

MacLeod–Newton Connections, CAS Outcome Change, Nightingale Conflict, and Reasonable Apprehension of Bias

Evidence Map Showing Undisclosed Local Legal, Judicial, CAS, Household, and Witness Overlap

This evidence binder documents a cumulative appearance-of-bias concern arising from overlapping legal, judicial, CAS, household, and witness connections surrounding Justice Robert MacLeod and Adam Newton.

The issue is not one isolated connection. The issue is the combined effect of Justice MacLeod’s long-standing MHN / Norfolk legal-network history; his prior CAS role; CAS identifying him as its case-management judge; CAS changing a verified sexual-harm finding to “inconclusive”; Mr. Newton’s connections to MHN lawyers; Justice Nightingale’s prior conflict / recusal issue; Justice MacLeod’s confirmation that Justice Nightingale was his former law partner for approximately 12 years; and the Nightingale family’s connection to Mr. Newton and Zaria as proposed witnesses.

There are no comparable connection boxes to Melanie Grillo.

Executive Summary

This binder supports the position that the trial engaged a cumulative reasonable apprehension of bias and undisclosed conflict arising from an overlapping local legal and institutional network.

Justice MacLeod was not disconnected from the local actors. His own background places him within the Cline Backus / Nightingale / MHN successor-firm network and records prior work for CAS Haldimand-Norfolk. CAS later identified Justice MacLeod as its case-management judge. Mr. Newton was connected to MHN lawyers Maria Kinkel and Jamie Pereira. Kathy Ferguson / Kathy MacLeod was identified as MHN’s Office Administrator, creating a spouse / household / professional overlap with the same firm network.

The CAS file is central. Mr. Newton had been the subject of a child-protection file involving sexual-harm concerns. CAS initially verified sexual harm on a balance of probabilities. That verified finding was later changed to “inconclusive” after an internal review, without any identified new evidence, changed facts, or fresh investigation. The changed label was then used to support an “alienation” narrative.

The Nightingale issue is also central. A 2022 CAS note records that a court attendance could not continue because the covering judge was a friend and there was a conflict. In 2023, CAS responded directly to concerns about Mr. Newton’s relationship with Justice

Nightingale. At trial, Justice MacLeod confirmed that Ryan Nightingale was Justice Nightingale's son, that Ryan and Leanne Nightingale were on Mr. Newton's witness list, and that Justice Nightingale had been Justice MacLeod's law partner for approximately 12 years.

A reasonable apprehension of bias does not require proof of actual bias. The issue is whether an informed person, viewing the matter realistically and practically, would reasonably perceive that the case was not decided on a neutral evidentiary record.

There are no comparable connection boxes to Melanie Grillo.

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CENTRAL ISSUE

The issue is not whether any single connection proves actual bias in isolation. The issue is whether the cumulative, undisclosed overlap between Justice MacLeod, Adam Newton, MHN lawyers, CAS, Justice Nightingale, the Nightingale family witnesses, and Kathy MacLeod / MHN created a reasonable apprehension that the case was not decided on a neutral evidentiary record.

There are no comparable connection boxes to Melanie Grillo.

EXHIBIT A — Bias / Connections Chart

Document: Bias / Connections Chart — MacLeod and Newton

Purpose: Visual overview of the documented connections between Justice MacLeod, Adam Newton, MHN lawyers, CAS, Justice Nightingale, Nightingale family witnesses, and Kathy MacLeod / MHN, contrasted against no comparable connection boxes to Melanie Grillo.

Bias / Connections Chart: Justice MacLeod and Adam Newton

Evidence-backed appearance-of-bias map: MHN, CAS, Nightingale, and spouse/household overlap vs. no comparable connection boxes to Melanie Grillo

Justice MacLeod

Adam Newton

Melanie Grillo

Cumulative relationship / institutional overlap

MHN Lawyers / predecessor-successor firm network

MacLeod: MHN lawyer/partner; joined Cline, Backus, Nightingale and McArthur, became partner in 2004, and remained with successor firms throughout his career until 2019.
Newton: connected to MHN lawyers below.

E1-E2

Newton's MHN lawyers - Maria Kinkel and Jamie Pereira

Kinkel: Retained civil lawyer for Adam Newton, signed Partner, MHN LLP.
Pereira: OPP record identifies him as Newton's retained criminal lawyer. Separate records also identify Pereira as acting as counsel for the Federal Crown. **Issue:** overlap between Newton's retained criminal counsel and Crown-court role in same local legal community.

E2-E3

Kathy MacLeod / MHN Office Administrator / spouse

Kathy: Kathy (Ferguson) MacLeod is MHN Lawyers Office Administrator.

MacLeod: Kathy MacLeod is married to Justice Robert MacLeod.

Issue: spouse/household/professional overlap with the firm connected to Newton.

E9

Local CAS / CFSGE

MacLeod: CAS counsel identified him as "our case management judge"; bio confirms he's overflow trial counsel for CAS Haldimand-Norfolk.

Newton: subject of CAS protection file / verification; CAS offered supervised parenting time to Newton in Jan. 2023 while sexual-harm finding in place.

E4-E5

CAS outcome change

Sept. 2022-Feb. 2023: Verified sexual-harm finding against Newton was later changed to "inconclusive".
Jan. 2023: CAS offered supervised parenting time while CAS's verified sexual-harm finding remained in place.

Issue: verified sexual-harm later changed to inconclusive; no new evidence, changed facts, or fresh investigation has been identified to justify the change; inconclusive is not a finding that it did not happen.

E5

Justice Nightingale - prior conflict / former law partner

2022: CAS records - Newton advises covering judge (Nightingale) was a friend and "there was a conflict."
2023: CAS letter - Nightingale does not routinely preside over their cases and that MacLeod is their case management judge.
2025: MacLeod confirmed Justice Nightingale is former partner of 12 years and they work on same local court bench.

E6-E7

Nightingale family witnesses - Ryan, Leanne, Halle

MacLeod: confirmed (1) Ryan is Justice Nightingale's son, (2) Ryan/Leanne were on Newton's witness list, (3) Leanne is Ryan's wife, and (4) Ryan is his son's age.
Newton: identified Leanne as Halle's mother, Halle as Zaria's best friend, and Nightingale's granddaughter, and confirmed Halle slept over at his house. Zaria disclosed Halle was present during abuse by Newton at Newton's house.

E7-E8

No comparable
connection boxes
shown here

No MHN, CAS, Nightingale,
judicial-family, or spouse/household
connection shown for Mel Grillo.

Evidence tags:

E1 Canada.ca MacLeod biography; E2 MHN/Kinkel materials; E3 OPP/Pereira occurrence; E4 Kinnear Jan. 26, 2023 CAS supervised-time letter; E5 Kinnear Feb. 24, 2023 MacLeod/CAS outcome letter; E6 2022 CAS contact log re prior conflict; E7 May 14, 2025 transcript re MacLeod/Nightingale/Ryan/Leanne; E8 Newton document re Leanne/Halle/sleepover; E9 Kathy Ferguson/MacLeod MHN administrator and spouse screenshots.

