable ruling relations.

Situations where Staff have contentions with the policy often leads to Staff deferring to the Team Lead or Coordinator. After transcribing the field notes, I made a few reflections that

commented on the chain of command that existed in the supervised visitation program when issues with program policies would arrive. I then used mapping as a tool to organize the hierarchal relationships and interchanges between Staff that existed when activating these texts and policies in the program. I created an organizational hierarchy for the supervised visitation program and in my reflections, I noticed that the field notes confirmed that the chain of command for supervision onsite when Staff were unsure about policies was the same as the hierarchal order of workers. For example, if the Coordinator instructed the Team Lead to ask a parent a question or intervene, the Team Lead would do so. Similarly, if the Team Lead asked Staff or Site Observers to document something, they would do so. In Figure 3 below, the organizational hierarchy is presented.

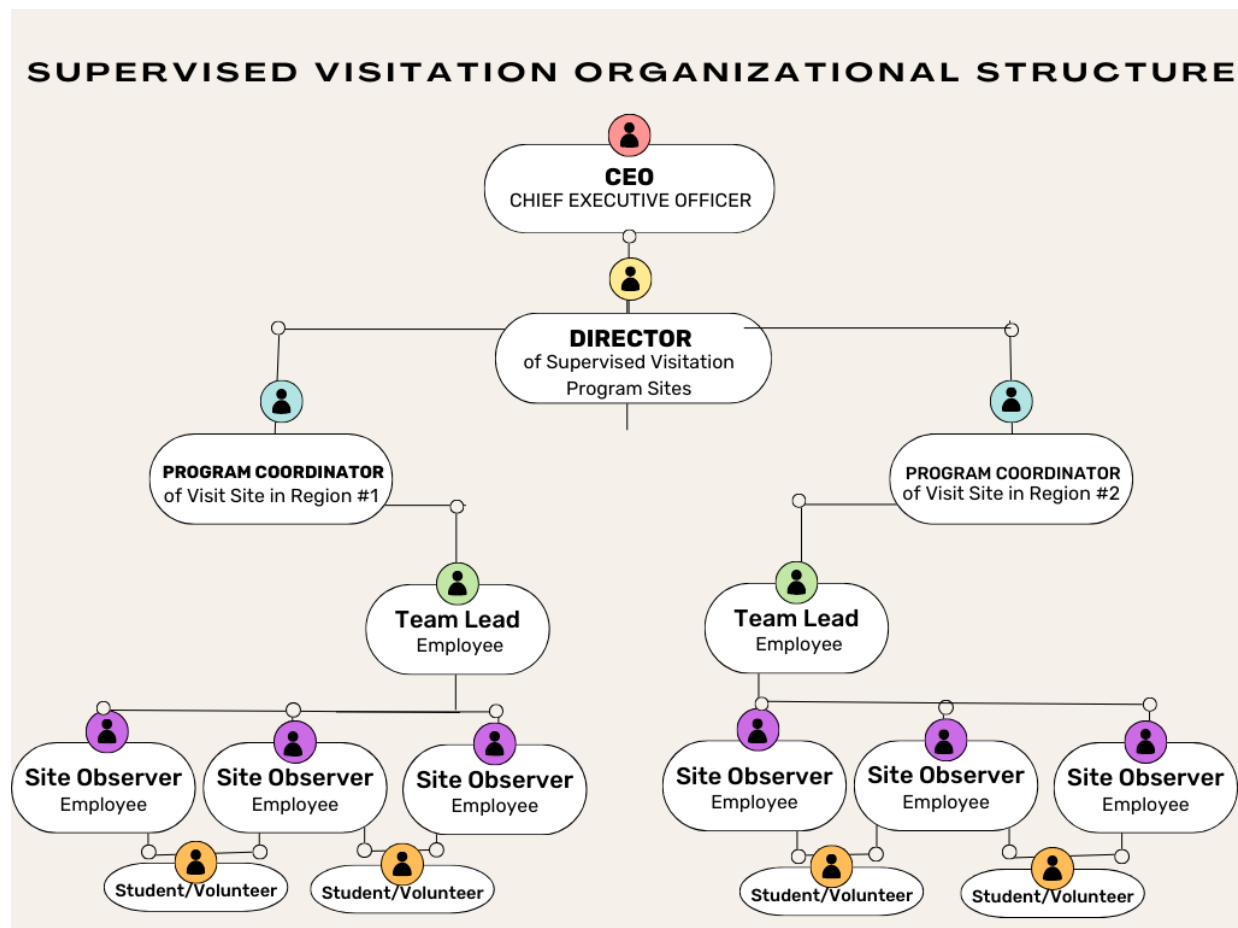


Figure 3: Mapping Supervised Visitation Organizational Structure

However, I will note that there was one instance where Staff interactions did not follow the chain of command. In the fourth field note, a Staff member supported the Team Lead in enforcing the staggered arrival and departure policy after a VP tries to leave immediately after the child leaves the centre. The example is seen below.

- *I remind the VP that they must wait the 15 minutes after the other party has left before they can leave and that they have about 10 minutes left*
- *The VP continues to try to leave so I document the interaction*
- *Staff #1 who is sitting across from me in the same room notices the interaction and explains that the VP can leave in 10 minutes and that we do require them to stay until the 15 minutes are up*
- *The VP then waits and then leaves when I tell them they can go at 4:15pm*
- *After VP leaves, I tell Staff #1 that the VP was upset because I intervened earlier on in the visit*

One of the reflections I made in reference to this power struggle was that staggered arrival and departure policies are sometimes hard for Staff to enforce. After intervening during a visit, trying to form relationships or rapport with service users may be difficult or be easily destroyed depending on how they respond to the interventions, which can be tied to their level of understanding of the program. Most parents assume that the program provides some level of therapy or counselling, which may be because they feel they need support. According to a program evaluation by Jenkins et al. (1997) over 25 years ago, 97% of parents did not know that observation reports would be written and thought that the centre would offer mediation and counselling despite those services being prohibited by the MCCSS. In the Service Agreement, policy 14a mentions observation reports and the process for ordering them but they are not clearly explained. Parents signing the Service Agreement consent to these observation reports being written without understanding or being informed of exactly what will be documented in them. This clause in the Service Agreement is also placed towards the end of the contract, where it could be easily missed or difficult to absorb after all

the other information is reviewed. This contract acts as an extension of the legal system with no option to opt out of rules and with threat and discipline looming if the contract is breached, which is determined when the Coordinator reviews the observation reports. These threats of discipline may include a family's file being placed on hold or suspended, or terminated meaning they will no longer have visitations with their child at the centre. It seems that the discipline for breaching the contract have high stakes as it determines whether a parent can actually exercise their right to having a relationship with their child or not, exemplifying how institutional power is reinforced through documentation, the Service Agreement policies as a contract, and organization hierarchy.

About 25 years later, since the program policies have not changed significantly, it appears the same disjuncture in understanding the program policies exist for service users. Kelly (2011) also highlights that some professionals struggled with their role because they may witness subtle forms of intimidations by abusers or VPs and feel they cannot intervene due to the neutral nature of the program. Based on this example, it appears that Staff do not simply struggle with intervening due to neutrality but that they may also experience power struggles with service users that make policies difficult to enforce. Again, these examples underline that neutrality is a myth and relations of power are especially acute in these settings.

Staff intervention seemingly demonstrates Foucault's concept of technologies of social control by the ways the policies are read into by Staff. Walby (2005) states that technologies of social control are textual and that people often ignore the power behind texts while accepting them as straightforward reports about social life. This raises the issue of how Staff document their interactions with service users and if the documentation can be represented as factual and neutral. In one of the previous examples, after the policy was breached and I intervened, I documented the interaction and then proceeded to add it to a separate section used to document

any times Staff intervened during the visit. Foucault's discussion of disciplinary power highlights that social institutions act as disciplinary entities that achieve social control through subjectivity and using compliance to a clearly articulated system of rules and procedures and surveillance, of which Site Observers act as surveillance agents (Prasad, 2005; Walby, 2005). Drawing attention to when a service user breached a policy in documentation, especially when they do not understand the policies well, is punitive treatment. This discourse highlights the ways in which although the program claims to be neutral, they demand compliance to policies through the strict overreliance on the Service Agreement by Staff. Therefore, it is apparent that supervised visitation requires compliance and uses Staff as surveillance agents who manage non-compliance by intervening or enforcing policies outlined in the Service Agreement.

*Discourse 3: "Child-focused" is limited to micro-level interactions*

The final finding that is revealed through examining the problematic of how child-focused the supervised visitation environment is via textual activation, and mapping to explicate ruling relations, is that "child-focused" is limited to micro-level interactions and control experienced by children who use the program. Textual activation is used to investigate how the child refusal policies are operated during visitations. Mapping where observation reports go after they are written is also used to understand the ruling relations that exist and how they may or may not promote the program being child-focused.

Textual activation was used to understand how and if the supervised visitation environment was as child-focused as the Ministry of Children, Community and Social Services policies claimed it to be. The MCCSS (2023) defines child-focused as being sensitive to the needs of the child, which is one short statement in the body of twelve pages of text. For a ministry that promotes a child-focused environment, they spend little time actually focusing on children in their guidelines. In contrast, their reporting requirements that track how many adults, children, and families use the

service was four twelve pages of text. This indicates that their priorities are more focused on regulation in terms of controlling time, space and individuals and statistics. The emphasis on statistics, tracking, and productivity demonstrates a focus on supervised visitation as a business. Even in the Service Agreement, there are constant references to fees: the annual fee for service, the late fees, cancellation fees, and purchasing reports. This reveals ruling relations that show how the transactional language of the ministry guidelines work to construct a Service Agreement contract that is once again, more focused on regulation and controlling people's time, space, and money.

In the Service Agreement, the child refusal policies are defined in policy 6. Policy 6a and 6b focus on child refusals in general stating that the centre are child-focused environments that facilitate contact between children and parents but do not enforce the contact, however Staff's role is to encourage children to attend the visits. Policy 6c explains that police enforcement of court orders in cases of child refusals are not supported onsite because the centre does not support this type of intervention. Policy 6d explains what happens when there are three consecutive refusals by a child to attend the visit, access will be put on hold and referred back to the parties' lawyers for review. If there are no lawyers, the Coordinator may reach out to both parties to come to another agreement to try again but after three child refusals in a row, the file is placed on hold meaning there will be no more visits scheduled.

In figure 2, the child refusal policy was activated 9 times and the consecutive child refusal policy was activated 9 times as well, making the total number of times the text was activated in regards to child refusals a total of 18 times over the course of 3 work shifts. Once again, textual activation during coding refers to a broad interpretation of if it was referenced, explained, questioned, breached, or interacted with in any way by Staff members or service users. There were about 7 instances where the child refusal occurred onsite, was documented, or explained to a child

during these 3 work shifts. There were about 11 families attending visitations each shift for a total of 33 families, which means the child refusal policies were activated about 20% of the time for an actual refusal and a total of 54% of the time for actual refusals and anticipated refusals.

