

HANSARD

NOVA SCOTIA HOUSE OF ASSEMBLY

COMMITTEE

ON

COMMUNITY SERVICES

Tuesday, January 11, 2011

Committee Room 1

**Department of Community Services,
Re: Child Protection and Adoption Services**

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COMMUNITY SERVICES COMMITTEE

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[Mr. Maurice Smith was replaced by Ms. Becky Kent.]
[Mr. Geoff MacLellan was replaced by Hon. Keith Colwell.]
[Hon. Chris d'Entremont was replaced by Mr. Keith Bain.]

In Attendance:

Ms. Kim Langille
Legislative Committee Clerk

WITNESSES

Department of Community Services

Ms. Judith Ferguson, Deputy Minister
Mr. George Savoury, Executive Director - Family and Community Supports
Ms. Janet Nearing, Manager for Adoption Services

HALIFAX, TUESDAY, JANUARY 11, 2011

STANDING COMMITTEE ON COMMUNITY SERVICES

1:00 P.M.

CHAIRMAN
Mr. Jim Morton

MR. CHAIRMAN: Good afternoon, everyone. I think I shall call the meeting to order, it is time to begin. My name is Jim Morton, I'm the chairman of the Standing Committee on Community Services. I would like to welcome everybody here and perhaps we could start with introductions of members of the committee.

[The committee members introduced themselves.]

MR. CHAIRMAN: Thank you, everyone. The focus of our discussion today will be on Child Protection and Adoption Services. We have witnesses from the Department of Community Services. I would like to say, just before I ask the representatives from Community Services to introduce themselves, that we do have some committee business to attend to and I think that we'll organize our time so that we have about a half-hour at the end of the meeting to look at some future witnesses and so on, if that's acceptable to everyone in the room. Thank you for that.

Welcome, Judith Ferguson, Deputy Minister of Community Services, a frequent visitor and always a welcome visitor at this committee. Would you please introduce yourself and your colleagues.

MS. JUDITH FERGUSON: Thanks very much, Mr. Chairman, and Happy New Year to all the committee members, it is nice to be back. I'm very pleased to have with me today George Savoury, who I think is known to most of you, our executive director of Family and Community Supports; Janet Nearing, manager of Adoption Services; and behind me is Brooke Armstrong with our Communications division.

MR. CHAIRMAN: So I believe you have a presentation for us today and if you'll begin with that, we'll follow that with questions as usual.

MS. FERGUSON: I do, Mr. Chairman, thanks very much and we did bring some additional copies for people if they would like copies of the presentation.

I would like to begin by thanking the committee very much for the opportunity to meet with you this afternoon to talk about child protection which, in my opinion, can be some of the most challenging but also most rewarding work that we do in the Department of Community Services. I think it's work that's often misunderstood, so I am really pleased to be here and have my colleagues here with me today to talk more about the work and to answer your questions.

In the past several years in the department, we've made some significant changes both to policy and legislation which have significantly changed the way we deliver domestic adoption services, and we are beginning to see the positive impact of these changes. In our department we very much believe that every child deserves a family, and while we have made considerable progress in increasing the number of children in care of the minister who are placed for adoption, there are still many children waiting for a "forever family." Some of the challenges that we face include lengthy court proceedings, smaller-than-needed numbers of families prepared to adopt school-age children, and children who have significant special needs.

Each year, a number of children age out of permanent care and the research has shown us that these children often do not do well and are far more likely to experience unemployment, homelessness, involvement with the criminal justice system, early pregnancies, and drug and alcohol abuse. However, each year we see a number of children leave our care because they've been adopted, and we hope to see this number continue to increase. Of the 235 children who came into our permanent care in the fiscal year 2009-10, 145 were 10 years of age or younger, and while we focus most of our adoption efforts on these children, we very much feel that adoption must be considered for every child who comes into our permanent care.

Just by way of interest, the breakdown of children who came into our permanent care: between zero to one there were 23 children; between the ages of two to four there were 60 children; between the ages of five to 10 there were 65 children; 11 to 15, 60; and 16 years and above there were 27 children.

We have had an adoption redesign project ongoing in the department for a number of years and we've had a number of initiatives going on in this project. The majority of these initiatives were completed by 2007, but I thought it was important, given the topic that we were talking about today, that we went back and discussed some of these initiatives. We have continued to improve our adoption services and services to children in care since that time.

We made a decision to deliver standardized training and assessments by our social workers dedicated to those particular tasks, and this has greatly increased our capacity to respond to interested families on a timely basis. So whereas prior to that we may have had social workers who part of their role was to do adoption assessments, we tried very hard to standardize those services and to regionalize them so that we had dedicated staff attached to providing those services.

Our recruitment efforts have been directed toward increasing the number of families that are willing to consider adopting school-age children. Some of you recently may have seen the advertisements in local papers, radio features, billboards in HRM, and posters we have displayed across the province - I thought of bringing some of them today but our cab was kind of full on our way down here; we have those if you're interested in seeing them. It's a really fabulous piece of work that has been done in conjunction with our adoptive parents and our staff. We've also worked with a local film director to develop a series of videos that can be found on our DCS Web site and these are fabulous videos that feature families that have adopted some of our older children.