EXHIBIT B — Justice Nightingale 2022 Conflict / Recusal Note

Document: Justice Nightingale — 2022 Recusal

Purpose: CAS contact log recording Adam Newton's report that a court attendance could not continue because the covering judge was a friend and "there was a conflict."

DETAILS OF CONTACT

Contact Type Regular	Author Ashley Ciccone
Concerning Melanie Grillo, Zaria Grillo-Newton, Adam Newton	
Purpose Case Activity	
Location CAS Office	Location Description
Start Date 21/11/2022 10:41	End Date 21/11/2022 10:54
Method Phone	Type Regular

NARRATIVE

Call to Adam

P/C to Adam

He spoke of Melanie speaking of his mother in affidavit and that what she wrote was untrue

He wonders about Zaria seeing a psychologist or psychiatrist through his benefits - I advised I spoke to Melanie about this and she advised they are dealing with it through lawyers

Adam advised that he feels Zaria will never see anyone, I questioned why he thinks that and had advised that Melanie won't want her to as Zaria will have nothing to discuss

I asked Adam if an OCL has been requested for family court, he advised that this was discussed through the last round of contact with lawyers

Adam explained that they were to have court on Wednesday but it got moved to Friday last week, the Judge was ill so another Judge covered but the Judge who covered was a friend of [REDACTED] so there was a conflict and they couldn't continue

Adam speaks of feeling that he's being sunk because it's a man, that the systems are all flawed

He spoke to Dr. Ilacqua and that he answered some of his questions, Dr. said he doesn't really see how Adam can come out of the assessment anything but low risk

Adam speaks of the Society recommending supervised access and that he's offered paid services, Brayden Services, but Melanie still won't agree

He feels that she is attacking [REDACTED] because the Society has put [REDACTED] forward as an access supervisor

I advised Adam that Zaria has said some other things now, that she and Adam slept in his bed together naked

Adam denies this and feels that the lies are "ramping up" now

He questions why information like that didn't come out before but it's coming out now when he's trying to get access

I advised Adam I will be meeting with Zaria Wednesday morning

Adam questioned if I can see what Melanie is doing

I advised Adam that I am not going to pick a side, his or Melanie's, that I am here for Zaria

He advised that now that Melanie knows, through his court docs, that Cheryl is reconsidering the verification, she's adding more lies and it's hurting Zaria

He asked what else Zaria has said

I advised him that she has said that she was locked in his bedroom, he denied this

I explained that she was locked in his bedroom and that he wasn't in there and she was hungry

He advised "never", that he would never lock her in a room

I spoke to Adam about needing to speak to Zaria myself and see if she makes any disclosures

He asked that I speak to people who can vouch for him as a father, they can speak to him and Zaria's relationship being a good one

I advised Adam that I'm not going to call people as character witnesses like that, and that I'm not saying that they didn't have a good relationship

"Please protect Zaria", "I'm begging you", he advised that none of this is happening and that Melanie is sick, he wants me to help Zaria

Adam speaks again of Melanie bringing [REDACTED] into this, advised he doesn't control any of [REDACTED] stuff

I asked if he is responsible for [REDACTED] finances and he advised he is not

He speaks of the level of damage that is being done to Zaria, he's not seeing her and hasn't for two months and Melanie and [REDACTED] will manipulate Zaria for the rest of her life

Adam says he wrote through lawyers that he wants Zaria to see someone professionally and that Melanie responding that through her work benefits she's looking for someone

He says that that is as much as they have talked about benefits and a professional for Zaria

EXHIBIT C — CAS Letter re Nightingale, MacLeod, and Outcome Change

Document: Kinnear to Slade re Nightingale and MacLeod

Purpose: CAS counsel responds directly to concerns about Mr. Newton's relationship with Justice Nightingale, states Justice MacLeod was "our case management judge," and refers to a "recent review of the file and resulting change in outcome."



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cfsge.ca

February 24, 2023

Monique Slade
Scarfone Hawkins LLP
1 James St S, 14th Floor
Hamilton, ON L8P 4R5

VIA EMAIL TO: MSlade@shlaw.ca

Dear Ms. Slade:

RE: Grillo/ Newton – child: Zaria Grillo-Newton DOB June 1, 2018

We acknowledge receipt of your letter dated February 23, 2023.

Justice Nightingale does not routinely preside over child protection matters in this jurisdiction, in fact, **Justice MacLeod is our case management judge.** Any worries that Mr. Newton's relationship with Justice Nightingale is prejudicial to Zaria and how the file has been handled is completely unfounded.

The information stated in your letter is incorrect. Since September 2022, Ms. Grillo has advised the Worker that she has not been living at her apartment in Hamilton and the Worker has in fact met with the child at the grandmother's home in Caledonia.

At the end of January 2023, Ms. Gillo advised the Worker that she and Zaria were moving to a new address, which she provided, in Caledonia. It does not appear that the child resides in Hamilton, but rather in Caledonia.

The Society is planning to close its file related to this family. To date, the Society has been involved on a voluntary basis; however, Ms. Grillo is not responding to the Worker's attempts to schedule a monthly home visit at her current address. Ms. Grillo is also not facilitating supervised parenting time for Mr. Newton as offered by the Society. There no longer appears to be voluntary involvement.

Given the Society's recent review of the file and resulting change in outcome, there is no reason for the Society to become more intrusive. The parents have disclosure of the Society's records and can continue to address their decision making and parenting time issues through the family courts where the best interest of the child will be determined.

Yours truly,

A handwritten signature in black ink, appearing to read "Alexis Kinnear".

Alexis Kinnear
Senior Counsel
AK:af
Pc: A. Ciccone / J. Chooi-Harley

EXHIBIT D — Justice MacLeod Background / 1998 Norfolk Legal Network

Document: MacLeod — Background Conflict — 1998

Purpose: Establishes Justice MacLeod's history with Cline, Backus, Nightingale and McArthur, his partnership beginning in 2004, his continuation with successor firms, and his prior role as overflow trial counsel for the Children's Aid Society of Haldimand-Norfolk.

Justice Fraser and her husband have two children who are both currently attending Queen's University. Her greatest joy has been derived from providing keyboard accompaniment for her children's fiddle music at numerous community events and fundraisers.

Justice Robert MacLeod was born in Port Arthur (Thunder Bay), Ontario. He was raised in the Haliburton Highlands where his father was a high school English teacher and his mother was an elementary school teacher.

Justice MacLeod studied biochemistry at the University of Western Ontario and obtained his Bachelor of Science in 1988. He graduated from the University of Western Ontario Law School in 1991 and was called to the Ontario Bar in 1993.

He articulated with the London firm of Harrison, Elwood and joined them as a litigation associate. He moved to Norfolk County in 1998 in order to raise his three children in a rural setting. There he joined the Simcoe firm of Cline, Backus, Nightingale and McArthur, becoming a partner in 2004, and remained with them, and the successor firms, throughout his career.