An example of when the text was activated in regards to child refusals was when I was conducting a child orientation in the first field note. An orientation is a short meeting between the Team Lead and a new family's RP and child(ren) that involves a tour, explanation of program policies and rules, and introduction of Staff to child(ren). When I was preparing for the orientation, I reflected in the notes that when children are hesitant about coming in for the visit, I emphasize that the role of Staff is to support them to feel comfortable and that they have a choice to leave early or have Staff call their parent to pick them up if they do not want to stay for the full visit. I also prepare for orientations by reviewing information about the family's history which can be seen in the example below.

- *I checked my laptop for the weekend update and noticed 2 orientations of new families for the morning – 1 at 10:30am and 1 at 12:30pm*
- *Coordinator gave me information about new family and instructed me to be careful how I speak to the new parent b/c they ask a lot of questions and used another program previously that they complained about*
- *Coordinator told me that last program allegedly did not listen to child's concerns*
- *I check the emergency cards/face sheets of families in their file to find out children's ages, and VP and RP's concerns so I can tailor the orientation for them*
- *Based on briefing provided by Coordinator, I adjust my orientation accordingly*

In this example, I reviewed the background history on a family which was found in their emergency cards, a document that lists contact information for both of the parties, the child's information, VP's concerns and RP's concerns from the intake and days/times they are scheduled for the visits. The intake must be completed before the child orientation and the orientation is the first meeting before the first visitation the child has with their parent. In my reflections during this excerpt, I noted that

orientations are a chance to address parent and child concerns proactively which can be seen in the example from the first field note below.

- *Child had a lot of questions about if they did not want to come in so I explained the child refusal policy to them (if they refuse to come in 3 times in a row, we will not schedule anymore visits unless both their parents go back to court or come to a new agreement)*
- *I also explained that if they come in for the 1st visit, refuse the 2nd, and come in the 3rd time, we will continue to schedule visits*
- *Told child if they come in for even 5 minutes, it's not considered a refusal b/c they came inside so they will still have visits*

In this orientation, the child was apprehensive about attending the visit so in order to be child-focused, I directed the conversation towards the child and not the parent and I also explained the child refusal policy. I asked why the child was nervous in an attempt to help them feel more comfortable and since their answer was focused on not being sure if they wanted to see their parents or even stay for the full visit, I explained the refusal policy as well as their option to leave early. In my reflection section, I recorded that only the adults are given the Service Agreement to sign so unless a parent explains the program policies to their child, children may come in not knowing what the program will be like. After the orientation, I then wrote what I learned about the child on the orientation checklist which includes the date/time of orientation, information about child's favourite hobbies/toys/food, how they feel about first visit, plan for first visit, and tick boxes for explaining staff roles, indoor shoes, nut free environment and answering questions. In the reflection section of my field notes, I shared an observation that the child orientation checklist is the most "child-focused" document Staff use because it is focused on the child's feelings and comfort level for their first visit.

Textual activation was used to investigate the problematic of how supervised visitation is constructed in relation to its policies. The MCCSS (2023) claims that the supervised visitation programs are child-focused, despite not having a lot of information in the guidelines about children.

Based on my observations of the child refusal policy, the orientation checklist, and also the way the environment is described from the first field note below, it appears that supervised visitation centres on a micro-level tend to be focused on children's needs, wants, and comfort.

- *I entered waiting room which has a train set and is painted with a mural of children with different ethnicities, abilities, etc., then used key card to get to visit rooms*
- *Waiting room mural is “child-friendly” – children point out pictures when they walk in or go play with trains*

In this field note, the waiting room that can be seen in figure 1, the spatial map of the supervised visitation site, is described as having a train set for children to play with as well as walls covered in murals of different children. One of the reflections I noted in my field notes is that children tend to play with the train sets or they point to the pictures when they come inside for orientations or visits. Staff may suggest bringing in the trains to the visit if the child is nervous. The problematic of how the supervised visitation environment is constructed demonstrates that it is indeed child-focused.

The literature explained that families are referred or court-ordered to use supervised visitation which can be until a child turns eighteen years of age (Kelly, 2011; Park et al., 1997). While children may be court ordered to use the program or attend visits, they are not forced or obligated to actually come into the centre if they do not want to, as it states in policy 6 of the Service Agreement. Therefore, child orientations are used as a tool to ensure that supervised visitation is actually child-focused and centred on the needs and wishes of the child.

While the research demonstrates that the environment and child refusal policies help to create a child-focused environment, the use of mapping helps to explore the other part of this discourse that claims that supervised visitation centres are only child-focused at the micro-level. When looking at how families may be court ordered to use the supervised visitation program, the concept of choice comes up. Walters and Friedlander (2016) refined an intervention model for families where the child refused contact with a parent, involving a collaborative approach with legal

and mental health professionals. This was a therapeutic intervention that led to greater child protection from violence and helped to result in a change in custody arrangements (Walters and Friedlander, 2016). However, therapeutic intervention is strictly prohibited by the supervised visitation programs so this is not a feasible solution to address child refusals. Instead, the process for what happens when children refuse as explained in policy 6 in the Service Agreement, is that both parties go back to their lawyers, back to court, or come up with a voluntary, mutually agreed upon solution. Being referred back to legal professionals or the judicial system indicates a cyclical process where families are reintroduced to the ruling institutions that ordered supervised visitation in the first place, to engage in the process that brought them into service all over again. This constant loop of attending supervised visitation, going back to court, and going back to visitation reveals how institutional power and ruling relations are prevalent in supervised visitation. It seems the only way to get out of this cyclical process of surveillance, tracking, and discipline, is to move to unsupervised visitation, which has been established as uncommon to see once families enter service.

In order to explicate an understanding of how supervised visitation may not be child-focused on a macro level, mapping helps to analyze social relations and how Staff in the supervised visitation environment align their activities or contribute to activities that occur outside of the local environment (Devault, 2006). This also supports analyzing ruling relations. In the first field note, one of the reflections noted was tied to an analytical memo created during the coding process which was in regards to where the observation reports Staff wrote would go. The example is shown below.

- *VP/RP/OCL/Judge may request observation notes to determine future access (part of system)*
- *Where do the notes go? Mapping: Staff writes note → Coordinator reviews → Coordinator uploads to online database → VPs/RPs purchase note to take to court as “factual” document*

The example above was then mapped in a flow chart diagram to show the life path of observation reports and where they go. Observation reports are created by using the observation templates filled

in with parent and child information, they are written by Staff during the visit, dropped off to a shared drive or emailed to the Coordinator, which the Coordinator then reviews and uploads online, to then be purchased by VPs, RPs, their lawyers, or OCLs for judges to review as a “factual” document which can be used to arrange future access. The cost of these reports may vary from organization to organization but based on this study, a single report was \$25. There was also a package deal option of purchasing an attendance report for \$50 which would make a single report \$10. The varied pricing of these reports further indicate the business and for-profit model of these visitation centres that charge service users not only to attend visitations to see their children, but also to purchase documents they may need in court to adjust parenting time orders. The MCCSS (2023) notes that while supervised visitation centres do not make recommendations or assessments for families, they can produce observation reports that are used to guide the assessor to choices that are in the best interests of the child. The purpose of the reports is for parties or lawyers to use to build their case in family courts. The diagram can be seen in Figure 4 below that demonstrates a mapping of observation reports produced in supervised visitation.



Figure 4: Mapping Observation Reports

The family court process is how supervised visitation is often accessed by parents and families. If supervised visitation reports are used to determine parental time arrangements, is the service truly neutral if children are going to be ordered back to the site to try visitation again? Kelly (2011) and Saini et al. (2011) write about the best interests of the child and how it is often perceived in legal processes as creating maximum contact between the parent and child, also known as the maximum contact principle. Ruling relations organize work from afar and while supervised visitation is often the recommendation for high-conflict families, the family court process in Canada organize experiences families can have in the centre through Staff activating the policies.

Using a Marxian legal perspective of the Genetics mistake helps to reveal how supervised visitation being ordered via the family courts is an example of ruling relations. Previous analysis included the Interests mistake stating the Staff falsely represented themselves as neutral third parties, however Leiter (2015) defines another mistake in legal philosophy. This is known as the Genetic mistake that states that the Interests mistake, such as viewing maximum parental contact for the child as in their best interests, is possible because people accept the interests without justification of how those beliefs came to be true (Leiter, 2015). In the family justice system, it was already demonstrated in the field notes that parents who do not comply with court orders are subjected to penalties, either through the involvement of police enforcement or being charged with non-compliance of a court order. Thus, families are forced to accept these orders whether they are truly in the best interests of the child or not. This is a challenging concept to consider because children have the “right” to visitations with their parents and these rights are protected regardless of whether they may have witnessed violence or conflict (Birnbaum and Chipeur, 2010; Kelly, 2011).

Based on examples from the field notes, supervised visitation sites appear to be making an effort in being child-focused by considering the wants of children in their child orientations,

documentation, and child refusal policies. However, mapping where the observation reports go after Staff write them demonstrated a disjuncture in the concept that supervised visitation programs are child-focused on a larger level. Mapping helped to reveal that supervised visitation is coordinated by larger institutions, also known as ruling relations. Supervised visitation cannot be considered in isolation without also thinking about how court processes play a role in how families access, use, and are referred to the program. Based on Marxian ideologies of law citing the Genetics mistake, and Kelly's (2011) discussion of the maximum contact principle, it seems that supervised visitation programs can be considered child-focused, but only on a micro level and not on a macro level.


Examining the field notes produced three discourses of the supervised visitation environment and how it is constructed through texts, mapping, and connections to the literature. The MCCSS (2023) defined supervised visitation as safe, neutral, and child-focused. This study's findings confirmed that the program was both safe in terms of a secure physical environment, and child-focused in terms of micro-level interactions. There were some disjunctures in what the ministry claimed versus what appeared in the field notes, however neutrality was discovered to be connected to compliance to policies, with Site Observers being the agents who enforced compliance. Observers in turn are compelled to follow instructions from supervisors who reinforce the Service Agreement. In completing this analysis to reveal discourses that shape the supervised visitation environment, there were other findings that involved what Staff engaged in during their work. This will be highlighted in the following section as supervised visitation work processes.

### **Supervised Visitation Work Processes**

This research project included a second read through of the data that was done after the first initial coding. Whereas the first set of coding was done to examine discourses that construct the supervised visitation environment, the second set of coding was done as a result of the analytical

memos noted in the first set of coding. To avoid thematic analysis, I wanted to investigate what was happening for Staff during their work shift because indexing is often focused on linked work activities and work processes discoverable in the data to support an analytic view of the institution (Rankin, 2017). This portion of the analysis was done mainly using indexing as a tool.

There were several practices or activities that Staff engaged in during the field notes which included documenting, observing, communicating, tracking time/movement, and enforcing/referencing policy. These practices were then developed as pre-determined codes and definitions used to code and index the data into the five separate categories. The following section will briefly touch on the work practices identified, their definitions for the purpose of this research, and an example of how they were enacted in the supervised visitation environment. Figure 5 below also shows the work practices and the number of times they occurred in the field notes.