Another endeavour that we're really excited about is our partnership with the Dave Thomas Foundation. Nova Scotia became the first location where the foundation partnered with an actual government department to increase the number of adoptions for older children. They provide funds and support to hire a Wendy's Wonderful Kids recruiter, and we have this recruiter working out of our Halifax district office.

The next slide provides some statistics by age breakdown of children who have been placed for adoption in the last fiscal year. We have very little difficulty placing children under the age of five; in fact, we have an abundance of families, approximately 150, who are waiting for placement of younger children.

While we placed 29 children who were between the ages of five and 10, 65 children of that age group came into care, just to give you an indication. While we placed 16 children between the ages of 11 and 16, 60 children of that age group came into permanent care. I'd like the committee members to please remember that children may not necessarily be placed for adoption in the same year that they come into permanent care, but these numbers do give you a sense of the work being done and obviously the challenges that we face.

I wanted to speak for a few minutes about international adoption, and Janet can certainly speak to this in more detail later on in the presentation. The number of applicants for international adoption peaked in 2006-07, at 113, and have been declining dramatically since that time. For the most part this is because of much longer wait lists for adoptions of children from China and the wait list has increased from about 12 to 18 months to perhaps seven or eight years or even longer. A number of countries are only accepting families on a wait list and a number of countries have closed adoptions on a temporary basis while they implement new adoption legislation.

Our numbers of international adoption remain relatively high, as China has opened a program for children with medical needs. Most of the families who adopted from this particular program had previously adopted a child already from China. However, the downturn in the international adoption has encouraged some families to reconsider domestic adoption here in the province.

In terms of trends, we are very pleased to see that a large percentage of children were adopted by their foster parents and obviously this has meant one less move for these children. We certainly support foster parents adopting when it has been shown that they are able to meet the child's needs, the child has developed a genuine attachment to them, and the placement is determined to be in the child's best interests. The unfortunate side to this is we often lose the family as a foster parent.

Aside from the very damaging impact of child abuse and neglect, we often see that our children have other very complex needs, and these children and their adoptive families will require ongoing services and supports. Our subsidized adoption program aims to provide financial assistance to enable families to meet the special needs of the child, while families are responsible for the regular costs of raising a child. Eight hundred and sixty children and 442 families received some level of financial assistance in the fiscal year 2009-10.

As mentioned earlier - I just wanted to reinforce it - our recruitment efforts really are focused on school-age children.

We do have a centralized phone line for adoption inquiries. This was part of the adoption redesign project, to really make sure that we're able to respond adequately to people who call to make sure they're all getting the same information and to make sure that we're not losing out on any opportunities for prospective adoptive families.

I'm going to switch topics now from adoption to child protection just to give an overview of some statistics and some of the program background.

Child protection involvement begins with a referral to one of our offices that a child has been abused or is at risk of harm. We evaluate the information we receive through a set of established criteria, to determine if we have the mandate to investigate. The purpose of the investigation is to determine the validity of the report we've received and assess the immediate safety and risk of future harm to the child.

The graph shows that we received 9,217 referrals of child abuse and neglect last year. There were grounds to investigate approximately 6,000 of those and approximately 2,000 referrals, or 36 per cent, were substantiated. So we can get into the bases upon which we make those decisions to decide when it's appropriate to investigate or not.

Social workers are also required to assess the risk of future harm to the child and where there continues to be substantial risk of harm, a case will be opened to provide

ongoing protective services to the children and their family. As the graph indicates, 855 files were opened for services and this is approximately 40 per cent of the cases where the abuse was substantiated.

The Act and our policies in the department set out the expectation that our child protection offices will accomplish this task in the least intrusive manner possible. In keeping with that expectation, taking a child into care is considered as a last resort and only occurs where there is imminent risk of harm to the child and there are no other steps that would adequately ensure their safety. The approximately 2,000 substantiated cases resulted in only 236, or 11 per cent, of those children being taken into temporary care, and many of these children had returned to their parents' care prior to the end of the court proceeding.

[1:15 p.m.]

When child protection cases are opened, the vast majority - approximately 89 per cent - of children and their families receive supportive services, things like counselling through voluntary involvement and in uncontested court proceedings. Only 11 per cent of families contested some part of the court proceeding in this fiscal year. This contested hearing may have occurred at any point in the proceeding and be regarding our involvement, access, or issues like placement. Again, we can speak to that in more detail.

We wanted to really enforce that maintaining family ties, whenever appropriate, is obviously the optimal goal. We place very high importance on keeping siblings together, maintaining contact with the child's relatives and friends, and preserving the child's cultural, racial, and linguistic heritage. As a result of that, 30 per cent of children in care are placed in a kinship home, which is a relationship of family members or people who have relationships to the family, so we try very hard wherever we can to do that.

I'd like to thank you very much for your time and now pass it over to you, Mr. Chairman, to respond to any questions.

MR. CHAIRMAN: Thank you, Ms. Ferguson. I just saw a hand for the beginning of a speakers list - Mr. Preyra.

MR. LEONARD PREYRA: Thank you for the presentation, Ms. Ferguson. I know certainly in our constituency offices, these are among the most difficult issues that we have to deal with, so I can only imagine the casework and that kind of work and emotional issues that are involved in trying to address some of these issues. I just have a couple of questions, just questions for fact, really.