Justice MacLeod has practiced exclusively in the area of family law. He has appeared before every level of Ontario court and is listed as counsel in over 40 reported decisions. He was previously retained as overflow trial counsel for the Children's Aid Society of Haldimand-Norfolk.

Justice MacLeod is currently the President of the Norfolk Law Association. His past community activities include volunteering as a board member of Ronald McDonald House and as a coach and trainer for several Delhi and Brantford minor hockey teams.

In his free time, Justice MacLeod can be found hiking and birding the wonderful Long Point Biosphere, or fishing the inner bay of Long Point from his kayak.

EXHIBIT E — Justice MacLeod / MHN Lawyers Profile

Document: MacLeod — Partner at MacLeod Pereira Kinkel

Purpose: Shows Robert MacLeod publicly listed with MHN Lawyers / MacLeod Hosack Nunn Pereira Kinkel LLP, including family-law practice and MHN email contact.

Meet the team

Robert MacLeod

AREAS OF PRACTICE

Divorce & Family Law
Estate Disputes



MACLEOD HOSACK
NUNN PEREIRA
KINKEL, LLP

519.426.6763

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EXHIBIT F — MHN Name Change / Successor Firm Network

Document: MHN Showing Name Change to MacLeod and Kinkel Pereira and MacLeod Together

Purpose: Shows the merger and successor-firm chain forming MHN Lawyers and places MacLeod, Kinkel, Pereira, and related lawyers in the same local MHN firm network.



Our story

... in simple and plain language

- Two of Norfolk County's most prominent and respected law firms joined forces in 2015.
- Cline Backus LLP and Sheppard MacIntosh Lados & Nunn LLP, with roots in Norfolk County for more than 50 years, merged to form one new firm – MHN Lawyers.
- The merger has positioned the firm at the forefront of the legal community in Norfolk County and its surrounding areas with increased expertise and specialization in the law.

mhnlawyers.com



MHN Lawyers
June 10, 2015 · 🌐

Roots in Norfolk County for more than 50 years!

8

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Comment as Melanie Grillo

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MHN Lawyers
February 17, 2019 · 🌐

26

Like Comment



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October 24, 2015 · 🌐

New billboard is up!

16

Like Comment Share



No comments yet
Be the first to comment.

Comment as Melanie Grillo

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EXHIBIT G — Maria Kinkel / MHN Connection to Adam Newton

Document: Maria Kinkel MHN

Purpose: Shows Maria Kinkel emailing Adam Newton directly from an MHN address and signing as partner of MacLeod Hosack Nunn Pereira Kinkel LLP.

- **Maria Kinkel** <Kinkel@mhnlawyers.com>

To: Adam Newton

Oct 6 at 10:12 AM

Hi Adam,

I spoke to Tom. The 90 day period for shareholders to provide notice they want to buy his share ends on October 11. As such, we need to wait until this time period expires before we can proceed with drafting paperwork, because technically any of the other shareholders can still give notice.

After October 11, I'll proceed with drafting the documentation and we should be able to finalize this transfer by the end of the month.

I've confirmed this timeline with Tom.

Hopefully, this alleviates any concerns.

Yours very truly,

Maria Kinkel, Partner

MacLeod Hosack Nunn Pereira Kinkel LLP (formerly Cline Backus LLP)

519-426-6763

kinkel@mhnlawyers.com

EXHIBIT H — Jamie Pereira as Adam Newton's Criminal Defence Lawyer

Document: Jamie Pereira — AN Criminal Defence Lawyer

Purpose: OPP report records that Adam Newton declined to provide a police statement on the advice of his lawyer Jamie Pereira.

Supplementary Occurrence Report

Ontario Provincial Police

Printed: 2023/10/16 14:25

Occurrence: RM23224621 Other criminal code @2023/09/26 08:55

Author: #12051 BECK, A.

Report time: 2023/09/28 14:17

Entered by: #12051 BECK, A.

Entered time: 2023/09/28 14:17

Report:

Zaria GRILLO-NEWTON who is five (5) years of age has provided several statements in a previous incident (RM22154661) that was investigated by the Norfolk County OPP which did not result in Criminal Charges against her father Edwin (Adam) NEWTON. There is a custody dispute currently before the courts between Melanie GRILLO and Adam NEWTON both of whom are parents of the victim Zaria GRILLO-NEWTON.

On Wednesday September 27th, 2023 the victim Zaria GRILLO-NEWTON attended the Norfolk County detachment where she provided a video and audio statement to Detective Constable Jerusha WOODLEY. Child and Family Services of Grand Erie employee Jane MOORE was present and observed the statement as well as D/Sgt. Wilfong and DC Andrew Beck. The statement began at 10:51 a.m., and concluded at 11:46 a.m. (See attached synopsis for details)

Further, DC Andrew Beck contacted Adam NEWTON and offered him an opportunity to provide a statement to the police. Adam NEWTON declined the invitation on the advice of his lawyer Jamie Pereira.

At this time there are no safety concerns for the victim Zaria GRILLO-NEWTON as Child and Family Services of Grand Erie are directly involved.

This investigation is currently on-going which may result in the consultation of a Crown Attorney at the Norfolk County Courthouse.

EXHIBIT I — Kathy Ferguson / Kathy MacLeod / MHN Office Administrator

Document: Kathy (Ferguson) MacLeod

Purpose: Shows Kathy Ferguson / Kathy MacLeod identified as Office Administrator at MHN Lawyers since 2009 and supports the spouse / household / professional overlap with the same MHN firm network.

Kathy (Ferguson) MacLeod – MHN Lawyers Office Administrator since 2009



Kathy Ferguson · 3rd
Office Administrator at MHN Lawyers LLP
Simcoe, Ontario, Canada · [Contact info](#)
8 connections

[Connect](#) [Message](#) [More](#)

 MHN Lawyers LLP

 Georgian College

Activity
8 followers
Kathy hasn't posted yet
Recent posts Kathy shares will be displayed here.
[Show all activity →](#)

Experience
 **Office Administrator**
MHN Lawyers LLP
Mar 2009 - Present · 17 yrs



Kathy MacLeod

247 friends

📍 Simcoe, ON 🏢 MHN Lawyers 🎓 Port Dover Composite School 🎓 Georgian College Orillia

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This photo is from a post. [View post](#)

MHN Lawyers
May 7, 2019 · 🌐

7 1 📌

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Comment as Melanie Grillo

🗨️ 📷 📍 📧 📞 ➦



Kathy MacLeod
August 13, 2023 · 🌐

49 71 📌

➦ Share

All comments ▾

Ali Vonn
Kathy MacLeod!!! What a beautiful ring to it. Congratulations, you two. You finally did it. I love you guys! 🍷 cheers to a lo... [See more](#)

2y

Ed West
I do see a bit of a difference 😊
Congratulations

2y

Maria Vanderspek-Kinkel
Congratulations 🍷 🍷 🍷 !!!!

