

POLICE: Autopsy on drowning victim scheduled for today, but officials are calling the tragedy an accident

Divers recover man's body

BY JOAN RANSBERRY
Staff Writer

Stouffville has opened its heart to six-week-old Kayondra Brown Fagan following the tragic death of her father.

Howard Fagan, 35, of Scarborough, drowned in Musselman's Lake Monday afternoon while swimming off the side of a 120-horse-power motorboat with two co-workers and his boss's son.

A trust fund for the baby and her mother Elizabeth Brown has been set up, and donations are being accepted at branches of the CIBC.

An autopsy was scheduled for today at York Central Hospital.

Fagan came to Canada from Jamaica less than two years ago, and soon after arriving, the labourer found a job with Musselman's Lake contractor Rick Davies.

On Monday, his crew was working in Mount Albert. At noon, Davies invited workers to his home for a swim, said Enza Davies, the business owner's wife.

"I found each of them shorts and

off they went. They weren't in the water five minutes when it happened," Davies said.

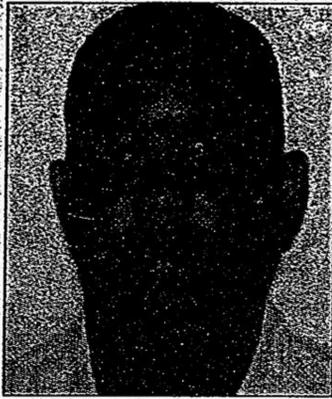
Musselman's Lake has an excellent track record. The last time anyone drowned in its waters was in the 1930s. The victim was a young medical student.

Residents living in the quiet hamlet were sitting on their decks at the time of the accident and it didn't take long to realize something was wrong aboard the 17-foot boat stationed about one quarter of a mile out.

"It was the hottest of days and they went for a dip to cool off," witness Robert Williams said. "It's a tragedy that has upset everyone living here."

Const. Russ Bellman reported that an eight-year-old boy was in the boat when the wind blew it away from swimmers. Two made it back to the boat and climbed aboard. Fagan was still in the water. Seconds later, Fagan called for help but all attempts to save him failed.

The boat was equipped with "lots of life jackets" but none of the



HOWARD FAGAN

Musselman's Lake drowning victim

adult swimmers were wearing them, Davies said.

Const. Ben Schell of Stouffville heads up the York Regional Police Underwater Recovery Unit. The four divers with the police scuba diving team, accompanied by one large boat and two inflatable vessels, arrived Monday and began a body search.

"Our aim is to recover the body,"

Schell said. "We found him. We feel good about it. It gives the family some closure and it gives our divers closure. We had to stop the first night because of the lightning. Mr. Fagan was found (Tuesday) morning in 26 feet of water."

Even though lake residents understood why the divers had to wait until dawn to resume their work, it was a sad night.

Diver Const. Mitch Krajinovic assisted in the recovery. "We knew we'd find him. We just had to stay with it," he said.

Stouffville firefighters worked alongside the police divers in a support role, said Whitchurch-Stouffville Fire Chief Bill Brown.

"We're not doing a rescue. I marked the spot where the witnesses said he went down and the divers took over from there."

Resident Jan Quarles wants the town to station oxygen tanks at the lake. As well, Quarles would like to know how to contact experienced divers in a water emergency.

However, the fire chief said changing the system won't make a

difference.

"It's nearly impossible to save someone in these conditions," Brown said.

Death occurs soon after someone goes beneath the surface of the water. "Going without oxygen for five to six minutes means a fatality unless it's a cold water situation," Brown said.

While it's up to the attending coroner, it's doubtful there will be an inquest into Fagan's death, Bellman said. The police investigation is nearly complete, he added.

While a police counselling team worked with the three survivors, including the child, the community is now focusing on Fagan's family.

A young woman recently gave birth and now is forced to endure the tragic loss of her partner. Financial hardship is compounding a difficult situation. "I hope people will open their hearts," Davies said.

Cheques can be mailed to 14745 Ninth Line, Stouffville, ON, L4A 7X3 or dropped off any branch of the CIBC, acct. #16-15033, payable to Rick Davies in trust for Kayondra.

