

Foster mother's fight for child likely headed for court battle

By IRENE GENTLE
The Champion

When Young Purple Butterfly Woman celebrated her ninth birthday April 3, she did it without the foster family she had spent her life with.

The blind and mentally-challenged child was plucked from foster mother Sharron Fergus' care in November by a police officer and three Toronto Catholic Children's Aid Society (CCAS) workers.

And after months of trying to get her back through CCAS channels, Ms Fergus is vowing to take her fight to court if she has to.

"I'm frustrated, but I'm not giving up. We're going all the way," she said. "We're going to end up in a court room."

Between November and now, visits with Purple Butterfly — referred to here by her native name to protect her identity — have been supervised and infrequent, said Ms Fergus. "I told (CCAS) this is ridiculous. It's her birthday. If we're good enough for eight-and-a-half years, we should be good enough for one day."

The Fergus family did eventually get their birthday visit with Purple Butterfly in the third week of April, after being given less than 24 hours notice.

"It means our children have to be pulled out of school. This one day's notice is bogus," said Ms Fergus. "They're only thinking of their workers. They don't want to rearrange their schedules."

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SHARRON FERGUS

Despite numerous meetings with the CCAS, Ms Fergus said she's still waiting to prove her side of the story.

"How can you have a fair decision when hearing only one side?" she asked.

Conflict began brewing between the CCAS and Ms Fergus in February, 1999 when the agency decided the child should be enrolled in a Guelph residential school for the blind. At the time, Ms Fergus argued that one more year at home was vital.

Informed in September that the child would be moved, Ms Fergus appealed the decision. But 10 days prior to the appeal date, Purple Butterfly was taken to a new home.

Since then, Ms Fergus has hired Milton lawyer Diño Mazzorato of Hutchinson, Thompson, Henderson and Mott to represent her. She has gone through a number of internal meetings with the CCAS, most recently speaking to its board of directors.

But at no time was she permitted to bring witnesses or show evidence of her case, said Ms Fergus.

One internal hearing did permit Mr. Mazzorato to read a letter written by

Purple Butterfly's birth mother, which expressed bitterness at what the CCAS had done to her daughter's life and pleaded for them to return her to Ms Fergus.

If her efforts with the CCAS fail, Ms Fergus is ready to take her battle to the courts where evidence should be permitted. "I'll be so glad when I can show them my side. The truth will come out then."

Purple Butterfly is one of close to 100 foster children Ms Fergus has welcomed into her home in the past 30 years, many of whom were considered medically fragile. And though the CCAS can't comment on specific cases, its director Mary McConville has said there must be solid reasons to take a child out of foster care.

"Any move is given careful thought and consideration," she has said in a past telephone interview. "A conscious decision is made with reasons behind it."

But Ms Fergus said she just wants the best for the child she raised.

"Why does a foster child have any less right to security than an adopted child?"

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