2y

Salli Hernández Alonso
Congratulations 🍷 🍷 🍷

2y

Samantha Parker
Congratulations!!! 🍷

2y

Tracy Maxwell-Renton
Congratulations 🍷

2y

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EXHIBIT J — Justice MacLeod Confirms Nightingale Ties at Trial

Document: MacLeod Confirms Personal Ties to Nightingale

Purpose: Trial transcript confirming Ryan and Leanne Nightingale were on Adam Newton's witness list, Ryan Nightingale is Justice Nightingale's son, and Justice Nightingale was Justice MacLeod's former law partner for approximately 12 years.

WEDNESDAY, MAY 14, 2025

CLERK REGISTRAR: Good morning, Your Honour. This is the matter of Newton and Grillo.

THE COURT: Good morning, everyone.

GROUP RESPONSE: Good morning, Your Honour.

THE COURT: Okay. That's good. Okay. Can we toggle between that and my screen? Or is this permanent now?

CLERK REGISTRAR: Oh. Oh, it's...

THE COURT: They've given me that screen too.

CLERK REGISTRAR: Yeah. I think they mirrored all three of them. So that's the witness stand as well as that screen. I can, can reach....

THE COURT: Can we, can we undo this one?

CLERK REGISTRAR: Let me, I can reach out....

THE COURT: I mean, well, just whenever, but, yeah, I, I, I need this screen for my own use.

CLERK REGISTRAR: Fair enough. I'll, I'll reach out.

THE COURT: I can see that one fine. Okay. You're calling Ryan and Leanne Nightingale?

M. RASHEED: No, Your Honour. It's Dr. Dhalla who's on the....

THE COURT: No. No. I mean, I'm just looking at the eventual list.

M. RASHEED: Oh, yes. Yes, Your Honour. We have provided a complete list with the, with the tentative dates and order.

THE COURT: All right. You're, are you aware that's Justice Nightingale's son, who is, Justice Nightingale was my former partner. Ryan Nightingale is his son. I have no personal

May 14, 2025

relationship with Ryan Nightingale whatsoever, but I just thought I'd let you know that. Any issue? I don't know his wife at all. I assume Leanne's his wife.

M. RASHEED: Yes, Your Honour. Leanne Nightingale and Ryan Nightingale are married. They have personal knowledge of some crucial....

THE COURT: Yeah. That doesn't matter. What matters is that I'm just telling you that....

M. RASHEED: I understand now.

THE COURT: Yeah. Yeah.

M. RASHEED: It's our understanding that neither of them have a personal relationship with Your Honour.

THE COURT: I, I'm saying that they don't.

M. RASHEED: And – yes.

THE COURT: I don't know them at all.

M. RASHEED: And that's our understanding as well. So I'd let my friend speak on....

B. FORTINO: Yeah. I don't, I don't, I have to consider that, Your Honour. I'm not, not, I, I don't know what to make of that. I think you're saying this is Justice Nightingale's....

THE COURT: Ryan Nightingale is Justice Nightingale's son.

B. FORTINO: You, you were, were you partners with Justice Nightingale? Sorry. I, I'm trying to go back or go back....

THE COURT: Justice Nightingale and I were partners for about 12 years.

B. FORTINO: Okay. I'm going – yeah. And I think I recall that. Can I just consider this? I don't know what to do about that. I'm not, not going to

complicate matters, but I do want to get instructions, Your Honour, respectfully, if I can. I saw the names. I didn't realize....

5 THE COURT: I'm, I'm telling you it's not a – but I don't think there's an appearance of conflict either.

B. FORTINO: Okay.

10 THE COURT: Because I don't, he's, he's my child's age. Like, I don't know the man, so.

B. FORTINO: Oh, I see. Okay. Okay.

15 THE COURT: But if, if it's going to be an issue, you should talk to your friend about it.

B. FORTINO: Yeah. Yeah. No. I....

THE COURT: Because there are options to avoid it.

15 B. FORTINO: Yeah. No. No. I understand, Your Honour. I....

THE COURT: Don't call him, but. Yeah.

20 B. FORTINO: I, I, I, I didn't anticipate, sorry, at this point that, that question. So I, I will, all I ask is just to let me, let me speak to my client so I can, before I make any commitment, Your Honour.

THE COURT: Yeah. Okay.

25 B. FORTINO: I can tell you in terms of witnesses, Your Honour, if I may if we're talking out of order, I, I don't, I will not be asking questions of Chris Gittemeier (ph) or Kylie Derbyshire (ph). I just received those instructions. And I think they're two witnesses, they're very small affidavits, and I, and I won't be asking any questions.

30 THE COURT: So numbers five and six for today...

EXHIBIT K — Adam Newton Confirms Leanne / Halle Nightingale Connection

Document: AN Document Confirming Halle Sleepover

Purpose: Adam Newton identifies Leanne Nightingale as Halle's mother, describes Halle as Zaria's best friend, states Leanne and Halle spent significant time around him and Zaria, and confirms Halle had a sleepover at his house.

Topic 2 – Zaria “shutting down” when asked about me

Both Brianna and Cheryl have mentioned on more than 1 occasion that Zaria doesn't respond or isn't willing to talk about me when asked questions. This statement appears to be working against me and what I'd like you to look into is that fact that the same thing happens when you ask Zaria about her mom when she's with me. I'm very close with a couple of families that have children of the same age as Zaria and she's become good friends with their kids. The Moms of these families have been very kind to Zaria and have on occasion asked about if she does certain things with her mom i.e. cook, clean, etc.

I'd ask that you speak to the following 2 individuals about this.

Leanne Nightengale – 905-536-5164 (Leanne is Halle's mother who is Zaria's best friend and has spent a lot of time around myself and Zaria **and in fact Halle has had a sleep over at my house.**

Katy Kelly – 519-429-9552 (Katy is Calums mom and are my neighbours and have spent a lot of time with myself and Zaria.

These women could both offer similar experiences with Zaria and I'm sure would be willing to speak to my character and thoughts of me as a father and I believe their opinions should matter with the amount of time Zaria and I have spent around them.

EXHIBIT L — Halle Nightingale / Zaria Disclosure-Related CAS Notes

Document: Halle Nightingale — Zaria Interview

Purpose: CAS notes regarding Zaria's disclosure context, including references to another child being present and sleeping over, supporting the relevance of the Halle / Nightingale evidence.