Of the 236 children who were taken into custody, into care, do you have any data on what the presenting issues were or are, in terms of, were they health issues, were they abuse, were they sort of at risk of personal harm? What was the path that led them into this situation?

MR. GEORGE SAVOURY: By far the majority would fall generally into the neglect range. There would be some physical abuse, but generally neglect, and that would be true across the country. Neglect tends to be fairly high as the reason, in terms of parental neglect.

MR. PREYRA: In looking at issues of neglect, do you have any further data on whether or not that neglect was the cause of the situation of the parents themselves, their socio-economic status, their capacity to parent, their attachment? Is there a more detailed breakdown of what these presenting issues are for these 236 children?

MR. SAVOURY: Individually on each of these families, we would collect information in terms of doing the assessment and we obviously look at their income, their housing. Generally, these would be parents who are sometimes struggling - there could be addictions issues, it could be lack of knowledge around proper parenting. Looking at the age of the child, it could be leaving a very young child without supervision, it could be leaving a two-year-old child to be babysat by a child under 12 years of age, and then a neighbour may hear the child crying and then we end up getting the call to go out. So it could be any range of factors.

As was indicated, in the majority of these situations - over 80 per cent - when we sit down with the parent, they generally respond to the supports we put in place. It could be counselling, it could be participating in a parenting program, it might be participating in an alcohol and drug treatment program. Our overall objective is to try to keep that child with the family, if we can do so, and the child can be considered safe in that environment.

MR. PREYRA: So these mechanisms then, for returning the child to their parent or guardian, are put in place after the determination is made that they've been neglected or abused, or is this something that's also done when attention is first drawn to their situation?

MR. SAVOURY: Well, in many situations the children would never come into care, like we'd go out and if the parents are - I mean we do have situations where we would have to apprehend right away, there's no parent there, and we try to locate the parent that evening or the next day. But in the majority of situations the parent is there and they are amenable to working with us so that their child can remain in their care. That, by far, would be the majority of situations.

MR. PREYRA: I have a couple more quick questions . . .

MR. CHAIRMAN: A couple more, yes.

MR. PREYRA: I was at a presentation from a sociologist in New Zealand - and I'm sure Ms. Ferguson has heard about this before because I think we were at the same presentation, a family group conference thing. The general idea seems to be that we should look at the family and the community more broadly and maybe in looking at these issues of children who are taken into care, both in terms of looking at possible solutions and also in terms of where the child ends up, that we should look at this larger community. Is there

anything in place that looks at family group conferencing, which looks at coaches and teachers and community leaders that the child might be close to or that kind of thing, in determining what sort of methods you use?

MR. SAVOURY: I should mention that we've had the folks come in from New Zealand. We dovetailed with New Brunswick and had them present to us on their model. I would say informally there would be a lot of case conferencing that takes place and if you look at the percentage of children, 33 per cent with kinship, it shows that we are reaching out beyond the immediate family.

We did have a proposal put forward to us. It came to the minister's advisory committee, and we are actually looking at piloting a family group conference in a formal way in our Cape Breton region to actually see how it works in this province. So yes, I think there's merit in doing it and I think we've been doing it informally, and now we'd like to evaluate trying it in one significant part of our province.

MR. PREYRA: My last question. Is part of the redesign, then, to adopt a family-centred approach to child protection and adoption to ensure that as far as possible the child continues to live with his or her family, as long as there isn't a high risk of abuse to the child?

MR. SAVOURY: Absolutely, and it's a fundamental part of the preamble and principles in the Act. Yet, as you mentioned at the tail end of your comment, we do, unfortunately, have children who end up seriously injured within families and where we have a duty, of course, to protect them.

MR. PREYRA: Thank you.

MR. CHAIRMAN: Thank you, Mr. Preyra. I'd like to cross the table to Mr. Glavine.

MR. LEO GLAVINE: Thank you very much, Mr. Chairman, and thank you for coming in today and enlightening us on this very important topic. George, you had mentioned the minister's advisory committee in one of your responses, and I have a few questions there. How often would this committee meet? I'm asking this because if we think back prior to, I guess, almost like a redevelopment of this committee - it didn't function, I don't think, very often or very well for a period of time. I know when I was first on the standing committee, this was a topic that came to our attention as to some deficiencies there, especially with the appointments and the number and the function of the committee.

I was just wondering if you could give a little update now on how often the committee meets, please, and are there any vacant positions?

MR. SAVOURY: As you probably know, the whole thrust of Section 88 of the Act, which mandates the committee, is to provide a vehicle so government would have a good

sense of what recommendations should be taken forward in terms of amending the Act. The committee meets monthly and there was a brief period when the committee struggled with getting members on the committee.

I should point out that the last several reports of the committee have pointed out that actually the timeline for membership and to do a report really doesn't work. The committee is mandated to produce a report annually and members are appointed annually - or I should say for a one-year period.

What we've found in practice is that just to become a member of that committee and to get up to speed on what the legislation is all about and then to solicit input from various stakeholders and others throughout the province is just - they tell us it's just not reasonable. So in their various reports, they've recommended that members should be appointed for a longer period of time and that they should have a longer period of time to produce a report.

