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January 17, 2024

Dave Speed (he/him)  
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***via email only***

**Re: Hope's Cradle**

Thank you for inviting Durham Children's Aid Society ("CAS") to comment and enter into a Memorandum of Understanding about the Hope's Cradle. We understand that Gems for Gems is a charity registered with the Canada Revenue Agency and operates out of Calgary, Alberta. They have created the Hope's Cradle program and describe that the "cradle provides a safe and anonymous surrender of the baby thus protecting its life and the anonymity of the mother. Provided the baby shows no signs of abuse, the anonymity of the mother will be entirely protected."

During our discussions with you and other stakeholders within this initiative, we shared several worries and concerns related to the implementation of this program from a child welfare and social service perspective. We were also informed by Durham Regional Police Services that upon querying the Ontario Office of Chief Coroner, their office was only aware of two instances of infant abandonment in the Province since it started to keep data, where the abandonment occurred in the circumstances that Hope's Cradle is meant to address. At this time, we have not received any information of how the concerns presented would be mitigated by the program.

In addition to our expressed concerns, in Ontario, openness is now a default approach to adoption. Openness requires the personal information of prominent figures in a child's life or network to be obtained by a CAS. Openness in adoption denotes maintaining some degree of contact between adopted children and youth, their birth families, and other individuals with whom the children or youth have had significant relationships prior to the adoption (for example, a foster family). There are many forms that openness in adoption can take; these forms of contact can vary in terms of the nature, frequency, intensity/emotional impact, duration, and location. The benefits of openness were discussed with the key stakeholders as well. Relinquishment of an infant through Hope's Cradle may not afford an opportunity for the parent to receive independent advice about their rights and obligations. It may also cause the loss of custodial and access rights of the second biological parent without their consent, let alone court oversight.

The *Preamble and Purpose of the Child, Youth and Family Services Act, 2017* highlight that services ought to be provided "in a manner that recognizes their cultures, heritages, traditions, connection to their communities, and the concept of the extended family to keep children within their family unit and community, and for children of FNIM heritage, to remain within that heritage." Durham CAS believes that Hope's Cradle does not afford the time and space for the clinical work to occur to meet this statutory requirement. Hope's Cradle limitations on accountability may also cause risk that infants may be relinquished without the willful consent of a parent where that parent is a victim of trafficking. This

does not accord with the policy considerations behind the creation of the Durham CAS's CARE (Child at Risk of Sexual Exploitation) Team.

To permit infant relinquishment in a manner that addresses these policy considerations, we recommend that you and Hope's Cradle partner with Adoptions Ontario and the Ontario Association of Children's Aid Societies. This will permit the development of a process that addresses these policy considerations. At that point, we would be pleased to revisit entering into a Memorandum of Understanding with you.

Until that time, the *Duty to Report* provisions from the *Child, Youth and Family Services Act, 2017* do require direct reporting by any person with knowledge of a relinquishment to contact the CAS in their jurisdiction. Durham CAS's Initial Support and Community Connection Team is available 24/7 at 905-433-1551. Please do not hesitate to contact us should an infant be placed within Hope's Cradle.

Sincerely,



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