DETAILS OF CONTACT

Contact Type Regular	Author Ashley Ciccone
Concerning Melanie Grillo, Zaria Grillo-Newton, Adam Newton	
Purpose Monthly in-home, direct contact, Monthly private visit with child(ren), Visit-Announced	
Location CAS Office	Location Description
Start Date 22/12/2022 12:00	End Date 22/12/2022 12:35
Method Face to Face	Type Regular

NARRATIVE

Home Visit

I attended [REDACTED] home, Melanie and Zaria greeted me at the door and welcomed me into the home

Zaria appeared well, appropriately dressed and smiling

Melanie and I went into the kitchen to chat and Zaria followed us, she sat on the floor under the table

[REDACTED] was in the kitchen at the sink and greeted me

We chatted for a few minutes

I asked Melanie if the pediatrician had found a therapist for Zaria - she confirmed yes at a place in Hamilton, it's a psychologist's office and there are two women but she can only remember the one woman's name which is Deborah

She advised that they are just at the beginning stage of getting this set-up

I provided Melanie with a play therapist in Brantford - Lori McDonnell - I gave her a sticky note with her contact information and that she's a play psychotherapist

Melanie confirmed that she believes her benefits will cover a psychotherapist

I asked about Thrive for access and Melanie advised she has an intake meeting with them on January 9th

I asked how Zaria has been doing and Melanie spoke of her eating well, dancing around and singing, [REDACTED] advised that she has changed

Melanie speaks of Zaria being much more confident and that she's changed so much in the past few months

I asked Melanie for her verbal consent to provide my case note to the police, the case note from Zaria's disclosure and Melanie provided this consent without issue

Melanie advised that after the police interviews a few weeks ago, when they got in the car, Zaria told her and [REDACTED] oh I didn't tell them about dad's pyramid'

Melanie told her not to worry because she could talk to me about it

Zaria was now standing up and was looking through her change (money), also speaking with [REDACTED] who was in and out of the kitchen

Melanie, Zaria and I chatted about Christmas and the upcoming holidays for a few minutes

I asked Melanie if Zaria has made any further disclosures and she advised no, that she has continued to talk about his "pyramid"

Melanie speaks of having a recent conversation with Zaria about right and wrong touches and that she wonders if Zaria is starting to understand more that what happened to her was not OK

I confirm with Melanie that now that Zaria is opening up it would be a good time for her to see a therapist

Melanie agrees and states that the psychologists office in Hamilton want Adam to sign a consent to allow for Zaria to see them so she's working with them on that as she doesn't believe he should have to sign seeing as how he's the one who did this to her

I asked Zaria if she wants to sit with me and we can talk - she was hesitant at first but took a seat

Melanie left the room and said she would be right back, Zaria was playing with a hula hoop and was no longer sitting

Melanie returned and encouraged Zaria to talk to me, took the hula hoop

I asked Zaria if she wanted to draw on my paper and she agreed she did, she came over and sat at the kitchen table with me

Melanie made sure Zaria was OK and then left the room

I asked Zaria if there was anything she wanted to talk to me about, she continued to draw and told me what she was drawing

I asked Zaria is she could tell me about a pyramid

Zaria said that a pyramid is a pyramid, she then quietly said that dad put his pyramid on her "front bum"

I repeated this to make sure I had heard her correctly and she nodded to indicate yes

I asked Zaria what she was wearing when this happened and she advised she wasn't wearing anything, I asked her what dad was wearing and

she advised he wasn't wearing anything
I asked Zaria if they were both naked and she confirmed yes
I asked Zaria if anyone else was there when they happened and she answered that [REDACTED] was also present
I asked Zaria what [REDACTED] was wearing but she didn't answer me
We started to play tic tac toe while we were talking
I asked Zaria where she was when dad put his pyramid on her front bum and she advised that she was in his bedroom
I asked her if this happened one time or more then one time and she answered one time
I asked her how she felt when dad put his pyramid on her front bum and she said she was mad
I asked where dad's pyramid is and she said it's on his body
I asked where on his body and she pointed to her private area without speaking
I spoke to Zaria about [REDACTED] sleeping over at dad's house, where did [REDACTED] sleep
Zaria indicated that [REDACTED] slept in dad's bed with her
I asked if [REDACTED] was naked and she shook her head side to side indicating no
I asked Zaria what happened at her dad's house when she gets in trouble, she spoke of breaking a plate and that dad locked her in his bedroom
I asked her if that happened one time or more then one time and she said one time, after she broke the plate
I told Zaria I had one more question if that was OK, I asked her when she was with her dad if he ever did something that hurt her and she said no
Zaria and I finished tic tac toe then I called Melanie to come back
Melanie and I met privately in the living room while [REDACTED] and Zaria started to play a game in the kitchen
I advised Melanie what Zaria shared and she seemed relieved that Zaria told me about the pyramid
I explained to Melanie that I would call the Detective to update her on this as well, she thanked me
I spoke to Melanie about where she is living - she confirmed that [REDACTED]
[REDACTED]
I asked her about spending time with [REDACTED] she confirmed they see [REDACTED] when they attend and visit [REDACTED] home
I explained to Melanie that Zaria spoke during police interviews of living with [REDACTED] Melanie denied this and said that they stay at [REDACTED] sometimes and [REDACTED] is there so she probably thinks [REDACTED] lives there
Melanie and I discussed that she continues to see cars outside of [REDACTED] home, that cars with dark windows will park out on the street in front of the home and when one of them goes outside to see why they're there, they drive away
I went into the kitchen to see Zaria, gave her a high five and wished her a Merry Christmas, she wished me one back
I said Merry Christmas to [REDACTED] and Melanie on my way out the door
As I was putting my shoes on Zaria came to say goodbye, I thanked her for talking to me and said goodbye again

CONTACT LOG PARTICIPANTS

Participants	Participants
Melanie Grillo	Zaria Grillo-Newton
Users	
Ashley Ciccone	

ATTACHMENTS

Attachment Name	Location	Reference	Type	Status
Description				

EXHIBIT M — OPP / CAS Child Interview Coordination

Document: Halle Nightingale — Interview

Purpose: Records OPP and CAS communications about child interviews, lack of available trained child interviewers, and CAS employee involvement in the investigative process.

DETAILS OF CONTACT

Contact Type Regular	Author Ashley Ciccone
Concerning Melanie Grillo, Zaria Grillo-Newton, Adam Newton	
Purpose Case Activity	
Location CAS Office	Location Description
Start Date 30/01/2023 09:51	End Date 30/01/2023 09:53
Method Phone	Type Regular

NARRATIVE

Call to OPP Detective Beck
Call to Andrew Beck
He explained they don't have any child interviewers available as they are all busy
I confirmed Jerry Walsh, my colleague, can assist with interviewing the child
Discuss possible dates - agree to Thursday February 2nd at 10:30am
I will attend with Jerry
Detective Beck will not be available as he will be in court but someone else will be present
He will connect with the mom to make sure this works
Thank each other

CONTACT LOG PARTICIPANTS

Participants	Users Ashley Ciccone
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ATTACHMENTS

Attachment Name	Location	Reference	Type	Status
Description				

**Gerald Walsh** · 3rd

Child Welfare Specialist at Child and Family Services of Grand Erie

Brantford, Ontario, Canada · [Contact info](#)

5 connections

DETAILS OF CONTACT

Contact Type Regular	Author Julie Klassen
Concerning Zaria Grillo-Newton	
Purpose Case Activity	
Location CAS Office	Location Description
Start Date 26/01/2023 15:14	End Date 26/01/2023 15:19
Method Phone	Type Regular

NARRATIVE

Coverage Call from Norfolk OPP re: investigation

Andrew Beck, from Norfolk OPP, called into coverage
he is looking to speak with Ashley Ciccone regarding Zaria Grillo-Newton
currently completing investigation together with Ashley
he is taking over for another officer

they need to interview [REDACTED] a witness but won't have anyone trained to conduct that statement
wondering if someone from society would be able to conduct that statement next week
usually opp would conduct the interview but wondering if someone from society could do so

I informed that Ashley was not available today but should be returning tomorrow.
Andrew requested Ashley's email so he could send her an email and she could respond tomorrow. I provided her email.
I confirmed I would make note of this contact and send her an email as well so she could follow up with him.
Andrew agreed that should be sufficient for now and thanked me.