**SUPERVISED VISITATION PROGRAM**

WORK PROCESSES STAFF USE	DEFINITION	ASSOCIATED WORDS	FREQUENCY
DOCUMENTING	ANYTHING THAT INVOLVES REVIEWING, PRODUCING OR ENGAGING WITH DOCUMENTS	READ, WRITE, LAPTOP, SIGN, SIGNATURE, SHARED DRIVE, EMAIL, NOTE, REPORT, WEEKEND UPDATE, REVIEW	152 TIMES
OBSERVING	ACTIVELY LISTENING OR WATCHING AND OBSERVING PEOPLE OR THINGS FOR THE PURPOSE OF DOCUMENTING WHAT IS HAPPENING	SEE, LOOK, WATCH, HEAR, NOTICE	51 TIMES
COMMUNICATING	ANY COMMUNICATION BETWEEN STAFF OR PARTIES INVOLVED IN VISITATION, INCLUDING IN-PERSON AND VIRTUAL MODES OF COMMUNICATION	INSTRUCT, PHONE, CALL, TEXT, EMAIL, CONTACT	62 TIMES
TRACKING (TIME/MOVEMENT)	PAYING ATTENTION TO THE SCHEDULED TIMING OF ARRIVALS/DEPARTURES, ATTENDANCE AND WHEREABOUTS OF PARTIES INVOLVED IN VISITATION	CHECK, DOOR, TIME, AM/PM	86 TIMES
ENFORCING/REFERENCING POLICY	REFERENCING OR DEFERRING TO SERVICE AGREEMENT POLICIES FOR USE OF PROGRAM AND ENSURING THAT PARTIES FOLLOW POLICIES AS OUTLINED IN AGREEMENT	TELL, EXPLAIN, LET THEM KNOW, ANSWER, INFORMATION, MESSAGE, RELAY, INTERVENE, REFER, ALLOW, POLICY	51 TIMES

Figure 5: Indexing Work Processes in Supervised Visitation

*Documenting*

The first work process was documenting. This was defined in the pre-determining codes stage as anything that involves reviewing, producing, or engaging with documents. Associated words with this code were read, write, laptop, sign, signature, shared drive, email, note, report, weekend update, and review. Documenting as a work process appeared 152 times over three work shifts, making it the work practice Staff engaged in the most. This exemplifies how ruling occurs through documentation with Staff having the power and responsibility of documenting.

The literature referenced documenting as one of the practices Site Observers engaged in by stating that workers document factual notes of the visit or exchange (Park et al., 1997; Straus & Alda, 1994). In the field notes, documents did not solely refer to the act of documenting or writing observation reports. They also referred to completing child orientation checklists, weekly reports that tracked attendance of families for the MCCSS, and reading the weekend update which can be seen in Appendix 2, as well as in Figure 6 below.

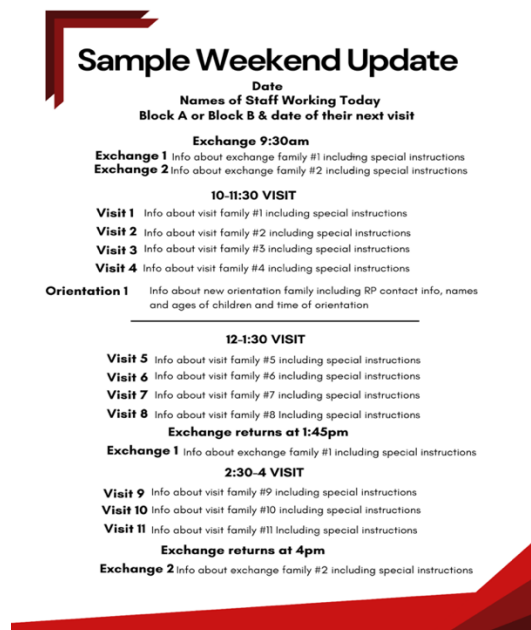


Figure 6: Sample Weekend Update Document

The following example demonstrates in the second field note how I completed writing a cancellation observation report. This report was for a family that cancelled their exchange. In this

example, I explain the different sections included in an observation report and the process for documenting all interactions with both parties regarding the exchange.

- *For visit cancellation note, I start with writing date of visit, put an “X” for No serious occurrences, scroll past VP and RP’s names, listed authorized guests and children’s names. I mark “N/A” for who picked up/dropped off children and also for the chart that lists their scheduled and actual arrival/departure times. Under cancellation, I put RP cancelled and under reason in the chart, I put child sickness. In all sections (instructions of RP, summary of visit, intervention during visit, after visit, special requests by parties), I delete the lines and write “N/A.” In prior to visit section, I find the text messages in program phone and write the time and date that RP texted program during the week and what they said. I also write the time and date VP was notified of the cancellation. Then I scroll down to the bottom of the template, write the date and paste an image of my signature on the signature of observer line.*

Documenting as a Site Observer is a work process that emphasizes surveillance in supervised visitation. Foucauldian approaches to understanding data often includes discourses around power and surveillance (Bertelsen, 2021). Similarly, Walby (2005) notes that people act as surveillance agents through the use of text, which transport observations and discriminations from one setting to another through reading or writing in the local setting. Documenting in supervised visitation is a work practice that positions workers as surveillance agents who then read and produce reports that coordinate family experiences in the family justice system, that can extend to police and Children’s Aid involvement. It can also lead them back to supervised visitation in a cyclical process.

### *Observing*

The second work process was observing. Observing was defined as actively listening or watching and observing people or things for the purpose of documenting what is happening. Associated words included see, look, watch, hear, and notice. This work practice appeared in the field notes a total of 51 times. The definition of observing was tied directly to the process of documenting so it is important to note that these work practices were not mutually exclusive and often had overlap with other work practices. In this case, observing was related to documenting several times during the field notes and coding process, as well as in the literature.

The literature referenced observing as another work practice Site Observers engage in. Park et al. (1997) and Straus and Alda (1994) noted that Staff are neutral third-parties who observe visits or exchanges who then document what they observe. The reports are signed by Staff after they are written but Staff refer to themselves as “Staff” or “Writer” in the content of the notes. Observation in the field notes primarily referred to Staff watching families and looking around the site. An example of when observation was also done at the same time as documenting was in the fifth field note when I was multi-tasking writing cancellation notes and observing a family below.

- *On my laptop, I keep two note templates open side by side so I can continue writing the conversations of the visit I am observing and also get started on the cancellation note*
- *I also work on the cancellation notes by checking the text messages from the RP and VP on the program phone while glancing at the family I am observing every few minutes*

This example occurred when I was tasked with observing a family’s visitation. I kept two tabs open on my computer screen; one being the note template for the family I was observing and another being the note template for the cancellation note. While the family was playing an activity, I started working on the cancellation notes as all observation reports need to be sent to Coordinator before the end of the shift. When I heard any conversations between the parent and child, I would document it in the note along with the time and what they were doing. The length of notes may vary with cancellation and child refusal notes or no-shows typically being about a few sentences to half a page of content, and observation reports of visits being about one to five pages of content depending on what the family does or says. There are families that do not converse much, others that play many games and activities, and some that do not stay for the full visit. For example, I wrote a child refusal note from the fourth field note and the total length of the visit from the time VP arrived to when they left was about 50 minutes. My observation reports for this child refusal was just under one full page of content using 1.5 point spacing on Microsoft Word. Observation reports are the responsibility of Staff to write so the length may vary based on the Staff writing it, making the

reports subjective in terms of details included. This scenario further exemplifies how surveillance is tied up in the work that Site Observers do when working at a supervised visitation site.

Observing is another work process that Site Observers engage in connected to surveillance. In Prasad's (2005) discussion of disciplinary power, he cites Foucault's description of the modern prison and court system, claiming that it promotes intimate surveillance and regulation at work, perpetuating a system of dominance that achieves social control by increasing the scope of surveillance. Because the observation reports have been mapped to demonstrate their connection to determining future parenting time arrangements, this demonstrates that Site Observers have a significant amount of power when they engage in observing and documenting.

### *Communicating*

The third work process was communicating. Communicating was defined as any communication between Staff or parties involved in visitation, including in-person and virtual modes of communication. Associated words included instruct, phone, call, text, email, and contact. Communicating appeared a total of 62 times in the field notes. Communicating mainly referred to workers interacting with the Coordinator, the Team Lead using the phone to communicate with parents, and Site Observers communicating with one another. Once again, there appeared to be overlaps with documenting when Staff were engaging in the practice of communicating.

One example demonstrated in the field notes that showcased multiple interactions between Coordinator, Team Lead, Staff and one of the service users was in the third field note. In this example, I had walked into the 3<sup>rd</sup> visit room, also known as the Staff room to inform the Coordinator that one of the VPs brought cake for their child's birthday. The Coordinator then instructed me to call the RP to let them know about the cake which can be seen below.

- *At 10:05am, I call RP about the cake and they say the child can have a little piece so I relay the message to the VP and Staff #3 who is assigned to their visit so they can document the interaction*

This example not only involved the Coordinator communicating with me but also involved me calling one of the parents in which they said the child can have a small piece of cake. These minute interactions are constantly tracked by Staff in supervised visitation and indicate an overreliance on surveillance of families through controlling the space they occupy. In addition, since I was not assigned to observe that visit, I had to then relay the message and communication with Staff #3 who was assigned to the visit, in order for them to document the interaction. In analyzing the neutrality of the program, one of the observations was in regards to the chain of command that followed the supervised visitation organizational hierarchy shown in figure 3. This example of communicating as a Staff practice also followed a chain of command in which the Coordinator had decision-making power, the Team Lead carried out the decision by contacting the party directly, and the Site Observer then documented what both the Coordinator and Team Lead had coordinated.

In terms of analysis, communicating as a work process relates to ruling relations and managerial power. Smith developed IE as a form of sociology interested in how discursive, managerial, and professional forms of governance or power operate in different environments (Walby, 2005). Not only does the communication between multiple members of the Staff on site exemplify ruling relations, but the managerial power that the Coordinator has to make decisions in relation to the program policies and interpreting them is also a clear example of this. Although communicating as a work practice did not show up as often as documenting, it involves a great deal of professional power that is used to coordinate the experiences families have when using supervised visitation programs.

*Tracking Time/Movement*

The fourth work practice was the tracking of time and movement. This work practice was defined as paying attention to the scheduled timing of arrivals and departures, attendance, and whereabouts of parties involved in visitation. Associated words were check, door, time, as well as AM/PM in relation to when the time of an observation was documented in the field notes. This work practice appeared 86 times in the field notes, making it the second most common work practice the supervised visitation Staff engaged in. Tracking time and movement in the field notes primarily referred to when Staff reviewed the weekend update shown in figure 6, brought VPs or children into the visiting room, met RPs at the door, when the Team Lead would track attendance on the weekly report, or when Staff were trying to enforce the staggered arrival and departure times of 15 minutes as noted in the Service Agreement.