Vulnerable children live in fear, danger in their own home

CAS social workers deal with abuse, neglect, abandonment — the child's safety always comes first

FROM PAGE 1

Just moments before Caney awards custody of a beautiful red-headed toddler, dressed in a purple track suit and sipping on a carton of chocolate milk, to her grandmother.

The grandmother has been taking care of the little girl under the supervision of the Children's Aid Society because her daughter — the youngster's mother — is incapable of caring for a child.

The society agrees the loving grandmother needs no further intervention. She is granted custody, as long as she allows the girl's mother reasonable visitation.

The beaming woman all but dances out of the courtroom.

It's just another day in Caney's courtroom, where the region's most vulnerable children end up.

These are the kids and teenagers who have been beaten, burned, sexually abused, emotionally mistreated, neglected or abandoned. They're also the youths who refuse to abide by their parents' rules, creating havoc for the rest of the family.

By this point, Children's Aid social workers have worked with the family, the child's school or day-

care and relatives and friends, trying to make the home a safe place for the youngster.

But not every story has a happy ending.

Dana Rippon has been an intake social worker for the past 18 months, the entire time with York's Children's Aid.

Even in that short period, Rippon has investigated heart-breaking situations, including:

- "home alone" cases, where toddlers and children have been left to fend for themselves for hours on end;

- serious cases of abuse or neglect;

- allegations of excessive discipline;

- concerns about the mental stability of a parent or child;

- substance abuse issues.

First and foremost, our job is to ensure the safety of children," Rippon said.

Many factors come into play as social workers assess the danger a child faces, including the degree of alleged abuse or neglect.

Preschoolers are seen as more vulnerable, not only because they have less ability to defend themselves and call for help, but because their contacts with the community

are more limited. Teachers and neighbours can keep an eye on older children.

Social workers also see how much support the family has from relatives and the community, as well as determining whether the family is willing to work with the society to resolve conflicts.

While there are instances where parents believe they have the right to do whatever they want to their child, there are cases when the family itself calls the society for help.

If the social worker fears for the safety of the child, the society will remove the youngster from the home. The CAS tries to place the child with a relative or neighbour. But in extreme cases, the organization moves to have the child taken away permanently.

The agency must keep in mind the emotional impact removal will have on a vulnerable child who, although abused or neglected, doesn't want to be parted from a parent or parents he loves.

"Everything always comes back to the child's safety," Rippon said. "Some of the situations we deal with are really, really sad."

She said York's increasingly multicultural population presents challenges for social workers, including

language barriers and cultural differences.

"It's my belief parents have their child's best interests at heart. In many instances, I think people have their child's best interests at heart but they may have other difficulties that block that from coming through."

While Rippon feels her job is valuable, she admitted the families she is investigating, the media and the public often don't appreciate the stress social workers suffer.

The most recent scrutiny of the society's shortcomings has come during the ongoing inquest into the death of baby Zachary Morrison Rogers at his babysitter's home. The society was alerted to possible problems in the home but didn't investigate until after the seven-month-old died.

Meanwhile, social workers must cope with changing mandates as the public continuously redefines the role of Ontario's Children's Aid Societies.

Caught between a rock and a hard place, the CAS is either viewed as an uncaring organization that fails to properly protect children or an authoritarian agency that codifies spoiled children who don't want to follow their parents' rules.

In the wake of a number of high profile deaths of children in contact with agencies empowered to protect them, the province has recently given Children's Aid Societies greater power to protect and remove abused and neglected youngsters.

At the end of the day, Rippon has to go home and pray she made the right decision about a child's safety.

"Our decisions are based on snapshots. You see the situation while you're there, not 24 hours a day and not 12 hours a day. That's always tucked back in your mind — it's a nagging thought, it's a horrific thought (that a child may suffer as a result of a wrong decision)," she said.

"We do see some pretty horrific things and we have to deal with horrific situations. But I'm amazed at the resilience of children and the strength families have, and how they cope with various obstacles. That can be very amazing."

Although she relies heavily on the advice of supervisors, Rippon usually has anywhere from 12 to 15 cases on the go at any one time.

There is a constant juggling and prioritizing of cases. Crises always tend to bubble up. You have to be ready to drop everything and go."

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