Andrew's cell: [REDACTED]

*I forwarded the above info via email to CPW Ashley Ciccone and her supervisor Juliana Chooi-Harley.

CONTACT LOG PARTICIPANTS

Participants	Users Julie Klassen
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ATTACHMENTS

Attachment Name	Location	Reference	Type	Status
Description				

DETAILS OF CONTACT

Contact Type Regular	Author Ashley Ciccone
Concerning Melanie Grillo, Zaria Grillo-Newton, Adam Newton	
Purpose Case Activity	
Location CAS Office	Location Description
Start Date 26/01/2023 15:34	End Date 26/01/2023 15:34
Method E-Mail	Type Regular

NARRATIVE

Email from OPP Detective Beck
Hi Ashley,
I've been asked to assist with the sexual assault investigation involving victim Zaria GRILLO-NEWTON. Unfortunately, I'm not able to secure a child interviewer until the week of February 5th, 2023 to interview [REDACTED]. Maybe we could use an employee of Child and Family Services of Grand Erie and who is independent and not involved in this investigation and trained to obtain statements from young people next week? The proposed solution is only if this statement can't wait until the week of February 5th, 2023.
I'm off tomorrow but feel free to contact me on my cellphone if you would like to chat about it.
Thanks,
Andrew
Detective Constable Andrew Beck Ontario Provincial Police Norfolk County Crime Unit 548 Queensway West Simcoe, Ontario 519-426-3434 Cell-519-429-9648

CONTACT LOG PARTICIPANTS

Participants	Users Ashley Ciccone
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ATTACHMENTS

Attachment Name	Location	Reference	Type	Status
Description				

DETAILS OF CONTACT

Contact Type Regular	Author Ashley Ciccone
Concerning Melanie Grillo, Zaria Grillo-Newton, Adam Newton	
Purpose Case Activity	
Location CAS Office	Location Description
Start Date 17/01/2023 10:41	End Date 17/01/2023 17:40
Method Text Message	Type Regular

NARRATIVE

Texting w/ Detective Fawbert

Detective tried to call me numerous times but when I picked up the call would hang up

10:41am

KF Hi Ashley I keep trying to call and it's getting dropped

KF May have to just text

10:42am

AC Yes I kept answering and no one there. Very strange.

AC Im just looking for an update on the investigation

10:44am

KF There unfortunately isn't one as I am on the homicide. I need someone to speak to still

10:46am

AC OK thanks. I'm chatting with dad this afternoon and I feel I need to be transparent with him about what's going on but I don't want to compromise your investigation.

AC I wanted to chat with him about Z disclosures and that I attended OPP station for an interview.

10:47am

AC I just wanted to know if that's OK from your end.

2:26pm

KF You can let him know it's an ongoing investigation

2:39pm

AC File disclosure for the family's CAS file was requested in family court and it will likely be prepared and sent next week so both mom and dad will have all case notes in family file, including child's disclosures to me.

5:34pm

KF OK I'm sorry I can't give any more of an update as no one has been assigned to complete the interview with

5:40pm

KF If anything changes I'll let you know!

CONTACT LOG PARTICIPANTS

Participants	Users Ashley Ciccone
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ATTACHMENTS

DETAILS OF CONTACT

Contact Type Regular	Author Ashley Ciccone
Concerning Melanie Grillo, Zaria Grillo-Newton, Adam Newton	
Purpose Case Activity	
Location CAS Office	Location Description
Start Date 09/01/2023 12:19	End Date 09/01/2023 12:19
Method Phone - Voicemail	Type Regular

NARRATIVE

VM from Detective Fawbert, OPP Hi Ashley it's Kara Fawbert calling Let you know that I'm unable to provide an update as I'm working on a homicide Cancelled interview with [REDACTED] and I'm not able to complete it until this case slows down which might be some time I wanted to let you know Any questions [REDACTED]
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CONTACT LOG PARTICIPANTS

Participants	Users Ashley Ciccone
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ATTACHMENTS

Attachment Name	Location	Reference	Type	Status
Description				

DETAILS OF CONTACT

Contact Type Regular	Author Juliana Chooi-Harley
Concerning Zaria Grillo-Newton, Adam Newton	
Purpose Case Activity	
Location Other	Location Description
Start Date 05/01/2023 01:09	End Date 05/01/2023 01:10
Method Phone	Type Regular

NARRATIVE

Phone call to Det. Kara Fawbert [REDACTED]
Enquired about the Crown's decision on the Adam Newton investigation. Det. Fawbert advised that she has no updates on the Crown's decision. Asked her about the status of the police investigation and she confirmed that the investigation is still ongoing.
Next step: Updated DOS Sarah Robertson regarding the status of the police investigation

CONTACT LOG PARTICIPANTS

Participants	Users Juliana Chooi-Harley
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ATTACHMENTS

Attachment Name	Location	Reference	Type	Status
Description				

DETAILS OF CONTACT

Contact Type Regular	Author Ashley Ciccone
Concerning Melanie Grillo, Zaria Grillo-Newton, Adam Newton	
Purpose Case Activity	
Location CAS Office	Location Description
Start Date 22/12/2022 16:59	End Date 22/12/2022 16:59
Method Phone - Voicemail	Type Regular

NARRATIVE

VM from Detective Fawbert, Norfolk OPP Hi Ashley it's Kara Fawbert calling from the Norfolk OPP Just wanted to give you a little bit of an update I made a call to [REDACTED] [REDACTED] didn't seem concerned, I guess very close friends with the suspect But I'll be doing a statement the day after yours, I just wanted to let you know Have a good holidays If you have any questions give me a shout [REDACTED] Thanks

CONTACT LOG PARTICIPANTS

Participants	Users Ashley Ciccone
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ATTACHMENTS

Attachment Name	Location	Reference	Type	Status
Description				

Excerpt from Newton's Affidavit dated Nov 11 - under "Topics" document

mom when she's with me. I'm very close with a couple of families that have children of the same age to Zaria and she's become good friends with there kids. The Moms of these families have been very kind to Zaria and have on occasion asked about if she does certain things with her mom i.e. cook, clean, etc.

I'd ask that you speak to the following 2 individuals about this.