Tracking time/movement was a work practice identified to be directly connected to the textual activation of Policy 1f in figure 2. This policy was activated 76 times over the course of three work shifts and was the most textually activated policy Staff used. This high frequency of textually activating the staggered arrival and departure policy, along with several instances of tracking movement of the service users are directly connected to the safety of the program. Safety features involved in supervised visitation include the assurance of no contact between parties, especially in cases of IPV or high-conflict families (Jenkins et al., 1997; Park et al., 1997). The field notes regarding this work practice show Staff's effort in ensuring there is no contact between the parties by calling VPs when they did not arrive at their scheduled times, meeting RPs and children at the door at the start of the visit time, and by ensuring VP did not leave the building until RP and the children had already left. An example of tracking time/movement is presented below.

- *At 11:45am, I double check the front glass doors to see that RP has left the parking lot and then let the VPs go if it has been 10-15 mins since RP left*

According to the weekend update shown in figure 6, the scheduled departure time of children after the morning visits from 10:00am to 11:30am would be 11:30am. The scheduled departure times for VPs in that case would be 11:45am. In field note one, I check the front glass doors where RPs pick up their children to take home at 11:45am to ensure that all of the RPs have left the property. I also keep track of the time the children left to ensure the 15 minutes are staggered. For example, if a child was packing up their belongings and left at 11:35am, the VP would be allowed to leave at 11:50am instead of 11:45am. Tracking time/movement as a work practice helped to activate staggered arrival and departure policies, which then contributed to the “safety” of the centre. Again, tracking these minute interactions and happenings demonstrate surveillance at a high level, similar to that of a jail, prison, ward, or other high security environment.

Another instance in which tracking movement was shown was through the use of the weekly report. The weekly report is described in the second field note when I am finishing up my work for the day. The tracking of attendance in this report is seen in the example below.

- *I go back to the 3<sup>rd</sup> visit room at 3:30pm and finish up my weekly report for the day by checking off all the families that attended, cancelled, or refused and then total the number at the bottom*

The Ministry of Children, Community and Social Services (2023) are responsible for keeping track of statistics regarding supervised visitation program usage. According to their website, they track for both exchanges and visitations: the number of children and families served, the wait time between initial contact with the program and first service date, number of reports completed, number of court appearances, number of files opened or closer, number of visits held, and ministry funded expenses. Some of the current statistics being tracked have changed since the last released statistics reported by the Ministry of Attorney General in 2015 almost over a decade ago. The work practice of tracking attendance then is tied to ruling relations because while the MCCSS is

responsible for tracking the statistics, the supervised visitation programs have to provide them. It is also important to highlight that this is the only data the Ministry collects, meaning that their evaluations of the program is based on how many people use supervised visitation, and how long it takes for them to access it, while failing to consider how the relationships in visitation between a child and a parent progress. This data highlights the business model once again focused on audit culture, neoliberal approaches to families, efficiency and the ways numbers are treated as the highest priority. Therefore, while the supervised visitation program aims to protect and re-build meaningful relationships between parents and children, the act of tracking time/movement that Staff engage simply contribute to ruling relations and do not promote the effect they intend to in terms of creating opportunities for unsupervised visitation (Kelly, 2011).

#### *Enforcing/Referencing Policy*

The fifth and final work practice was enforcing/referencing policy. This was defined as referencing or deferring to the Service Agreement policies for use of program and ensuring that parties follow policies as outlined in the Service Agreement, which is based on the MCCSS (2023) standards of best practices. The MCCSS specifically refers to this as the Supervised Access Program Standards, which demonstrates ruling relations as a vaguely named source as expert knowledge that keeps Staff, supervisors, and families in line. Associated words included tell, explain, let them know, answer, information, message, relay, intervene, refer, allow, and policy. This work practice appeared 51 times in the field notes. When coding this work practice, it was identified that enforcing/referencing policy had the least amount of crossover or intersection with other work practices. This supports the previous claim in the findings that Staff manage non-compliance by strictly engaging with policies in an effort to be neutral, through a blanket application of these policies to all parties using the service, regardless of what may have led to their use of supervised visitation. Enforcing/referencing policy was primarily seen in the field notes when

Staff explained policies to service users during child orientations, intervened during visits, and during the intake process.

An example from the field notes highlighting the explanation of policies to a service user was in the third field note when I observed the Coordinator completing a virtual intake. In the intake, the Coordinator explained the policies involved in supervised visitation. The intake meeting occurs after forms are signed but before child orientations are conducted and can be seen below.

- *Coordinator starts intake by reviewing the intake forms and ensuring they are completed*
- *Coordinator asks parent how their children feel about the visit and if they know they have one coming up*
- *Coordinator also asks questions about the children and their hobbies or interests*
- *Coordinator asks about concerns with VP – if there are any substance use (drugs/alcohol) concerns, parenting ability concerns, if the children have witnessed domestic violence*
- *Coordinator explains about the parent response that even if children witness violence in the past, those conversations cannot be discussed during the visit and that the VP or Staff will have to re-direct the conversation*
- *Coordinator tells this parent that the purpose of the visits is to have the child and parent re-connect and have a good time*
- *Coordinator asks parent to explain that to their children*
- *Coordinator explains how the program works including that there will be a block schedule which means there will be 1-2 visits per month*
- *They tell the parent about late cancellation fees of \$30*
- *Coordinator asks if the parent Ubers, drives, or uses the bus and explains the policy for leaving property – that they must wait at least 2 minutes driving distance away from the centre off property*
- *Coordinator asks what language the children speak and ask if there are any guests allowed for the visits*
- *Coordinator reviews Service Agreement with parent and summarizes the policies while encouraging parent to read it in detail and ask any questions they may have*
- *Coordinator explains the phone and picture policy stating that it is a bit outdated because children use technology more often now but that VPs and older children are not supposed to use their devices onsite but that there is a program iPad that they can use*
- *Coordinator also states that Staff will ask children if they want to take a picture before they do and it will be taken on the program's phone*

When supervised visitation rules were created in the 1990s, they regulated the use of cellular devices, restricted what parents could talk about or bring as snacks or gifts to a visit, and prohibited physical discipline (Jenkins et al., 1997; Park et al., 1997; Peterson-Badali, 1997). These rules

continue to remain the same today. As referenced in the example above, it appears that a few of the program policies are outdated, particularly in regards to the use of technology. This example also goes over the restriction of children not being allowed to talk about past events if they had witnessed violence, stating that Staff will have to intervene and re-direct the conversation. A review of the literature introduced the concept of therapeutic jurisprudence and therapeutic supervised visitation programs. Therapeutic jurisprudence was intended to be used in the court system to bridge legal arrangements and therapeutic outcomes together in an effort to improve family life and policies in family law proceedings (Babb, 2014). Similarly, supervised therapeutic visitation involves a mental health professional who heals troubled parent-child relationships by intervening, promoting healthy parenting, relationship building, and cooperation between parties, although it is not easily accessible or affordable through the Ontario court system (Jaffe et al., 2008; Saini and Birnbaum, 2015). When families are not provided support services to help them and their children heal from family violence and trauma, under the guise of the program being neutral, issues like IPV, divorce, and custody conflicts continue to remain prevalent, ongoing issues in Canada.

Supervised visitation in Ontario has clear guidelines and policies for service users and Staff to follow. However, most of this study demonstrates that policies are interpreted and activated by individuals in different ways depending on when or if Staff choose to intervene, what details they choose to document, and what instruction the supervisor provides to Staff, but the activation of these policies uphold ruling relations. Intervention is also linked to disciplinary power because it not only controls what the parents are allowed to talk about during visits, but also how children understand conflict or past events. In addition, the interventions are then documented in observation reports in a separate section of the template, which could be viewed as a way to punish a parent for non-compliance of the policies.

Indexing in IE led to the determination of several work processes Site Observers use in their work. These work practices were defined, coded, and then explained using examples to understand how supervised visitation environments are textually coordinated by the workers. These work practices included documenting, observing, communicating, tracking time/movement, and enforcing/referencing policy. This analysis contributes new ideas to the literature that explores how Staff use not only observing and documenting in their work, but communicating, tracking time/movement, and enforcing/referencing policy in accordance with the act of observing and documenting. The work processes identified demonstrate a textually mediated supervised visitation environment where work practices are linked and constantly interacting as Staff engage in those practices (Rankin, 2017).

## **CHAPTER FIVE: CONCLUSION**

Supervised visitation in Ontario has been in service since the 1990s with program policies remaining the same since it first developed as a pilot project (Jenkins et al, 1997; Park et al., 1997). The program was intended to provide families who experience high-conflict divorce and separation, a setting where exchanges of children or visitations with a parent could be held and observed by a neutral, third-party staff or volunteer who documents their observations and prevents contact between the parents in conflict (Park et al., 1997; Straus & Alda, 1994). The main features of the supervised visitation program are that it is safe, neutral, and child-focused to help re-build the parent-child relationship after divorce and separation (Kelly, 2011; Park et al., 1997). These features were used to guide the research question of what type of environment does supervised visitation create for service users and staff, conducted through IE and Foucauldian concepts.

In the literature review, there was an abundance of information from legal and socio-legal perspectives on divorce, custody, access arrangements, and even therapeutic jurisprudence as a

suggestion to be used in family courts. However, the gaps in the literature were clear. There was little research from a social services or social work perspective despite families using these services long-term while facing victimization from IPV and judicial experiences (Hardesty and Chung, 2006; Jaffe et al., 2003; Laing, 2017; Lens, 2019; Stephens et al., 2021). This research project attempted to fill a gap in the literature by incorporating critical theories and a critical methodology, known as IE to critique the family justice institution and explicate what was happening in regards to the program policies and real experiences of Staff and service users.

The family justice system as an institution prescribes supervised visitation as a solution for families in conflict. Supervised visitation operates as an extension of Foucault's panopticon both inside and outside of the centre through constant discipline and surveillance of families and Staff. Prasad (2005) describes the panopticon as relying on impersonal, continuous, functional surveillance that embodies incarceration, hierarchical surveillance, and regulation in order to have people discipline and manage themselves in accordance with society's norms and expectations. Service users are confined to a space by Staff, are watched and demanded to comply to policies by workers and the Coordinator, and have a set of rules they must follow in order to access their children or visits. Supervised visitation acts as an extended panopticon where extensive and systematic recordkeeping merges with persistent surveillance to produce a disciplinary gaze that watches and punishes those who do not keep in line with desired social and institutional norms (Prasad, 2005). This is done through controlling space, time, documentation, reporting, locks, hierarchal relations in the staffing structure, fees, and the Service Agreement as a contract. Service users and Staff are socially controlled by the Service Agreement – a contract that is signed to receive services – with service users also subjected to other neoliberal

obligations such as paying for the service, paying for late fees and cancelled visits, and only being able to view observation reports if they pay for them.

This study was guided by IE from the onset by adopting a standpoint as the Site Observer or Staff working in supervised visitation, by defining the problematic as how the supervised visitation environment is constructed, and by investigating ruling relations through text-in-use, also known as the Service Agreement or program policies (Rankin, 2017). Critical feminist and Marxist theories were used to complement the IE analysis and research process, as they were in line with the methodology. Further, the research tools from an IE approach used mapping, indexing, and textual activation to analyze the field notes recorded over the course of 3 work shifts I attended. These analytical tools supported the development of three discourses, as well as five work processes Staff engaged in.

