

Vulnerable Children and Youth Need a Voice

Nova Scotians need a Child Youth Advocate Office





Who We Are

The Nova Scotia College of Social Workers (NSCSW) exists to serve and protect Nova Scotians by effectively regulating the profession of social work. We work in solidarity with Nova Scotians to advocate for policies that improve social conditions, challenge injustice and value diversity.

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Nova Scotia's Children and Youth Need a Voice

Child and youth advocacy offices (CYAO) play a crucial role in the protection and provision of services to vulnerable children and youth. Canada has yet to establish a federal body to protect and promote child and youth rights. Without a federal body, provincial CYAO's have been established in 9 provinces to protect children and youth rights (MacLean and Howe, 2009).

Nova Scotia is the only province that has not created this crucial organization. This leaves vulnerable Nova Scotia children without a voice in the political decision making that impacts them.

To remedy this gap, we propose that the province commit an annual operating budget of \$4 million to build a Child and Youth Advocate Office. This assessment is based on operating costs of the Manitoba Child Advocate office.

What is a Child and Youth Advocate Office?

The **Canadian Council of Child and Youth Advocates (CCCYA)** states that the mandate of a Child and Youth Advocate office is to ensure that child and youth rights are respected, valued, and that their interest and voices regarding services delivered by the provincial governments are heard

In addition, CYAO's are involved in right-based public education, conflict resolution, conducting independent reviews and making recommendations to governments on programs and services delivered to children and youth.

MacLean and Howe (2009) categorizes the work of the child and advocacy offices into three themes of **individual case advocacy, systemic advocacy and policy advocacy.**

Individual case advocacy allows a CYAO to respond to a complaint or concern of an individual child or person representing the child. **Systemic advocacy** allows a CYAO to make recommendations to improve systems or procedures or programs affecting children and youth. **Policy advocacy** occurs when a CYAO advocates to change legislation or government policy affecting children and youth (MacLean and Howe, 2009, pg3).

Why does Nova Scotia Need a Child and Youth Advocate Office?

Nova Scotia's policies and programs that directly serve children and youth have continuously lacked their voices. As a result, programs and services have fallen short of their intended outcomes. The changes to the Child and Family Services Act, poverty reduction commitments, program changes to mental health and addiction services and reforms to inclusive education all lacked the direct input of



children and youth. This has negatively impacted the well-being of Nova Scotia's most vulnerable population.

For example:

- A Canadian Association of Social Workers (CASW) study (<http://bit.ly/CASWReport>) on the child protection system in Canada emphasized how the system is over-represented by Indigenous and other minorities such as Black Canadian children and youth.
- The Children First Canada and the O'Brien Institute for Public Health's Raising Canada report (www.childrenfirstcanada.com) paints a startling picture of the state of Canada's children. It states that suicide is the second leading cause of death of Canadian children and youth. Over the last 10 years, there has been a 66% increase in emergency department visits, and a 55% increase in hospitalizations, of children and youth due to mental health concerns. In Nova Scotia alone 806 children were hospitalized for mental health concerns in 2016.
- Statistics Canada shows Child poverty rates are going down across the country in every province followed [except for Nova Scotia](#) where the number of children in poverty went from 15.7% in 2015 to 17.1% in 2017. The Canadian Center for Policy Alternatives - Nova Scotia has warned that poverty in Nova Scotia is too deep and that the Child Tax Benefit alone is not enough to impact child poverty in this province

Mandate of the Child and Youth Advocate Office

A CYAO would be an independent office that reports directly to the Legislative Assembly of Nova Scotia. The Child and Youth Advocate office plays a crucial role in the protection and provision of services to vulnerable children and youth. Established in legislation, the Child and Youth Advocate Office represents the rights, interests and voices of children and youth throughout Nova Scotia.

A Child and Youth Advocate Office would operate by:

- Conducting independent investigations on complaints or concerns by an individual child, youth or person representing the child or youth and make recommendations to government on programs and services delivered to children and youth.
- Providing individual advocacy & public education to support, assist and advise children and youth of their rights and the programs and services that exist and /or should be available to them.
- Providing policy advocacy in order to change legislation or government policy affecting children and youth.
- Conducting system advocacy through analyzing and producing public reports on the compliance of public systems and providers serving children and youth and through recommendations to government on ways to improve the quality and effectiveness of systems, programs, and services affecting children and youth.



