

Where can I get help?

If your child has been apprehended, **talk to a lawyer immediately.**

You can talk to a lawyer through the Legal Services Board of Nunavut.

Kitikmeot Law Centre
in Cambridge Bay: 1-866-240-4006

Maliiganik Tukisiiniakvik Legal
Services in Iqaluit: 1-866-202-5593



Terms you need to know:

- Child and Family Services: the government body that employs social workers to make sure your child is safe.
- Social Worker: the person who can offer you voluntary services to help you care for your child, or enter your home and apprehend your child.
- Apprehension: the social worker can remove a child from your home and place the child in foster care if he or she believes the child is in need of protection.
- Child in need of protection: the law sets standards of safety for child care, and if a parent does not meet those standards, the judge can decide that the child needs protection and can make a court order.
- Court order: if a child needs protection a judge can make an order for the child to remain in foster care for a period of time or permanently, or a judge can return the child to a parent subject to supervision.
- Foster care: a private home where your child will be kept until your child can be safely returned to your care.
- Supervision order: the court order can require a parent to obey certain conditions if the child is placed with the parent, and the social worker can enter the child's home from time to time to make sure the child is safe.

The Legal Services Board of Nunavut



**“What happens if my
child is
apprehended?”**

**What you need to
know**

Dealing with the apprehension of your child

How do I fight the apprehension of my child?

- After apprehension, you will be served with an Application and other court documents, and will have to be in court very quickly. You must contact a lawyer right away, as soon as your child is removed from your home. The phone numbers are in this pamphlet.
- Keep these court documents in a safe place even if you do not understand them – your lawyer will need them. You are entitled to a translator in court if you need one. You can also have a translator for discussions with your lawyer.
- Meet with your lawyer to answer the complaint against you as soon as possible, as court will usually be within 20 days of the date the child was removed from your home. Your lawyer will ensure that your legal rights are protected and help you in your efforts to get your child back in your care as soon as possible.

The social worker must go to court and ask a judge to agree that your child was properly apprehended. If the judge does not agree, your child will be returned and court will be over.

If the judge agrees that your child was properly apprehended, your child will remain in foster care for a period of time, but you will have a right to access with your lawyer about the how much and how often you would like the access to take place.

The Legal Services
Board of Nunavut



What are some reasons that children are apprehended?

- Your child has been physically harmed by you or perhaps by someone else when you did not properly supervise your child.
- You are drinking or taking drugs while providing care for your child.
- You are not providing food or shelter for your child.
- Your child is suffering from a medical condition and you do not provide or consent to medical treatment.
- Your child is hurting himself or herself or others and you do not get help for your child.
- Other reasons are set out in the Child and Family Services Act, which your lawyer can talk to you about.