The first discourse revealed that safety in supervised visitation is synonymous with security. Through textual activation, mapping the supervised visitation spatial layout, and applying Foucault's disciplinary power to the field notes, policies, and other texts, safety was confirmed but in the sense that the environment is secure. This discourse was developed further by defining security as a physically safe environment, however there was not enough evidence to support or deny that service users are protected in terms of psychological safety or from re-victimization, particularly if they are using the program because of a history of IPV (Feresin et al., 2019; Jones and Vetere, 2017; Turhan, 2021).

The second discourse was examined by considering the claim that supervised visitation is neutral and does not provide therapy, recommendations, counselling, or parenting programs for the parents (Park et al., 1997). The second discourse stated neutrality demands compliance and non-compliance is managed by Staff which was discovered through textual analysis of a supervised

visitation worker job description, textual activation, and ruling relations mapping the organizational hierarchy of Staff. Staff's neutrality was reliant upon them sticking to the policies outlined in the Service Agreement. Ruling relations revealed a chain of command that was based on the worker's position with Coordinator having decision-making power, while Team Leads and Site Observers had less power, despite Team Leads, Site Observers, and other Staff spending more time observing families than the Coordinator. In addition, when Staff were unsure about policies, they referred to their superior to clarify the policy, demonstrating that the role of Staff is focused on enforcing compliance of the policies.

The third and final discourse was that the visitation program was only child-focused at the micro-level. This discourse was revealed using textual activation and mapping to explicate ruling relations involved in the court orders that lead families to use supervised visitation programs. The claim that supervised visitation is "child-focused" is limited to micro-level interactions experienced by children who use the program. Textual activation was used to examine the child refusal policies in the Service Agreement and the findings indicated that the child orientations and child refusal policies acted as tools to create a more child-focused environment for service users. On the contrary, mapping where observation reports go when they are sent to lawyers or purchased for judges to review when making parenting time decisions, revealed the opposite. Kelly (2011) highlighted the maximum contact principle that promotes children seeing their parent and viewing it as a child's right whether they want to or not. The micro-level interactions and Service Agreement gave children a choice of attending the visits or not using measures such as child refusal policies and orientations to consider children and their wants and needs. However, supervised visitation being court ordered by the family justice system and the cyclical process of going back to court to try supervised visitation again, does not align with the principle of choice, forcing children to attend

the visitation centre, whether they want to attend the visit or not. A system that brings families into supervised visitation service without consideration for the child's wants and needs cannot be child-focused. In addition, the reports produced when using this service hold power by moving and entering the legal discussion when assessors consider them as factual documents, leaving little to no input or regard for children and their wants and needs moving forward.

In addition to the discourses noted above, a second reading of the ethnographic field notes led to the indexing of work practices Staff completed during their work day. Indexing was noted as a way of categorizing linked work processes (Rankin, 2017). The five work processes identified in the field notes were documenting, observing, communicating, tracking time/movement, and enforcing policy. These work practices were defined and had associated words, as well as examples from the field notes. Some of the learnings gleaned in this section demonstrated that documenting was what Staff did the most, with tracking time/movement as a close second, documenting often overlapped with all of the work processes such as observing and communicating, and enforcing policy had the least number of overlaps with other work processes, indicating that Staff strictly stuck to policies when explaining or enforcing them with little deviation from what policies stated.

Overall, this research project contributed to the literature on supervised visitation by presenting information from a critical institutional ethnographic framework. While the discourse findings were limited because they were subjective to the local environment where observational research took place, the work practices engaged in provided new research for the literature to explore. Jenkins et al. (1997) and Park et al. (1997) both had noted Staff were responsible for documenting and observing but communicating, tracking time/movement, and enforcing/referencing policy are new findings. However, there are still many areas open for research in this topic. This project sought to explicate how supervised visitation is constructed for service

users and Staff, however, there is a need for more recent research on children and parent perspectives as well as longitudinal studies to examine if supervised visitation actually supports the protection and re-building of a meaningful parent-child relationship. Based on the observations of this study, it appears that security, neutrality enforced as compliance, and micro-level child-focused interactions have little to no relation to building or protecting meaningful parent-child relationships. It would also be interesting to see a comparison of the effects of a therapeutic supervised visitation program on the parent-child relationship versus the current model. Supervised visitation is a unique program and as someone who has had the opportunity to work with individuals using the program, I hope that this research project emphasizes the need for further policy development and improvements to support parents to re-build relationships with their children in a trauma-informed, choice-based, and psychologically safe environment that focuses on healing as opposed to regulating compliance.

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## APPENDICES

### Appendix 1: Informed Consent Document

#### Informed Consent Form

**Date:** February 9<sup>th</sup>, 2024

**Study Name:** Regulating Families - Supervised Visitation in Ontario

**Researchers:**

Vidita Singh  
Masters Candidate -2<sup>nd</sup> year MSW  
Graduate Program in Social Work  
Supervisor: Anne O'Connell  
York University  
[viditas@yorku.ca](mailto:viditas@yorku.ca)

**Purpose of the Research:**

This research will explore supervised visitation programs in Ontario and the type of environment they create for service users through an Institutional Ethnography and Foucauldian Discourse Analysis. Ontario's Ministry of Children, Community and Social Services supervised visitation policies and a Service Agreement from an Ontario program will be examined and included as textual data. Field notes will also be drafted that include observations from the worker's/researcher's perspective at a supervised visitation site. These notes will focus on the worker's/researcher's professional practices during a shift and may include interactions with other Staff members.

Study findings will be reported in the researcher's Practice-Based Research Paper (PRP), which will be submitted to York University as a requirement toward their Master of Social Work degree. The PRP may or may not also be shared with other parties and adapted into a published article or public presentation.

**What You Will Be Asked to Do in the Research:**

Informed consent is required for the creation and collection of field notes that may include other Staff members. You will be asked to sign this informed consent form to give consent to be mentioned in the researcher's field notes on multiple occasions. Field notes will be collected over the course of 3-6 working shifts and if you give consent to participate, your interactions with the researcher may be included in their field notes on each separate occasion. By signing this form, you are providing the researcher with **ongoing consent** to include their interactions with you in their field notes until April 1, 2024. No interviews or other commitment is required.

**Risks and Discomforts:**

There is a possibility that participants may experience psychological/emotional risks through participating in this study because they may feel uncomfortable or anxious being under observation or worry about their work being scrutinized or evaluated throughout the study. The researcher will manage this risk by documenting field notes as objectively as possible to record the participants' actions and work practices. Participants will be informed of this risk and be given the option to opt out of the study if they do not feel comfortable being observed. The researcher is also open to conversing with participants if new concerns arise and will give them the option to withdraw from the study and have their interactions removed or redacted from the field notes.

There may also be social risk to this study because others may learn of a participants' participation in the study. This may pose a professional risk by identifying where the participant works, which could have a negative impact on their employment. The researcher will mitigate this risk by protecting the identities of all participants as well as the organization. Any identifying information will be kept confidential and the only demographic information that will be shared about participants is that they work at a supervised visitation site in Ontario. All efforts will be made to ensure field notes that include participants are confidential, stored securely, and only accessible by the researcher and research supervisor.

**Benefits of the Research and benefits to you:**

The potential benefits to you as a participant may include contributing to a gap in scholarly literature about supervised visitation programs from a Canadian perspective, as well as a social work perspective. Participants may also gain a better understanding of their professional capacity as workers in supervised visitation sites.

**Voluntary Participation and Withdrawal:** Your participation in the study is completely voluntary and you may choose to stop participating at any time. You may also choose to opt out of the study below. Your decision not to volunteer, to stop participating, or to refuse to answer particular questions will not influence the nature of the ongoing relationship you may have with the researcher or the nature of your relationship with York University either now, or in the future.

In the event you withdraw from the study, all associated data collected will be immediately destroyed wherever possible. Should you wish to withdraw after the study, you will have the option to also withdraw your data up until the analysis is complete.

**Confidentiality:** All efforts will be made to protect confidentiality to the fullest extent possible by law by omitting any identifying information about the supervised visitation site, service users, staff members, and other sensitive information. The researcher will collect handwritten notes that omit identifying information and will be kept in a private folder and locked room. Some files will also be stored online on the researcher's computer that is password protected and only accessible by the researcher. There will be no video or audio recordings and the data will be stored safely so that only the researcher and their supervisor will have access to this information. Once the data has been fully analyzed, it will be archived by transferring the data to a private USB drive that the researcher will keep locked up indefinitely for the possibility of future research with the data.

*The data collected in this research project may be used in anonymized form by the researcher in subsequent research investigations exploring similar lines of inquiry. Such projects will still undergo ethics review by the HPRC, our institutional REB. Any secondary use of anonymized data by the research team will be treated with the same degree of confidentiality and anonymity as in the original research project.*

**Questions About the Research?** If you have questions about the research in general or about your role in the study, please feel free to contact the researcher Vidita Singh either by e-mail at [viditas@yorku.ca](mailto:viditas@yorku.ca). You may also contact the research supervisor, Anne O'Connell at [aconnel@yorku.ca](mailto:aconnel@yorku.ca).

This research has received ethics review and approval by the Human Participants Review Sub-Committee, York University's Ethics Review Board and conforms to the standards of the Canadian Tri-Council Research Ethics guidelines. If you have any questions about this process, or about your rights as a participant in the study, please contact the Director, Research Ethics in the Office of Research Ethics, 3<sup>rd</sup> Floor, Kaneff Tower, York University (e-mail [ore@yorku.ca](mailto:ore@yorku.ca)).

#### Legal Rights and Signatures:

I \_\_\_\_\_, consent to participate in Regulating Families – Supervised Visitation in Ontario (*tentative title*) conducted by Vidita Singh. I have understood the nature of this project and wish to participate. I am not waiving any of my legal rights by signing this form. My signature below indicates my consent.

I \_\_\_\_\_, do not consent to participate in Regulating Families – Supervised Visitation in Ontario (*tentative title*) conducted by Vidita Singh. I wish to opt out of this study.