Membership for that committee is advertised as part of the agencies, boards and commissions and, periodically, I'm sure you've seen ads in the newspaper for that committee. Not everybody wants to serve on the committee and we sometimes have to actually reach out and try to encourage people to apply, so at any point in time there's probably always a vacancy or two. I don't know exactly where we are today on membership, but we try to pay special attention to that particular committee because it has to have a quorum to operate.

I do think that when we do make some amendments, it is one we should look at in terms of duration. I should say we do assign a staff member to support the committee in terms of planning the agenda and booking the meeting space, and they send out surveys and notices to folks asking for their input in terms of the Act and what changes should be made. We do try to nurture and support the committee but the term is an issue.

MR. GLAVINE: I notice the last report from the committee was 2008 and you said that it was to produce an annual report. Is there some reason why, now as we get into 2011, that there haven't been continuous reports?

MR. SAVOURY: Not really. I would simply say because of reality, the committee probably takes some latitude on itself to say, it's much better for us to consult and get input. I've seen letters going out to various organizations and judges, for example, asking for their input into parent organizations and youth, so I would say they've accepted the reality that they just can't practically produce a report within a 12-month period. We keep track of all of their recommendations, and as we look at the legislative agenda, these are areas that we will be looking at.

MR. GLAVINE: So then to give some context to the value of this committee, what would be, for example, a couple of recommendations that they have made that you, as a department, find a lot of value in? If there isn't going to be an annual report, then perhaps we as a committee or the public could, in fact, find a reference by way of a Web site or

even a mini-update of the committee and what they are doing. I know, as you alluded to and made no bones about, there was a struggling point there.

I would think that a committee like this, bringing perspectives from around the province to the department, would be a very valuable assist to your work.

[1:30 p.m.]

MR. SAVOURY: Two quickly come to mind. One that was raised earlier, the last committee recommended that we should look at family group conferencing as a method of working with families, extended families, and indeed the community. That really led to us looking at Cape Breton as an area for a pilot project on family group conferencing. I think it's a good example of how all of the recommendations don't necessarily pertain to legislative amendments, though some provinces like B.C., for example, have actually put family group conferencing within their legislation. Another one that committees have spoken to us about is youth, especially 16- to 18-year-olds, so a number of the reports that have been made have asked us to look at how we can better support that age group that may be out there struggling or homeless, for example. These would be two that come to mind.

MR. CHAIRMAN: My speakers list at this point, I think we'll go back across to Mr. Ramey, but then Mr. Bain and Ms. Kent.

MR. GARY RAMEY: Thank you for your presentation. I have a couple - am I allowed to ask just a couple?

MR. CHAIRMAN: Yes.

MR. RAMEY: The first one relates to adoptions and if I've got this correct, I think you said foreign adoptions went from several months of wait to several years of wait. Did I get that correct?

MS. JANET NEARING: Yes.

MR. RAMEY: What's the reasoning behind that? What's causing the jump from a couple of months to a couple of years? That's quite a significant jump. Is it checking things out properly?

MS. NEARING: No, it really has to do with the countries where the children have been living. The large majority of Nova Scotians typically adopted from China, probably 95 per cent to 97 per cent of foreign adoptions had been from China. In May 2007, China implemented some new restrictive criteria that they pre-announced in December 2006, so it gave about a five- to six-month lead time, where they were going to become restrictive in terms of families they would accept. As a result of that, a whole lot of families from all around the world tried to get in and beat those criteria, to get ahead of those, because they wouldn't be accepted afterward. And that happened worldwide.

The reason the Country of China put the criteria there in the first place was that they could see an increasing demand from families for their children and they as a country said, we want to be sure that our children go to the families that we consider to be the most stable. Their criteria might be very different than North American standards, but nevertheless they are certainly entitled to do that. That created a huge backlog in a very short period of time from which we haven't recovered.

The latest group of families are in China at this moment and they had been approved and had all of their documents in China by May 2006, so they have waited just shy of five years and that's just going to continue to increase, at least up until the time of acceptance for those referrals in May 2007, because after that the number of new applications worldwide began to drop. But the number of children in China available for adoption has decreased, in part due to improving economic conditions and an increase in domestic adoption in China, which didn't occur before.

MR. RAMEY: My next question then is a direct follow-up to that. Can you apply for international adoption and domestic adoption at the same time?

MS. NEARING: Yes, you can.

MR. RAMEY: So there's nothing that would keep you from doing that?

MS. NEARING: No.

MR. RAMEY: The next one will be a short snapper to George. George, the pilot project you mentioned in Cape Breton, when did that start?

MR. SAVOURY: We're just in the early stages and we wanted to give them time to hire a social worker, so they're probably in the early stages, they may now have the person on board, so it would be really now starting up and we'll look at it over several years to see the results.

MR. RAMEY: Is it going now, or is it about to start?

MR. SAVOURY: It's about to start.

MR. RAMEY: We looked at some statistics on there, a number of cases. I think it was 9,000 or so and then 6,000 or so . . .

MR. SAVOURY: Yes.

MR. RAMEY: You can just answer this yes or no, I'll just ask you up or down. In terms of the last couple of years, let's say the last five years - and I don't expect you to produce these statistics for me today or anything like that - it looked like adoptions were

pretty good, it looked like there was a trend for people adopting, foster parents adopting children or whatever. Are the number of adoptions up, let's say now from a few years ago?