- Conducting Research on issues affecting children and youth in Nova Scotia, advise government on issues and areas of concern, and identify the latest best effective models that inform the development and delivery of program and services.
- Focusing on access to justice and providing individual, policy and systemic advocacy to ensure that justice is accessible, efficient and proportionate to the needs and resources of the citizens it is designed to serve.
- Conducting critical injury and death reviews- reviewing and investigating publicly funded services following critical injuries or deaths of any child or youth in receipt of government funded services and make recommendations that inform government on improvements to programs and services or broader public policy.

How a Child and Youth Advocate Office will positively impact Nova Scotians

Elevate Children and Youth Voices

A CYAO will **elevate the views and perspectives of Nova Scotia's children and youth** to ensure that programs, services and policies reflect their lived experiences. In our cultural context, young people are viewed as neither competent nor capable of making policy and program decisions (Bray, et al. 2014). Their voices and views have untapped potential to help develop remedies to better their own lives (Bendo & Mitchell, 2017).

Create Partnerships

A CYAO will establish creative partnerships with children and youth as equals, and with colleagues working in various child service delivery systems. A CYAO can create meaningful work that includes children and youth, through legitimate and ongoing engagement leading to better service and program outcomes (Bendo & Mitchell, 2017).

Education and Action through Rights-Based Approach

A CYAO will work to **ensure the rights of children and youth are respected** by educating professionals, service providers, parents and decision makers on **Rights-Based Approaches**. (Bendo & Mitchell, 2017).

Systemic Changes

A CYAO will involve engaging children and youth in systemic and societal change. By treating children and youth as equals, Nova Scotia can re-conceptualize the way children and youth are perceived by program administrators and political decision-makers shifting policy and programs to better meet the needs this vulnerable population (Bendo & Mitchell, 2017).



Core Outcomes of Child and Youth Advocate Offices

MacLean and Howe (2009) acknowledged that all provincial offices undertake individual case advocacy as their major purpose. However, some provinces have actively promoted and ensured systemic changes through system and policy advocacy. Saskatchewan, Manitoba, Ontario, Newfoundland and Labrador, British Columbia and Alberta have pushed for and influenced major policy and program changes in their provinces.

Alberta

- The Alberta CYAO produced a special report on Aboriginal Child Welfare in Alberta leading to an all-party committee of the legislature which produces new legislation and procedures. The outcome was more funding for kinship providers, a better process for assessing potential caregivers, and a four-year strategy to improve Alberta's child intervention system.

Saskatchewan

- The Saskatchewan CYAO created what it describes as the eight Child and Youth First Principles based on the United Nations Convention on the Rights of the Child (UNCRC). The Saskatchewan government adopted the principles in 2009 in the framework for new child-related legislation and policy. The Saskatchewan office also pushed to reform the Education Act to ban corporal punishment in school. They pushed for changes in the Youth Drug Detoxification and Stabilization Act to provide a treatment plan for detained youth.
- The Saskatchewan CYAO secured increased access by youth to health information and have changed the policy on the prevention of bullying in schools by integrating UNCRC principles. They also successfully captured the provincial government's political will and commitment to improve permanency planning and to increase the accessibility of foster care homes.

Manitoba

- The Manitoba CYAO successfully advocated to advance the procedures for providing emergency placement for children in care, placement worker training and increased space in shelters. This resulted in a decrease in dependence on hotels for placement.

Ontario

- The Ontario CYAO successfully changed the operations of residential facilities for youths in conflict with the law.

Limitation of the Ombudsman in Nova Scotia

The need for a CYAO in Nova Scotia cannot be overemphasized as we need to protect and promote the rights of children and youth.

Currently Nova Scotia's Office of the Ombudsman is stated to play this role. The Ombudsman office has autonomy in providing independent investigations but is limited in its advocacy and education roles (NSOO, 2015).

The Ombudsman's office is structured along the lines of 4 service areas namely office administration, investigation and complaint services, youth and senior services and public interest disclosure of wrongdoing with an executive director and staff (NSOO, 2015). The overall mission of the office is 'to promote the principles of fairness, integrity, and good governance (NSOO, 2015, pg.2).