**Signature** \_\_\_\_\_  
Participant

**Date** \_\_\_\_\_

**Signature** \_\_\_\_\_  
Principal Investigator

**Date** \_\_\_\_\_

**Appendix 2: Spatial Map of Supervised Visitation Site, Hierarchal Map, Sample Weekend**

**Update and Observation Template**

**SPATIAL MAP OF SUPERVISED VISITATION SITE:**

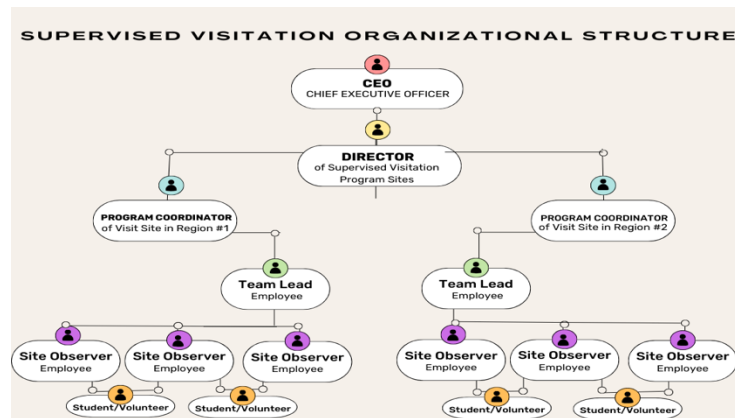


Red X = Emergency Buttons

Lock Symbol = Locked doors – require access cards  
VPs phones in

No Phone Symbol = Box we put

**ORGANIZATIONAL/HIERARCHAL MAP:**



**SAMPLE WEEKEND UPDATE:**


## Sample Weekend Update

**Date**  
**Names of Staff Working Today**  
**Block A or Block B & date of their next visit**

**Exchange 9:30am**

**Exchange 1** Info about exchange family #1 including special instructions  
**Exchange 2** Info about exchange family #2 including special instructions

**10-11:30 VISIT**

**Visit 1** Info about visit family #1 including special instructions  
**Visit 2** Info about visit family #2 including special instructions  
**Visit 3** Info about visit family #3 including special instructions  
**Visit 4** Info about visit family #4 including special instructions  
**Orientation 1** Info about new orientation family including RP contact info, names and ages of children and time of orientation

**12-1:30 VISIT**

**Visit 5** Info about visit family #5 including special instructions  
**Visit 6** Info about visit family #6 including special instructions  
**Visit 7** Info about visit family #7 including special instructions  
**Visit 8** Info about visit family #8 including special instructions

**Exchange returns at 1:45pm**


**Exchange 1** Info about exchange family #1 including special instructions

**2:30-4 VISIT**

**Visit 9** Info about visit family #9 including special instructions  
**Visit 10** Info about visit family #10 including special instructions  
**Visit 11** Info about visit family #11 including special instructions

**Exchange returns at 4pm**

**Exchange 2** Info about exchange family #2 including special instructions


**OBSERVATION TEMPLATE****Code Words for Field Notes:**

**VP:** Visiting/Non-custodial Parent

**RP:** Residential/Custodial Parent

**Coordinator:** Program Coordinator/Supervisor

**TL:** Team Lead/Me (The Observer)

**Staff:** Site Observers

**Student:** Placement Students

**FIELD NOTE #1:**

<b>Observer Name:</b>	Vidita Singh (Team Lead/Site Observer)
<b>Date:</b>	
<b>Location:</b>	Supervised Visitation Centre in Ontario
<b>Time of Observation:</b>	

<b>Time:</b>	<b>Description/Jottings:</b>	<b>Initial Thoughts/Background Info:</b>	<b>Reflection:</b>

**Appendix 3: Supervised Visitation Service Agreement (Policy)**

**SERVICE AGREEMENT (PAGE 1-2):**



**AGREEMENT FOR SERVICE**

**PARTICIPANTS AGREE TO THE FOLLOWING TERMS AND CONDITIONS**

IT IS AGREED THAT ALL PARENTS/RELATIVES AND STAFF WILL MAKE EVERY EFFORT TO ENSURE CHILDREN HAVE AN ENJOYABLE VISIT WITH FAMILY MEMBERS

**1. SAFETY**

- a) The Centre staff request that only one person attend the building to drop-off/pick-up the child(ren).
- b) Residential parent or designate will not have consumed either illicit drugs or alcohol prior to picking up or dropping off the child(ren). In such circumstances the police may be contacted to determine level of sobriety.
- c) Visiting parent/authorized guest will not have consumed either illicit drugs or alcohol prior to the visit, or the visit will not occur.
  - Visits: **Suspicion** regarding the impaired state of a person is sufficient reason to request that the person leave the Centre’s premises immediately. In such a situation, the visit is immediately cancelled with reason for cancellation noted in observation report.
  - Exchanges: If the Centre’s staff suspects that a party has consumed alcohol or drugs on drop-off, the incident is noted. On pick-up, the child(ren) are not released to the party if they are believed to be under the influence of alcohol or drugs.
  - For both visits and exchanges, if a party is suspected to be impaired by drugs or alcohol, staff suggest that they take public transit or a taxi or allow the party to wait at the Centre for another person to come and pick them up.
    - Police are contacted by staff if the party refuses all of these options and decides to drive a vehicle.
  - The Centre notifies lawyers for both parties of any suspicion of impairment during visits/exchanges and contacts CAS.
- d) Residential parents and visiting parents/authorized guests must show staff everything brought to the Center – staff will document. All items you wish to give to the other parent/child(ren) must be discussed with staff without the child(ren) present. Staff reserve the right to check all parcels and baggage and make final decisions regarding any items being passed. Items that cannot be passed at the Centre include, but are not limited to Court Documents, Passport Application Forms, Child Support Payment, Transportation Fee, Mail, and Insurance Forms.
- e) The Centre prohibits the use of verbal aggression (e.g. profanity, abusive language, etc.), physical aggression, or acts of intimidation. Weapons are not permitted, this includes all knives.
- f) Each participant is to arrive and depart at the specified times. The arrival and departure times of the participants will be staggered by 15 minutes.
- g) It is the expectation of the Centre staff that proper child restraint devices (car seats, seat belts) will be used by all parties when transporting children. Centre staff will not be responsible for ensuring that proper child restraints are being used when a child(ren) is released from the centre.
- h) Children are not to be removed from the Centre except as previously agreed to for an exchange. In the event of a medical emergency, a child may be removed only when accompanied by a designated staff person or emergency service personnel.
- i) The residential parent, or their designate will be responsible for the safety and whereabouts of the child(ren) until released of this responsibility by program staff. Should the residential parent



fail to pick up the children at the scheduled time, the emergency contact person will be notified. If Centre staff are unable to reach the designated persons, the Child Protection Services will be contacted.

- j) For safety reasons, all participants including children are required to bring/wear indoor footwear.

**2. EXPECTATIONS**

- a) You will follow the direction of staff when attending the visitation site
- b) You will speak English unless alternate arrangements are made with the program in advance.
- c) The Centre provides a professionally trained interpreter at all visits and exchanges in situations where the visiting party or the child is unable to communicate effectively in English or French. Please note that the interpretation service will **only** be provided when there is a language barrier between the visiting party and the child(ren).
- d) All fees associated with interpretation service must be paid **prior** to the scheduled visit. You may contact the office for more details.
- e) All fees associated with late cancellation for interpretation service is applicable to the party who incurs it, regardless of court orders or signed agreements. These fees are not considered to be a part of our service fees. You may contact the office for more details.
- f) The residential parent will support and encourage your child(ren) to attend the visits/exchanges.
- g) The residential parent will be responsible for the drop-off/pick-up of the child (ren), unless otherwise specified by the court order. At the time of intake the residential parent shall provide emergency contact people who may be designated to provide transportation, if necessary. These individuals will be required to show photo identification.
- h) Residential parent/authorized pick-up/drop-off person will be expected to leave the premises once the visit has begun, and to be on time for dropping off and picking up your child(ren).
- i) You will follow the terms and conditions of the court order or agreement made in relation to your visit/exchange.
- j) You will ensure that the program has an accurate telephone number and address on file
- k) You will provide documentation as requested by the program
- l) You will address issues and concerns to the office and NOT at the visitation site
- m) You will advise the program coordinator immediately of any police or Children’s Aid Society involvement
- n) You will inform the Centre and provide necessary documentation when our services are no longer required

**3. MEDICATION:**

If medication is needed during visits, written consent from the residential parent is required, giving permission to the visiting parent/relative to administer the medication. Arrangements are to be made with the Program Coordinator or designate prior to the visit. The Centre staff will not be responsible for the supervision /administration of any medication. If your child requires an epi-pen they will be required to bring it to the visit. If they do not bring their epi-pen, the visit will be cancelled. In the event that a party does not return medication sent on an exchange, service is suspended and the parties are directed to their lawyer and/or the courts

**4. SCHEDULING**

- a) The frequency and duration of visits will be subject to the availability of the Centre.

**SERVICE AGREEMENT (PAGE 3-4):**

- b) All visits must be approved and scheduled by the Program Coordinator or designated. Should parties arrive at the center with a new court order or arrangement, expect the existing order/agreement to stand unless you follow the above noted procedure.
- c) Attendance rate required for continued service for all clients (includes new and re-opening) must be maintained at a minimum of 70% at all times.
- d) Any alternatively arranged, outside parenting time not included in the court order or agreement is grounds for file closure
- e) Parents/authorized visitors are to arrive at and depart from the Centre precisely at the prearranged times. Repeated lateness, frequent cancellations, and no shows could result in a fee payable, disruption in service or service being discontinued.
- f) Lateness is considered 15 minutes after the scheduled arrival time. The visit/exchange will be cancelled if a party fails to arrive 15 minutes after the scheduled arrival time.

**5. CANCELLATIONS**

- a) Please contact the office **no later than 4:00pm the Thursday before your scheduled Friday visit, and no later than 4:00pm the Friday before your scheduled Saturday/Sunday visit** to advise us of any cancellation.
- b) A fee of \$30.00 will apply to cancellation after this time, to any party who fails to attend a scheduled visit, and to any party who arrives to the center late. Please note that this fee is also applicable to any party who doesn't attend a scheduled visitation without any prior notice. This is considered a 'no show' fee.
- c) Please note that any late cancellation/'no show' fee is to be expected to be paid by the party who incurs it, regardless of court orders or signed agreements. These fees are not considered to be a part of our service fees.
- d) The Program will only accommodate make up visit if the visit is cancelled by the program due to center closure.

**6. CHILD REFUSALS**

- a) Supervised Parenting Time Centres are child-focused environments that facilitate contact between children and non-residential parties, but do not enforce the contact.
- b) Program staff assist to encourage child(ren) to attend the centre. However, child participants are not forced by the Centre to attend any visits or exchanges.
- c) Police enforcement in cases of child refusal is not supported on the Centre site. If a party calls the police to enforce the visit/exchange, the situation must be removed from the centre. Centre does not support this type of intervention.
- d) After three consecutive refusals by the child, access will be put on hold and the matter will be referred back to parties' lawyers if there are any for review by the courts.
- e) Staff will not, under any circumstances, to go to a party's vehicle to get a child or to try to get the child to come into the Centre
- f) **Regular fee will be charged for child refusals** as the Program arranges staff based on the number of visitation scheduled. In a child refusal, the participant is still taking a 'spot' and there is still a staff being utilized for that family to observe and write notes

**7. PICK-UP AND DROP-OFF OF CHILDREN BY RESIDENTIAL PARENT:**

- a) The residential parent will be responsible for the drop-off/pick-up of the child (ren), unless otherwise specified by the court order. At the time of intake the residential parent shall provide

emergency contact people who may be designated to provide transportation, if necessary. These individuals will be required to show photo identification.