MS. NEARING: They're up significantly. Our typical average four or five years ago would have been about 90 adoptions a year and last year we had 125 children placed in permanent families.

MR. RAMEY: Okay, in terms of the number of kids going into permanent care, up or down from the past five years? Is that a trend that is going up or a trend that's staying stagnant or going down?

MS. NEARING: It's a bit of an up trend at this point.

MR. RAMEY: That's up too. And the child protection cases, up or down?

MS. NEARING: Up.

MR. RAMEY: Up as well. I do have another one, but I'm hogging the time so I'll stop.

MR. CHAIRMAN: We may get back. I think that will then take us across to Mr. Bain.

MR. KEITH BAIN: Thank you for being here this afternoon. I just have a couple of questions for now. It's interesting to note the 11 to 16 age group and the number of adoptions that took place there. I guess my question is, the 57 per cent of adoptions by foster parents - are they more in the one to 10 year age range as well? Is that the biggest as well?

MS. NEARING: They're in all age ranges, but typically the children we see who are older being adopted are being adopted by foster parents who have cared for them for a period of time and are now prepared to make a permanent commitment to them.

MR. BAIN: So those numbers would probably be better as a result of that, the fact that they've had them for a length of time under foster care?

MS. NEARING: Yes and they know them well, they know what the issues may be, they know that they can meet their needs. They've learned that, so they are now prepared to make that commitment.

MR. BAIN: My next question is concerning your figures that show 235 were placed in permanent care or custody in 2009-10. My question is relating to the availability of foster parents. Are there challenges recruiting foster parents.

MS. FERGUSON: Yes, there are some significant challenges recruiting foster parents, which is in large part why we started the recent campaign that we started not just around adoption, but also around recruiting foster families. It's something again that's being seen right across the country and at one of the more recent meetings of the social services deputies, it was actually raised as an issue right across the country that maybe we wanted to work together on and look at potential solutions and ideas and working together to see how we might address some of the challenges, but it's a significant issue right across the country.

MR. BAIN: I have one more question, Mr. Chairman, if I could please. The majority of the children have complex needs, you mentioned that in your presentation. I'm wondering what support might be provided to those children from the time before they're adopted, before they go into a foster home? The recognition is there that they have these needs, so I guess what does the department do in the interim? I know there would be follow-up once placement takes place as well, but before placement.

MS. FERGUSON: I'll start and let George add more. When we bring a child into care, we would have a plan of care for that child and that would address all of the various needs of that child. There's a wide range of services that we bring that are available and it would depend on the individual needs of that child, but that would start immediately upon us being involved with the child. Whether it's temporary care or voluntary care or permanent care, those services would begin and they may evolve, obviously depending on the needs of the child and the needs of the family. That would be in line with the plan of care that we develop for the child and for the family. George might have something to add to that.

MR. SAVOURY: I would just want to compliment foster parents because they are probably the best advocates we could have for these children. We work very hard to make sure that the foster parent is at the table, as part of the planning, and bring forward the perspective of the child. What we would look at in that planning care is, are there health care needs? It could be dental issues, do they need extra educational supports. One of the things we're now looking at doing is rolling out a new assessment kind of tool, so that it's more straightforward but that social workers put the special emphasis on making sure that all of their needs are taken into account, which does pave the way for adoptions, the better we meet their needs while they are in care.

Gary's comment about the 235 that were in permanent care, we're also placing a real special effort on making sure that children, if they're available for adoption, move to adoption quicker, rather than children languishing in our system because every year, you could say every month, is significant. If they're going to be placed for adoption, the quicker we do it the better.

MR. BAIN: It shows the importance of the feedback of these foster parents.

MR. SAVOURY: Absolutely.

MR. CHAIRMAN: Thank you, Mr. Bain. Just on my list, to give everybody a heads-up, I think next will be Ms. Kent, followed by Mr. Colwell.

MS. BECKY KENT: Thank you, Mr. Chairman. In light of that, I want to keep with the theme. I actually have three questions and I think they will all reasonably fit within your time frames.

The first one I think is fairly quick and easy. The numbers that you've given us around adoptions that have taken place and such for Nova Scotia - are we capturing adoptions associated to, like a blending of families versus those that would result from protective care, in those numbers?

MS. NEARING: No, the numbers that we've given are strictly children who are in the care of the minister and have been placed for adoption, so relative adoptions are not included.

MS. KENT: Okay, good, thank you very much. The second question is regarding one of your slides, the international adoptions. Just so I understand, I think you've covered it, the red line being the applications approved and the others are the adoptions granted. They're not following the same line, I assume, because of the regulations associated with the other countries, is that? It would seem to me . . .

MS. NEARING: The number of applications approved has to do with the number of applications that we receive, first of all, and those have plummeted. So you see that they were 113, so they've gone - in response to the public becoming more and more aware that international adoption isn't what it used to be and it isn't as accessible or as available as it used to be. The department doesn't take any credit or blame, I suppose you would say, for those numbers going down. That's just typical of what is happening around the country and broader than that.