The Ombudsman's goal is to 'ensure that government decisions and processes are fair, consistent, and transparent and provide services to all individuals who receive services from, or are impacted by, provincial and municipal governments such as government employees and members of the public who have allegations of provincial government wrongdoing'

It is evident from the mandate the office of the Ombudsman does not primarily focus on children and youth as found in other provinces. A mandate that targets the general population may take the focus away from the unique rights of children and youths who are the most vulnerable members of the society. Currently there is no reference to youth or child in its legislation, or regulations. The Ombudsman has a limited scope to review provincial and municipal government decisions and processes, does not have authority to investigate or advocate for youth with concern about non-government programs or services, or where a government funded program is provided by an organization that is not designated as an Agency in its Regulations.

Currently, the general oversight function and mandate for children and youth is not rooted in a specific piece of legislation, but in the findings of a provincial government audit which took place in 1995, and the Stratton Report which addressed allegations of abuse at provincial youth facilities. At that time government recognized independent oversight was a necessary component in helping to keep youth in care and custody safe from harm.

This means that there is no clear mandate or policy to guide the ombudsman's work, other than a direction to assist youth in child care facilities.

Overall, the services are aimed at providing help and support at the individual advocacy level. Though it states that it can help challenge processes that are not fair in the system, the office has not had a significant impact on systemic and policy changes in Nova. The office targets children and youth as individuals without consideration of the family as a unit and the community.

Establishing the Need for a Child and Youth Advocate Office in Nova Scotia

Because of the obvious limitations of the Office of the Ombudsman, there is a need for a CYAO in Nova Scotia that will combine individual advocacy with a vibrant policy and systemic advocacy that prioritizes children and youths as the core targets of their programs and services (Ritchie, 2016).

The CYAO will ensure the provision of holistic and coordinated services to the whole child in collaboration with all stakeholder as found in other provinces.

The office will ensure effective collaboration and coordination between and among various government departments, and non-government organizations who provide programs and services for youth, in a timely, accessible and adequate service provision for youths at risk and their families within their social location.

References

- Bendo, D., & Mitchell, R. C. (2017). The Role of Canada's Child and Youth Advocates: A Social Constructionist Approach. *The International Journal of Children's Rights*, 25(2), 335-358.
- Bray, J., Liebenberg, L. and Zinck, E., Ethics and Research with Young People in Challenging Contexts (Halifax, ns: cycc Network, 2014: <http://www.cyccnetwork.org/en/pp/cycc-reports>).
- Ritchie, S (2016). N.S. considering appointing child and youth advocate. CTV Atlantic <http://atlantic.ctvnews.ca/n-s-considering-appointing-child-and-youth-advocate-1.2809349>
- Nick, M (2015). NB. child and youth advocate launches strategy to combat harm against children. CTV Atlantic. <http://atlantic.ctvnews.ca/n-b-child-and-youth-advocate-launches-strategy-to-combat-harm-against-children-1.2663150>
- Advocate for Children and Youth (n.d). NewFound Land and Labrador <http://www.childandyouthadvocate.nf.ca/default.ht> NB (n.d) Our Mandate: What We Do <http://www.cyanb.ca/en/about-us/what-we-do>
- Government of Alberta (2009). Review of Child and Youth Advocacy in Alberta. Retrieved on October 5th 2017 from <http://cwrp.ca/sites/default/files/publications/en/AdvocacyReviewReport.pdf>
- Canadian Council of Child and Youth Advocates (n.d). Mandate. Retrieved on October 7th 2017 from <http://www.ccyca.ca/content/index.asp>
- MacLean, R and Howe, B (2009). Brief report on Canadian provincial children and youth advocacy offices: highlights of functions and recent initiatives. Retrieved on October 7th 2017 from http://www.cbucommons.ca/science/psychology/images/uploads/Brief_report_on_Canadian_provincial_children_and_youth_advocacy_offices.pdf
- Cutter, A., Fenn, I., & Seath, F. (2014). Advocacy toolkit: Influencing the post-2015 development agenda. New York, NY: Sustainable Development 2015. Retrieved from <http://www.sustainabledevelopment2015.org/index.php/engagementtools/advocacy-toolkit> and accessed October, 2017.
- NS Office of the Ombudsman (2015). Office of the Ombudsman annual report 2015-2016. Retrieved on October 11th 2017 from <https://novascotia.ca/ombu/publications/OmbudsAR-2016-en.pdf>
- NS Office of the Ombudsman, (2015) Youth Ombudsman. Retrieved on Oct. 11th 2017 from <https://novascotia.ca/ombu/youth.htm>