- b) Park your vehicle in the parking lot when you drop off and pick up your child(ren) at your specified arrival and departure time
- c) Depart from the property immediately after dropping off and picking up your child(ren)
- d) Closest place to park your vehicle during the visitation time: **2 minutes driving distance from the Centre property**

**8. RESIDENTIAL WHEREABOUTS DURING VISIT:**

The residential parent is responsible to inform Centre staff of his/her whereabouts during the visit by providing a phone number where he/she can be reached

**9. VISITING PARENT/AUTHORIZED GUEST VISITATION GUIDELINES**

- The visit should focus on the present so that the child experiences a calm and pleasurable visit. References to some past events and to future parenting time plans should be avoided in discussions with the child. (Past events may have caused stress/trauma and the child is uncertain about the future.)
- Visitors can invite but not demand or coerce physical contact with the child.
- Visitors are not to be alone with or engage in whispered conversation with the child. **Please speak loud enough so the Centre staff can hear you.**
- Visitors are not to speak ill of the other parent or his or her relatives, friends or loved ones.
- Visitors are not to question the child about the other parent, their household, friends, income and/or activities.
- Visitors are not to ask the child for information about where they go to school, where they live or any other identifying information.
- Visitors shall be responsible for the cleanup of toys, food and beverages at the end of their visit.
- Visitors can bring unwrapped gifts unless the court order specifies otherwise. Gifts that have recording equipment are not permitted to be used at the Centre, this includes but is not limited to Ipads, cell phones and cameras. These gifts will be forwarded to the residential party via staff.
- Visiting parent and authorized guests:
  - Park your vehicle in the parking lot during the visitation
  - Arrive at the Centre property at your specified arrival time
  - Depart from the Centre property at your specified departure time
- Designated driver for visiting parent and authorized guests:
  - Park your vehicle in the Centre parking lot when you drop off and pick up visiting parent and authorized guests at the specified arrival and departure time for the visiting parent
  - Depart from Centre property immediately after dropping off and picking up the visiting parent and authorized guests
  - Closest place to park your vehicle during the visitation time: 2 minutes driving distance from the center property

**10. AUTHORIZED GUESTS/VISITORS**

Visitors will not be permitted to attend the visit without prior approval of the Program Coordinator or designate. Unless visitors are court ordered, both parents must agree to their attendance. Guests are **only to attend every 2<sup>nd</sup> visit**. Due to space restriction, Program can only accommodate a maximum of **two (2) guests at a time**. Guest attendance for visits is subject to space availability. **It is**

**SERVICE AGREEMENT (PAGE 5-6):**



the responsibility of the visiting party to inform all guests of the Program policy prior to the guest attending the Centre. The Centre reserves the right to limit and restrict visitors.

**11. RELAY OF INFORMATION BETWEEN RESIDENTIAL AND VISITING PARENTS**

- a) Centre staff will only pass written information from one party to other concerning the immediate care of the child(ren) during on-site visits. Staff reserve the right to photocopy all correspondence. Children must not be used to relay information between parties.
- b) A communication book may be passed through the centre during exchanges only. Staff will not be responsible for reviewing the contents of the book. Should an issue arise surrounding the communication book, each party is responsible for resolving this through their legal counsel or through the Court. Staff documents in the observation notes that a communication book was exchanged at the center, however staff did not review the contents.

**12. FEES:**

- a) An application fee of \$50.00 per family is due upon registration with the program. This fee is non-refundable and will be credited to annual fee if service is accepted.
- b) Annual fee of \$400.00 per family is due prior to the start of service. This fee is charged annually based on the service starting date.
- c) Please be advised that the Supervised Parenting Time Program’s fee for court appearances is \$500.00 per staff, per day. This fee must be paid in advance of the court date.
- d) No refunds for payment or pre-payment of observation notes, letters or reports

**13. DISCONTINUING SERVICE:**

The Centre reserves the right to cancel or terminate a visit or use of the program when there exists a violation of the Agreement for Service or when the Program Coordinator or staff feel it is necessary to protect the well-being of the child(ren) and/or others involved with the Centre. Reason for immediate termination include, but are not limited to: attempted abduction, stalking, physical violence toward a child, other participants, or staff.

**14. IN ADDITION:**

- a) If requested in writing, we will provide copies of the observation reports to the parties and/or their lawyers regarding factual observations of the visits/exchanges. There is an additional fee for this service and payment will be required prior to release of report(s). Please allow two (2) weeks’ notice for observation reports to be prepared. Payment must be received prior to notes being released.
- b) Client information is confidential and cannot be released without written informed consent, except when required by legislation or directed by the courts. Examples of such exceptions may include reporting suspicion of child abuse or a child in need of protection to the Children’s Aid Society; informing someone in a position of authority if a client is in imminent danger of harming themselves or others; or providing information as directed by the courts through subpoena, search warrant or other legal order.
- c) From time to time individuals other than Centre staff and volunteers may be on site. Example: students and assessors from Office of Children’s lawyer.
- d) Tobacco products are not permitted on the premises.



- e) The residential parent is requested to supply clothing, bottles, formula or whatever else is needed for good care of the child (ren) during the visit. A well-loved stuffed toy; blanket or game can be sent with the child (ren) to facilitate his/her emotional comfort while at the Centre.
- f) Visiting party may bring a camera and request staff to take up to 10 pictures during a visit unless the court order states otherwise. Camera is to be used by staff only. The use of cell phones, pagers and other recording devices (e.g. video cameras, tape recorders, and tablets) is not permitted on the premises. **Pictures are not to be taken on any client cellular devices**
- g) The Centre is closed on all long weekends.
- h) The Centre does not provide decision-making responsibility or parenting ability assessments.
- i) Should the Centre need to close due to poor weather conditions, please contact the program’s direct line [redacted] as the greeting will indicate if the Centre is closed.
- j) If a family previously, or is currently, receiving supervised parenting time services from other Ministry-funded Centers, the parties are requested to give consent for information to be shared amongst these Centers.
- k) **Center is unable to guarantee an allergen-free environment**

**15. COMPLAINT PROCEDURE:**

Problems or concerns regarding the Supervised Parenting Time Program should be discussed with the respective staff member and/or the Program Coordinator. If unresolved the complaint can be addressed in accordance with the client complaint procedure of the sponsoring agency [redacted]

The **Supervised Parenting Time Program** is funded by the Ministry of Children, Community, and Social Services [redacted]. Our responsibility is to ensure a safe visit to all participants. We strive to provide services in a sensitive and thoughtful manner reflective of our concern for the well-being of children and families. If at any time should you have a question or concern regarding the service you receive, we would appreciate hearing about these. We encourage you to contact the Program Coordinator.

**PROVISION OF SERVICE – CONSENT TO PARTICIPATE AGREEMENT**

I read the **AGREEMENT FOR SERVICE**. I understand that failure to comply with these conditions may result in an interruption in service or discontinuation of the service being offered.

**SUPERVISED SERVICE:**  Visits  exchanges  Visits/Exchanges  Other \_\_\_\_\_

**REVIEW:** I understand that not all services are intended to be long term. I agree to review my service requirements (seeking legal advice if appropriate) and discuss next steps with Supervised Parenting Time Program Personnel on: \_\_\_\_\_

**NOTES/GOALS:** \_\_\_\_\_  
 \_\_\_\_\_

## Appendix 4: Ministry of Children, Community, & Social Services Supervised Visitation

### Objectives

Services delivered: Supervised Access Program

1. [General expectations](#)
  2. [Service description](#)
  3. [Program/service features](#)
  4. [Ministry expectations](#)
  5. [Reporting requirements](#)
- 

**Component:** Supervised Access Program

**Legislation:** *Ministry of Community and Social Services Act and Children's Law Reform Act*

**General expectations**

**Program goals**

The goals of the Supervised Access Program are

- To provide a safe, neutral and child-focused setting for visits and exchanges between a child and a parent whose parenting time must be supervised or other family member
- To provide for the safety of all participants, including staff
- To provide trained staff and volunteers who are sensitive to the needs of the child
- To provide reports of factual observations about the participants' use of the service

**French language services**

**Recipients providing services in non-designated areas**

The Recipient is required to maintain a list of French language services (FLS) in their area and a referral process to ensure that requests for services in French are directed to appropriate FLS providers in the community.

**Recipients providing services in designated areas**

If the Recipient is responsible for services in one of the areas designated by the *French Language Services Act*, in addition to the above requirement, the Recipient will also demonstrate to the Province the following

- Access to FLS: Initial incoming calls are answered in French and over-the-counter services are available in French at all times; there is signage and visibility of available services in French and appropriate means of communicating with the Francophone population
- Communication with stakeholders: All correspondence sent to the Recipient in French receives a reply in All materials intended for public distribution are made available simultaneously in English and French. Any forum, meetings or consultation meetings are offered in both French and English
- Written communication: Documents produced for public use are translated into French
- Complaint resolution: A complaint mechanism is identified to support resolution of complaints/issues pertaining to the delivery of FLS that complies with the Complaints Resolutions section in this Service Objectives Document
- Data collection/reporting: Data is collected and reported on regarding the number of individuals receiving FLS, the number of activities/consultations with the Francophone community and other related reporting as requested by the Regional Office

In addition, Recipients that provide services in the areas designated by the *French Language Services Act* will collaborate with other service providers responsible for the delivery of French Language Services in order for both service providers to meet their obligations.

### **Complaints resolution**

Below are the minimum requirements that transfer payment recipients are expected to meet. Reference should be made to the Implementing Complaints Resolution Best Practices for Service Delivery Guidance Document.

- The Recipient shall have a written service complaint and resolution process
- The Recipient shall ensure the written service complaint and resolution process
- Includes a process about how a complaint can be submitted anonymously to the agency
- Outlines the actions to be taken in response to a complaint
- Includes timelines for acknowledgement of complaints and for responses to complaints
- Outlines circumstances for when additional time is required for responses to complaints
- Outlines all potential internal and external avenues of escalation to be taken if Client/Participant is not satisfied with the resolution
- Acknowledges the complaint and provides assurances that making a complaint will not affect a Client/Participant's access to services
- Incorporates existing processes as outlined in the Serious Occurrence Reporting Procedures for transfer payment recipients

### **Information about this process will be publicly available and provided to the Province upon request**

- The Recipient will provide all clients/participants, including the parents/guardians and support persons of clients/participants with information about the service complaint and resolution process

- The Recipient shall ensure that all processes and procedures relating to the service complaint and resolution process comply with all applicable accessibility, human rights, and French language services requirements
- The written service complaint and resolution process shall be regularly reviewed and approved by the Governing Body
- The Recipient will be responsible for retaining records in relation to complaints for seven years from the expiry of the Agreement
- The Recipient will incorporate information and training on the service complaint and resolution process for all new employees and volunteers

### **Coordination and collaboration**

Below are the minimum requirements that transfer payment recipients are expected to meet. Reference should be made to the Implementing Coordination and Collaboration Best Practices for Service Delivery Guidance Document.