Then the number of adoptions, what was curious at first glance might be an increase in the very last year of adoptions but that's attributed almost entirely to adoptions from China's program that we talked about, for special medical needs. We had a large, large number of Nova Scotia families who had been among those waiting and waiting and thinking that there would not ever be a placement through the regular program, switched to the other and adopted children with medical needs, such as heart defects, cleft lip and palate, hearing disorders, those sorts of medical needs. That is almost completely accounting for that increase in the last year of adoptions that were finalized.

MS. KENT: Good, thank you very much. My last question is around decision making, around the process of how things are determined within the department, and protective care. I mean it's a huge issue, it wouldn't be uncommon for us, as MLAs, to have constituents come in and often sometimes in very highly emotional states, around whether it be an ongoing case that can extend for years or just something new, but with a

sense that the front-line person is the caseworker and that's who they suggest or would reflect as the decision-maker.

[1:45 p.m.]

Is that, in fact, the case? Can you help me understand so we can better serve, frankly - help us help them? Who is making the decision, first, around how it proceeds to the next stage, which is investigation, and then, of course, any decisions around protective care, and then the following, which is adoption?

MR. SAVOURY; Excellent question. First of all, the recipient of the call, the worker getting it is going to determine, does it fit within the definition of child abuse or neglect, which is really the legislation - is it actually child abuse, is it physical, sexual abuse, is it neglect, is it emotional abuse. They're going to really go to that first. Then they're going to look at issues like the seriousness of it, they're going to look at the age of the child, is it a 2-year old versus an 11- or 12-year old.

Then, in terms of your comment about - and, of course, they're going to look at things like the reliability of the caller who is making the call and then they're going to actually review that with their casework supervisor and actually before the child is apprehended, in many situations they would actually involve a worker who is not, in fact, familiar with the file, to bring another objective party to the risk management discussion.

We use an instrument called a Washington State Risk Factor Matrix, which looks at all kinds of factors, like socio-economic, are they single parents, do they have other supports, in terms of immediate family, has there been previous involvement, etc. They would actually look at all those factors as well and then finally make a decision. In the far majority, we are going to stay involved and work with the parent to see if we can resolve the issue so the child can stay there.

There is, I would say, a move afoot probably throughout North America that, while we should be supportive and try to provide parenting programs and counselling to enable them to do the job that most parents want to do, we shouldn't do that to the point that six years later we're still involved and actually then making a decision when they are seven years of age and taken into care, whereas we may have actually let the child down when, if we had acted more decisively when the child was two or three years of age. So that's the balance as well that we need to reach.

MS. FERGUSON: I just want to add, for a minute, to what George said, that for all the reasons we've talked about today, the legislation and standards and policies around how we do the child protection work is, without a doubt, the most highly regulated probably of all the programs in the department and for good reason, because of the ultimate potential consequences. So there's legislation, there are regulations, there are standards, there's policies.

George talked about the risk matrix, it's a very defined risk. Not only are the steps defined but the steps at which you have the authority to make that decision, the step at which you need to go get your supervisor to make the decision, so it is all extremely and highly regulated.

In addition to that, if it comes to the point that the child is going to be apprehended, then there's the whole entire court process that follows on, so that's not a decision of just the department - those types of decisions are made by the courts. Again, those are highly deadlines and timelines and a pretty rigorous schedule around what is required in order for that process to proceed.

MS. KENT: Thank you very much, that's quite helpful.

MR. CHAIRMAN: We will now go to Mr. Colwell, followed by Ms. Raymond.

HON. KEITH COLWELL: How much time do we have?

MR. CHAIRMAN: I think you have 10 minutes, max.

MR. COLWELL: A couple of things. In the presentation it made reference that you added nine new social worker positions to provide pre-assessment and assessment services for adoption redesign. How many of those individuals are from diverse backgrounds, like from the Black community or outside the typical?

MS. NEARING: Of the people in those positions there is one person of African Nova Scotian descent. Separate from that - and they don't show as new positions though - are positions through Mi'kmaq Family and Children's Services and those positions are filled by members of the First Nations community.

MR. COLWELL: The reason I ask is that I represent the Preston riding, of course, and as I've learned over time it's a very different culture than I've been used to and it's a great culture and I've learned a tremendous amount from that. I had a case recently that you would be very familiar with, but I don't want to discuss the case here, where a family from the Black community put in for an adoption and indeed it didn't happen, even though they've been the foster parents for some time. I probably will want to talk to you some day just in general terms about that. A decision was made that the family wasn't happy with, but the decision was made and that was fine.

What process do you go through when you have a child from a diverse background to ensure that their culture is protected down the road because that's a very serious issue?

MS. NEARING: Absolutely, it is. The Act takes that very seriously and speaks to that and our practice follows that. When any child is being considered for adoption, from a diverse background or not, that decision happens in a group setting, a committee setting. It involves the worker who is assigned to the child, an adoption worker and probably both supervisors of each of those two workers, at a minimum. We certainly want to include

foster parents when they are able and willing to participate and there might be other members who are significant to the child and have information to share.

We try very hard to place children in the same cultural background that they have grown up in. We struggle with that because sometimes we don't have families who are a cultural match for that child. So there are other factors too that need to be considered, things like, does this child have siblings, for instance, and are the adoptive parents of those siblings available and willing to add this other full member of a family?