Leanne Nightengale – 905-536-5164 (Leanne is Halle's mother who is zaria's best friend and has spent a lot of time around myself and Zaria and in fact Halle has had a sleep over at my house with Zaria

Katy Kelly – 519-429-9552 (Katy is Calums mom and are my neighbours and have spent a lot of time with myself and Zaria.

EXHIBIT N — CAS Verified Sexual Harm on a Balance of Probabilities, then
Revised Finding to “Inconclusive”

Document: Original CAS verification letter / CAS outcome-change records

Key sequence:

1. Oct. 26, 2022 — CAS confirms verified sexual harm.
2. Nov. 3, 2022 CPIN — CAS records verification on a balance of probabilities.
3. Feb. 16, 2023 — ICRP revises outcome from verified to inconclusive.
4. Feb. 23/24, 2023 CPIN — CAS confirms “inconclusive” means “we don’t know what happened” and is “not unverified.”

Purpose: Establishes that CAS/CFSGE initially verified sexual harm involving Adam Newton, including on a balance of probabilities, then later revised the outcome from “verified” to “inconclusive” through the ICRP process. This exhibit also confirms that CAS described “inconclusive” as meaning “we don’t know what happened” and “not unverified,” undermining any claim that the later label cleared Mr. Newton or meant the abuse did not occur.

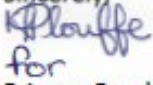


October 26, 2022

Melanie Grillo
1711-121 Hunter Street West
Hamilton, ON L8P 1R2

Dear Ms. Grillo:

Please accept this letter as confirmation that the Society verified concerns of sexual harm of Zaria by Mr. Newton as well as child protection concerns related to the ongoing custody and parenting time conflict between yourself and Mr. Newton. The Society is completing further assessment of these concerns in its ongoing work with your family.

Sincerely,

for
Brianna Boyd
Child Protection Worker


for
Cheryl Crawford
Child Welfare Manager

Printed By Tara Pike

on 21/11/2022

Start
03/11/2022 10:43End
03/11/2022 10:43**Narrative**

Narrative
Juliana Chooi-Harley On 03/11/2022 20:49
SUPERVISION

Protection Concerns:

1.3.A. is verified. On a balance of probabilities, the Society believes that Zaria has experienced sexual harm while in her father's care. She returned home from parenting time with Adam with anal lesions and describes this occurring in the context of items being put in her bum by her father.

3.1.C. is added and verified. There are ongoing dynamics of post-separation conflict that pose a risk of emotional harm to Zaria although she is not directly exposed to any conflict at this time.

FNIM/Cultural Considerations: The family identifies as Caucasian.

Family Constellation: Melanie Grillo and Adam Newton are the biological parents of Zaria Grillo-Newton (4). The parents are separated and there is longstanding CLRA litigation, but the parents do have a parenting agreement and the time-sharing arrangement is that Melanie has primary care of Zaria and Adam has her every other weekend and every Tuesday. Melanie and Zaria reside in Hamilton and Adam resides in Port Dover.

Last Face to Face Contact with Family: Transfer meeting occurred with Melanie and Zaria in-person on Sept 22, 2022. Transfer meeting occurred with Adam in-person on October 6, 2022. Virtual home visit with Melanie and Zaria (per Melanie's request) completed on October 26, 2022.

Updates/New Developments:

On October 17, 2022, the Society received a CFSRB Notice of Application in regard to Melanie's concerns about the outcome letter she received Sept 29, 2022 from the Investigation Team.

On Oct 27, 2022 the Society sent a subsequent letter stating that the concerns have been verified as requested by Melanie and each parent was sent a copy of that letter

Melanie cancelled a scheduled home visit due to illness, rescheduled virtual

Adam is bringing a motion at Family Court, Hamilton to address his parenting time issue

Melanie has taken the position that his access should be supervised at the Society's access center and his lawyer asked the Society to provide a letter of confirmation that the investigation worker Adrianna Boyd had approved [REDACTED] as a supervisor at his home

A letter of confirmation was sent to each parent however Melanie is upset with this even though it has been explained to her by workers that the Society took no issues with Adam's parenting time occurring in his home with [REDACTED] supervising

Adam is willing to complete a risk assessment (including phallometric testing) with an approved professional

Worker obtained Adam's signed consent to follow up with Rocco Gizzarelli and Associates regarding this recommendation as part of the Society's ongoing assessment

Melanie is reporting that Zaria no longer has red, irritated or lesions on her rectum

Melanie took Zaria to a pediatrician who is looking to refer Zaria to an appropriate psychologist/psychiatrist

What's going well?

Adam has been agreeable to a period of supervised parenting time

Zaria is meeting her developmental milestones

Zaria has been referred to THRIVE and is waitlisted for counselling services

What are we worried about?

We are worried that there has been ongoing post-separation conflict and that the parents have been involved in a protracted CLRA litigation process

What services are involved?

Zaria is wait listed for counselling with THRIVE

Service Agreement Progress: 6 Month Review due on April 4, 2022

Subsequent Investigations: None

Review of Court Proceedings (application and status): N/A

Next Court Appearance: N/A

Review of Access: The parents are involved in court to address the father's parenting time.

Next Steps:

Encourage parents to obtain OCL for Zaria in family court proceedings

Collateral contact with Rocco to refer Adam for Risk Assessment

Printed By Theresa Lillie

on 13/03/2023

Author Ashley Ciccone	Source Ongoing Case - 11858499
Start 23/02/2023 12:42	End 23/02/2023 12:42
Narrative	
Narrative Ashley Ciccone On 23/02/2023 12:47 Call to Detective Fawbert, left VM P/C to Detective Fawbert, left VM advising I'm returning her call Provided cell number for her to call me back	
Details	
Location CAS Office	Location Description
Method Phone - Voicemail	Date Created 23/02/2023
Created By Ashley Ciccone	
Concerning Melanie Grillo,Zaria Grillo-Newton,Adam Newton	
Participants	
Users	
Ashley Ciccone	
Contact Log	
Type Regular	Purpose Case Activity
Author Ashley Ciccone	Source Ongoing Case - 11858499
Start 23/02/2023 12:03	End 23/02/2023 12:31
Narrative	
Narrative Ashley Ciccone On 24/02/2023 11:12 Call to Adam P/C to Adam cell He advised that a whole lot of nothing is happening at this point I asked about him getting a new lawyer - he advised that the new lawyer is acting as his agent and he's hoping to have confirmation by Friday that they will commit to take him on, he advised he has a meeting with the lawyer on Friday March 10th court date is still occurring, he plans to file a motion to get his access reinstated and there will be questioning I advised Adam that I wanted to update him on the Society's position - at this point Melanie is not having contact with us, not responding to requests for contact I explained that as we don't have information that would require us to bring a Protection Application to court so we will be looking at closing the ongoing file Adam had questions and concerns related to the file disclosure he received He spoke of when Melanie told me that her and Zaria would be moving in with [REDACTED] questioned if the timing of that isn't fishy He also speaks of his concerns that the disclosure included his Risk Assessment - which has a lot of personal information and the names of his exes, he explains that he didn't expect that to be a part of the disclosure He spoke of signing a Consent so the Society could have a copy but didn't realize that meant it would be released in a disclosure He advised that he didn't expect that is a document Melanie would ever be able to read and he's got concerns about Melanie having some of the information I advised Adam that I could follow-up with the disclosure manager around this but I believe that all attachments to the file are included in disclosures Adam also advised that there is a point where [REDACTED]	

Adam expressed that he's aware he's sensitive to this but feels that his information was exposed but not much of Melanie's was. Adam then spoke of an email that was sent by Melanie's lawyer about how the Society allowed him to wipe Zaria's vagina when she used the bathroom, that Zaria was permitted to lick him and sit on his lap, that the Society is not a suitable place for parenting time and suggests that virtual calls may be more appropriate. I suggested to Adam that now that the outcome of the investigation was changed to Inconclusive, that maybe he could try to connect with Thrive Counseling again.