Providing clients with service information & overview of victim rights

- The Recipient will utilize and/or maintain an up-to-date inventory of relevant programs and services available in their community
- The Recipient will make available to all Clients/Participants current resource and information materials on topics relevant to the Program/Service as well as other relevant community support services available in their community
- The Recipient will make information on victims' rights as outlined in Ontario's Victims' Bill of Rights and the Canadian Victims Bill of Rights available to all Clients/Participants

### **Referrals & system navigation**

- The Recipient will offer referrals proactively, as well as at the request of Clients/Participants, where appropriate, to
  - Ensure Clients/Participants have access to inclusive services and supports that meet their diverse, linguistic, cultural, and accessibility needs; and
  - Empower Clients/Participants to access their choice of service provider
- The Recipient will provide assistance to Clients/Participants in accessing other service providers and will facilitate the connection, where appropriate, and with Client/Participant consent
- The Recipient will coordinate with relevant Indigenous organizations and communities to facilitate access to culturally appropriate services for Indigenous Clients/Participants

### **Partner engagement & collaborative networks**

- The Recipient will participate in activities to build cooperative and mutually supportive relationships with other community groups and organizations

- The Recipient will participate in outreach and service promotion activities in collaboration with other service providers to promote Clients'/Participants' awareness of, and access to services
- The Recipient will build relationships with Indigenous service providers offering culturally appropriate services to Indigenous Clients/Participants
- The Recipient will participate on committees, networks, or community tables that are relevant to the Program/Service where appropriate

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### **Service description**

The Province provides funding to the Recipient for the delivery of the Supervised Access Program. This funding provides separating families with a safe, neutral and child-focused setting to facilitate orders or agreements for the supervision of visits and exchanges between children and other adults such as parents or grandparents where there is a safety concern for the child and/or the adults.

Supervised access centres provide a setting where visits and exchanges can take place under the supervision of trained staff and volunteers.

Supervised access centres address a number of different situations, which may arise in disputes about parenting time and/or decision-making. Supervised visits may be appropriate in cases where there are concerns about the safety of the child and/or a parent; a history of domestic violence; a parent has a drug or alcohol problem or a mental health problem; there has been a lengthy separation between the parent and the child; or there is a risk of abduction.

When there is unresolved conflict between the parents, a neutral place to exchange children for visits makes access easier to arrange and reduces tension for the child. Supervised exchanges may also be appropriate when it is necessary to determine if the parent who is visiting with the child is under the influence of drugs or alcohol. In other cases, there may be a concern about the safety of a parent during the exchange.

Provincially funded supervised access centres provide fully supervised on-site visits in a group setting, virtual visitation services and supervised exchanges when access occurs off-site.

### **People served**

Supervised access centres funded by the Province supervise visits and exchanges in matters involving parenting time and decision-making. Funding is limited to the provision of services to separated families in which a parent or other person (not a Children's Aid Society) is legally responsible for the child.

Referrals to the program can be self-made and/or are accepted from lawyers, mediators, the courts, mental health professionals and other agencies.

A court order for supervised access is preferred but not required. If there is no court order, the parents must have some other signed written agreement.

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### **Program/service features**

#### **Recipient policies and procedures**

The Recipient will refer to and comply with the Supervised Access Program Standards (the “Standards”) for the specific of service delivery. The Standards will be updated on a periodic basis as needed. The Recipient will use the Standards to create specific policies and procedures that apply to their centres.

#### **Specific service provided**

- Supervised Access Centres do not make recommendations. They provide a place for visits and exchanges. Factual observations provided by the supervised access centre may, however, provide information to guide an assessor in making recommendations to the court or may assist the court in making orders that are in the best interest of the child
- The staff and volunteers at the supervised access centres do not provide services such as counselling, mediation, therapy, or parent education
- The staff and volunteers at the supervised access centres do not transport adult or child Participants to or from the service
- There is no limit on the period that a family may use the Centre. In some cases, families require supervised access over a long, or unspecified, period of time (e.g., cases where mental health concerns or violence are issues)
- Each adult Participant will complete a separate intake interview and sign an agreement to follow centre policies and procedures and a release of information form before using the service.
- All services are pre-arranged
- The Supervised Access Program reserves the right to determine provision of service. Dates and times of visits/exchanges are determined by the availability of staff and the facility. All referrals are accepted on a first-come, first-served basis. If space is not available, families may be placed on a waiting list and contacted as soon as space becomes available
- The Supervised Access Program provides services that are accessible to the public both in terms of location and hours of operation, specifically evenings and weekend hours

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### **Ministry expectations**

#### **Fees for visits and exchanges and reports**

The recipient will collect fees for service and any other fees in accordance with the standards and as agreed to in Agreements for Service.

**Safety**

Safety and emergency measures must be followed in accordance with the Standards.

**Staffing and training**

The recipient will hire qualified staff and volunteers to provide the service and ensure that they are adequately trained and supervised.

**Facilities**

- Supervised access services are provided in a physical space that is contained, safe and accessible, including providing physical facilities that comply with all provincial and municipal requirements, including but not limited to the Ontario Building Code and the Ontario Fire Code
- Build on existing community programs, facilities and funding whenever possible
- There are private office facilities for the Centre Coordinator (or program as a whole) to maintain confidential information and conduct intake interviews as required

**Workplan Items**

The Recipient is responsible for completing all workplan activities identified by the ministry

**French language services**

- In addition to the requirements set out above that apply to all programs, the Recipient will also demonstrate to the Province the following
- Supervised Access Notes and Reports
- Translate supervised access notes and reports into French on request

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**Reporting requirements**

- Service data on ministry funded expenditures will be reported on at an Interim and Final stage. Please refer to your final agreement for report back due dates and targets
- Additional data collection will be through iSAID

**Service Data Name****Definition**

# of children served, visit type  
Visit

Total unique children served. Includes children who have attended at least one appointment during the reporting period with a related service event, visit type visit.

# of children served, visit type  
Exchange

Total unique children served. Includes children who have attended at least one appointment during the reporting period with a related service event, visit type exchange.

<b>Service Data Name</b>	<b>Definition</b>
# of children served, visit type Virtual Visit	Total unique children served. Includes children who have attended in at least one appointment during the reporting period with a related service event, visit type virtual visit.
# of children served in total	Total number of children served for all visit types.
# of children served, visit type No Show	Total unique children served. Includes children who have been marked attended in at least one appointment during the reporting period with a related service event, visit type no show.
# of children served, visit type Early Termination	Total unique children served. Includes children who have been marked attended in at least one appointment during the reporting period with a related service event, visit type early termination.
# of families served.	The count of unique family that were carried over from previous period + opened during period + reopened during period – terminated.
Wait time between initial contact and first service for Centre related reasons, Visit	Average # of days waiting between initial contact and first service (add # of days initial contact to intake and between intake and first service), for Centre reasons, by visit type visit.
Wait time between initial contact and first service for Centre related reasons, Exchange	Average # of days waiting between initial contact and first service (add # of days initial contact to intake and between intake and first service), for Centre reasons, by visit type exchange.
Wait time between initial contact and first service for Centre related reasons, virtual	Average # of days waiting between initial contact and first service (add # of days initial contact to intake), and between intake and first service, for Centre reasons, by visit type virtual visit.
Average # of days waiting between initial contact and first service for all visit types	Average # of days waiting between initial contact and first service, for Centre reasons, for all visit types.
# of reports completed	# of reports completed for use in decision-making regarding parenting time.
# of court appearances	# of times program staff/volunteers travel to court to appear on a file-related matter.
# of new files opened	# of unique family files that were opened from the initial contact phase to the intake, orientation, service, or reduced service phase within the reporting period.
# of files closed	# of unique family files that were previously open (not in the initial contact phase) but were then closed within the reporting period.
# of visits held, visit type Visit	Count of all appointments with sub-type marked as visit, within the reporting period.

<b>Service Data Name</b>	<b>Definition</b>
# of visits held, visit type exchange	Count of all appointments with sub-type marked as exchange, within the reporting period.
# of visits held, visit type virtual visit.	Count of all appointments with sub-type marked as virtual visit, within the reporting period.
Ministry- funded Agency Expenditures	Total ministry-funded expenses for the Transfer Payment Recipient to administer and/or deliver this program in the reporting year (cumulative).

### **Appendix 5: Site Observer Job Description**

#### **Sample Job Description for Site Observer:**

Hybrid ~ Part-time ~ Entry level

#### **Position Description**

**Department:** Supervised Parenting Services

**Hours of Work:** 0-14 hours per week

Facilitates and directly supervises visits and exchanges between visiting parties and children both in person and virtually. Records factual observation notes while maintaining a safe, neutral and child-friendly environment.

- Responsible for the facilitation and documentation of all visits and exchanges in a safe, neutral, child friendly environment for all regularly scheduled visits/exchanges or virtual access
- Manages critical incidents related to their family file and intervenes as necessary;
- Adheres to the Standards and Best Practices set out by the Ministry of the Attorney General policies and procedures;
- Adheres to organization’s policies and procedures;
- Point of contact for staff regarding client issues, support and feedback;
- Debrief with co-facilitators around any concerns;
- Completes Critical Incident Forms as required;
- Assists parents at check in, provides receipts, and manages cash flow for the designated file (e.g. visit fees, late fees, etc.);
- Supervises child participants at all times and monitors the safety of all visitations and activities and responds immediately to rectify any safety concerns, escalating to Supervisor as required;
- Conducts child/parent orientations both in person and virtually as required;
- Analysis of broad problems generally of an operating or specialized nature requiring the development of solutions;

- Maintains a clean and tidy work and visitation environment;
- Maintains high level of confidentiality when working with sensitive and personal client, and employee information;
- Creates a written record of factual observations made during the visit and/or exchange;
- Nurtures and forms meaningful internal and external working relationships and partnerships;
- Works at Access Center as required;
- Performs other duties as required.

**WORKING CONDITIONS:**

- Works up to 14 hours per week;
- Often works in emotionally charged and hostile situations requiring resolution;
- May be scheduled to work remotely to conduct virtual access;
- Work schedule includes evenings and weekends.

**Qualifications**

- Completion of 2 years' college in Social Work, Sociology or Child and Youth or equivalent;
- Minimum of 2 years' experience in social services or related field;
- Knowledge of family law and Child and Family Services Act is an asset;
- Knowledge of domestic violence and its impact on families is an asset;
- Must provide a current Vulnerable Sector Police check or willingness to obtain at own cost;
- Must have current Standard First Aid and CPR certificate or willingness to obtain at own cost;
- Ability to bring a feminist, anti-racist/anti-oppressive perspective to work;
- Ability to work a schedule which includes evenings and weekends;
- Excellent interpersonal and communication skills;
- Bilingual English/French or other languages an asset.



# *Certificate of Completion*

*This document certifies that*

**Vidita Singh**

*successfully completed the Course on Research Ethics based on  
the Tri-Council Policy Statement: Ethical Conduct for Research  
Involving Humans (TCPS 2: CORE 2022)*

**Certificate # 0000441710**

**24 October, 2023**