Our work at the other end of adoption - adoption disclosure, where adult adoptees are coming forward and looking to reconnect with birth family members - has given us all kinds of information about our adoption practices and how we have needed to change them in response to what we are hearing from the people who have been the users of our services in the most personal of ways. We do know that birth family connection is really important to siblings, so that's something that is looked at.

The other thing that's looked at is, if a family is coming forward to adopt and saying, although we are a caucasian family we believe that we could offer a culturally appropriate home, a competent home if you will, to a child of another race other than ours. We don't accept that at face value, obviously, but the social worker would do a whole lot of work with the family to try to ensure that indeed is the case. What is your connection to this other community, whatever that community may be? How will you provide role models for a child who is from a different racial or ethnic background than yourselves? So we try to do as much as we can to ensure that child's cultural needs, as well as all of their other needs, can be met in that setting. Those are very, very difficult decisions though and I know that workers wrestle with them and really struggle to make a decision in the best interests of that particular child.

MR. COLWELL: When we're looking at the cultural background - because every culture, of course, is very distinct and it's wonderful that they are - would you put a social worker in that situation who has the same cultural background, who would totally understand it?

MS. NEARING: That would be an ideal situation, but we don't always have the ability to do that either. When we don't have that ability, we can still draw on social workers within an office or within a region of that particular cultural background to add some expertise to that decision making, so that it's never made in isolation. None of those decisions are ever made in isolation.

MR. COLWELL: That's always the case, that's always how it works?

MS. NEARING: I can't say that it's always that way, but that's what we would expect and hope would happen. There may be other people in the community that we would consider experts in whatever the particular culture is or whatever the particular issue is, whose expertise would be called on to help make a decision as well.

MR. COLWELL: One other thing is I've also had people who have adopted children from China and I think it's wonderful, but it always disturbed me why they couldn't adopt children from here and I asked them that very specific question. The answer I always got was that it is way too difficult.

MS. NEARING: Well, the times have changed dramatically, they really have, and we've seen a whole number, a large number of previous international adoptive applicants have begun again to look at domestic adoption. Actually, quite a number of them have adopted our children locally and I'm always really happy to hear that and I'm always really happy to tell people who call about international adoption, because they often end up talking to me, and I'll say, have you considered domestic and if you have, that's wonderful and if you haven't, maybe I can answer some questions that would encourage you to do so. So the circumstances have changed and people are slowly beginning to understand that.

MR. COLWELL: I would think it would make a lot more sense. There are a lot of children, it appears, that are in need and a lot need really good homes and the people I've talked to - I know the family background way, way back and they would provide wonderful homes. I'm sure - no one can ever be sure - one hopes that they would be very, very good. I can't understand why we can't - I know you have to do the job very thoroughly, I mean that's a huge decision, one I wouldn't want to have to make - really encourage people to adopt at home first, unless they have some cultural need to go outside the country, to really get the children from our local communities, whatever their ethnic background is, and have good homes for them here before we go outside the country.

The numbers are way out of whack. You're looking at several hundred that have been adopted in the past from outside the country, you're looking at 113 as compared to - I can't make the number out - about 35.

MS. NEARING: I'll just make a little correction on that, those are the numbers of people who applied to adopt internationally. If you look at the blue line at the bottom, that represents the numbers of adoptions that actually occurred from out of country, so there is quite a discrepancy even there. Typically it's 30, 35 and then down as low as 19. But you are right and we do as much as we can to encourage domestic adoption.

If you happen to look on our Web site or at any of our promotional literature, you won't see anything about international adoption, except on our Web site there are obviously instructions on what people need to do. The videos that we've produced, the posters that we've produced, the recruitment efforts that we make are all directed toward children from this province who are in the care of the minister. That is our main focus and I'm not afraid to tell anyone who calls my office, that is my main focus. Sometimes people are a little offended by that, but I say you know what, this is our responsibility, these are children in the care of the minister, they're our first responsibility.

Our first responsibility is to children to ensure that they are placed in families that can meet their needs. We really don't have as a focus to find a child for a particular family,

even though they may be a Nova Scotian family, that isn't our focus. Our focus is centred with the children and, again, I don't apologize for that when people call, but I do try to explain it in a way that they can understand it and appreciate it.

So we're trying to do it in that kind of a way, but there are some people, particularly in the past, who wanted to adopt very young children and the numbers of very young children has not been high domestically and they chose to adopt from that particular country. We certainly assisted them and we acted responsibly as the central authority, as I represent the minister, because we have obligations under an international agreement called The Hague Convention, so we certainly operate fully in that way, to assist families. Any promotional work that we do is exclusively and entirely devoted to children in the care of the minister here and it always will be.

MR. COLWELL: How many children in Nova Scotia now do you classify as being ready to be adopted?

MS. NEARING: I ask that question every quarter and I ask that of the offices across the province. The number that is coming back, on average, is approximately 160 to 170, in that range, so we know that we have more work to do.

[2:00 p.m.]

We're really pleased to see the number of adoption placements having increased but we want that to increase further. We would like very much for every child who came into permanent care to be placed for adoption, that would be the end goal. If a child can't remain in their own home because there are serious concerns and they've had to come out of that home, we want to ensure that child has a family that is their family forever, that they can count on, that they can depend on. That's what we, as an adoption program, are reaching for. We are not there yet but we are working towards that.