Adam spoke of feeling that Melanie "spooked" them and that they probably won't reconsider him. Adam questioned the email letter that he received, will he get another one in the mail? I advised I wasn't sure but if he did it would be the same letter.

He asked what's happening with the panel recommendation that the Society pay the \$4000 - I advised I am not sure but I know that my director is looking into this, it's on her radar.

Adam then advised that Melanie told Detective that she and Adam were not in a relationship but he has other documentation that confirms they were - including Melanie's very first affidavit she filed with the courts and a note from social worker at hospital after Zaria was born.

He believes that Melanie's lies are spinning out of control.

Adam speaks of concerns that Melanie is not listening to court orders or CAS, that she's living with a guy who has a background of DV and drug use.

He advised that Melanie and [REDACTED] have been together since August, all the times that she has said they're not in a relationship is untrue - back at their court appearance in August she brought [REDACTED] and Melanie's lawyer referred to [REDACTED] as Melanie's partner. Adam questions the Society not staying involved - I explained that the file doesn't meet the threshold to bring it to court/file a Protection Application.

He questioned if he has a say in the decision to close - I explained that the ministry has expectations for meeting with families and if we can't meet with Zaria monthly then we can't stay open, explain our services are voluntary.

He speaks of concerns that Zaria hasn't had any counseling yet and that without CAS involved Melanie won't make sure she attends. He questions if we go to court just for physical or sexual abuse, I advised no we can also go for concerns with neglect or emotional harm.

Adam questioned the emotional harm and I explained that we don't have enough information that there is emotional harm occurring to take it to court, that we have to have substantial information to provide the Judge.

I also explain that we want to be least intrusive and would start by looking at a Supervision Order but that requires cooperation from the client, if Melanie is not going to work with us this won't work.

The only other option we have is to look at removing Zaria from Melanie's care and we definitely don't have any information to warrant this.

Adam asks if that ever happened, explains he's asking hypothetically, questions if Zaria would be placed with him. I advised that the Inconclusive outcome means we don't know what happened, it's not unverified, so I'm not sure if that would happen, can't answer that question.

He speaks of being able to move [REDACTED] into his home, would that help, I advised that that would help mitigate concerns yes, but remind him that this is not where the Society is at right now.

He questions if he can have a conversation with someone who will be making decision to close file - I confirm I can speak to Juliana and let her know he wants to speak with her about this, he thanks me.

Adam speaks of having very serious concerns about Melanie.

He also spoke of his CFSRB application and that the only reason he's moving forward is because he wanted to discuss how the Society could support this but if we are looking at closing the file then he feels that there would be no reason to move forward with CFSRB.

He questioned how he and Melanie will even do access exchanges at this point, with everything that's happened - I suggest that this be completed at a police station.

He then spoke of Melanie accusing him of being a GPS tracker on her car, which he has not, but feels that she's desperate enough to go out and buy one and put one on her car and claim he did it.

Adam then spoke of never speaking negatively about Melanie in the presence of Zaria, that it's of not benefit for her and he feels that Zaria needs her mother, he wants both of them to be parents.

He advised that [REDACTED] and [REDACTED] are good supports to him, [REDACTED] help provide him guidance on how to raise Zaria because he's never been able to get information or coparent with Melanie.

Him, [REDACTED] and [REDACTED] have discussed how saying anything negative about Melanie would have negative consequences for Zaria.

Adam then speaks of Zaria not even wanting to discuss Melanie with him.

I confirm that children are intuitive and if she feels there is tension then she's not going to say anything, she's going to stay out of it.

Adam advised that he wanted to apologize to me if he's ever been inappropriate or rude.

I advised Adam that he has not, that I recognize this situation is stressful, this is his family and his life.

I confirmed I would speak to Juliana about his concerns around closing the file and I would email to follow-up re: file disclosure concerns.

Adam advised that he thinks the file staying open would benefit Zaria.



BRANTFORD OFFICE:
P.O. Box 774, Stn Main,
70 Chatham Street
Brantford, ON N3T 5R7

TOWNSEND OFFICE:
70 Town Centre Drive,
Townsend, ON N0A 1S0

1-519-753-8681
1-888-753-8681

cfsge.ca

February 16, 2023

Adam Newton
[REDACTED]

Port Dover, ON N0A 1N7

Sent By Email: [REDACTED]

Dear Mr. Newton,

This letter is in follow up to the Internal Complaints Review initiated by you in December 2022. Every Children's Aid Society has an Internal Complaints Review Panel process, in accordance with s.119 of the Child, Youth and Family Services Act, to address the written complaints of people receiving service.

As a part of an Internal Complaints Review process, a Panel is appointed by the Society's Executive Director and includes a Director of Service, other staff as required, and a person who is external to the Society; the external member may be a member of the Society's Board of Directors. The Panel is comprised of members who have not had any direct involvement with the complaint being reviewed. The panel included: Leslie Thomas, Director of Service and Chair of the Panel, Chantal Pepper, Manager, Dawn Veino, Protection Manager, and Craig Mannell, CFSGE Board Director.

During this process, the Panel completed a review of the complaint and facilitated a meeting with the individual initiating the complaint. The Panel met with you on January 24th, 2023. The Panel reviewed all internal documentation regarding your complaint as well as the information utilized to support the verification outcome. The Panel considered the timing and content of the recording, the validity of the recording, the child's description of the alleged abuse during the initial interviews with the Society and police, and her ongoing defecation/toileting issues. The Panel noted the custody conflict between the parents and the potential for coaching after the alleged incident.

As a result of the review, the Panel determined that the outcome of the child protection investigation has been revised from verified to inconclusive. The Panel also recommended a review of the access plan. The access arrangements are outlined in the CLRA proceedings and CFSGE will support the review of the access plan in conjunction with the CLRA order.

Should you have additional questions about the process please follow up with your assigned worker who will be able to redirect you as needed.

Sincerely,

Leslie Thomas
Director of Service, ICRP Chair