MR. SAVOURY: I think the comment is an excellent one. Last week I ended up having lunch with a woman who had adopted a 10-year-old and a 12-year-old. They gave us some really good suggestions - because they had gone through the process - about what we could do to remove some barriers; I think there are things. We made some really good notes and we are determined to do some things that are very straightforward and I think would make a difference.

We do an orientation where people show up if they're interested in adopting. If you are interested in adopting an older child, if you walk out of there just with the general message, you may not feel, and we do encourage our staff to speak to the issue of older children being available but they need, I guess, some special attention in terms of sitting down with them quicker and trying to streamline the process and fast track it because age can be an issue for both - those adopting an older child and for the older child. The other thing is, there are special needs adoption days where videos are shown of children who are available and if you've got to wait for - if they are occurring twice a year, that period of

time can seem like forever so what can we do to correct that, so they don't have to be waiting three or four months if they missed one of those days.

Those two boys that this couple adopted are so fortunate and we are fortunate because this person is sharing with us what we could do better to improve, which is what I think you're getting at as well.

MR. CHAIRMAN: Thank you for that addition, Mr. Savoury. I think, Mr. Colwell, in the interest of time, I am going to go to somebody else. That takes us to Ms. Raymond, followed next by Mr. MacLeod, just to keep you in order.

MS. MICHELE RAYMOND: Thank you very much. It's very interesting to listen to this and to see what kinds of changes have taken place in the world. I know I come from a family in which there have been a significant number of adoptions at various points, coming from the 1960s, at which point children were adopted specifically out of religious agencies and had to be adopted into the same religion, even domestically. Of course things have changed considerably in that I would imagine that many fewer children in Nova Scotia today are given up for adoption than used to be the case. There were children who were given up at birth for adoption.

I'm guessing that a large number of children who come into the adoption process in Nova Scotia today actually are there as a result of difficulties in families, apprehensions, perhaps, as much as anything. I have a couple of questions.

What sort of percentage of children would be available, would be part of the adoption process today as a result of apprehension, as opposed to parents voluntarily giving them up?

MS. NEARING: Of that group of 125 children who were adopted in 2009-10, there would be six to eight who were voluntarily placed for adoption and the remainder came into care, so it's a very small number and has been for the last 10 or 15 years at least. It represents a very small proportion.

MS. RAYMOND: A very small number, I'm sure. That must make a great deal of difference to the children as well, I mean the circumstances that they come out of as well, obviously, and I assume that probably also makes the question of open adoption a more important one.

One of the things that you referred to, which I must say - it's just one of the things you mentioned but it's deeply distressing - as part of the package of special needs, one of the things you singled out is children who have diagnosably significant attachment disorders. Now I take it that these are older children, are they, and is that a very large piece of the children who come into care and for adoption and are there special considerations that you have to take into play when there are children with significant attachment disorders? I am sure there are.

MS. NEARING: I wouldn't have exact numbers of children who would have had a formal diagnosis of attachment disorder but if you look at and are familiar with some of the research and then some of the circumstances that our children find themselves in, that being raised in an environment as very young babies where, in all likelihood, they have been neglected by their parents; they have had to have been removed without warning, from the child's point of view quite often, and placed in a foster home, maybe in more than one foster home because we know that does happen.

Unfortunately there are a number of conditions inherent in the system that are not friendly toward attachment and unfortunately can increase the risk of attachment disorders. We are fortunate, though, to have good, well-qualified experts in this province who are able to provide real support to families and children where attachment disorders are an issue.

When you say attachment disorder of course that covers a really large continuum and spectrum. There certainly are children and we have seen children who would have had real initial concerns about attachment who have thrived in a setting when stability has been offered, when supports have been offered, when they know that I won't be leaving here, this really is my permanent address.

MS. RAYMOND: I take it this really is the final measure of the department's success, isn't it, to be able to say that there are a minimal or as few as possible children who are experiencing that kind of really nebulous, devastating disorder, that disruption.

That probably ends it for now but that was something that I did want to register and I'd be interested to know at some point - if that is a significant percentage of those special needs which are diagnosed.

MR. SAVOURY: In the presentation, we mention that we do provide support to families once they've adopted, because of the special needs of some of the children who have been adopted.

MS. RAYMOND: Okay, thank you very much.

MR. CHAIRMAN: Thank you, Ms. Raymond. Mr. MacLeod.

MR. ALFIE MACLEOD: Thank you, Mr. Chairman, and thank you for your presentation today. I'm going to go in a little different direction, strange enough for me. I'm wondering about grandparents' rights. Nova Scotia's Law Reform Commission recommended changes in 2007 regarding the Maintenance and Custody Act and in the Fall and Spring sessions, we brought in amendments to that effect.

What is the department's view and experience on the rights of grandparents and playing a part in their grandchildren's lives, especially when they find themselves in these situations where the parents aren't capable to look after the children?

MR. SAVOURY: Well, I would say that any of us who are grandparents in the room, myself included, we probably couldn't imagine a life where something happened to our contact with our grandchildren or our role in their upbringing was severed. We are very aware of the representations that have been made by the grandparents' rights association and we do have it on our list of issues that we would look at when amendments are made to the Act, what that would look like.

We don't know at this point but we do have it with other amendments. As you can imagine, it's a very complex issue because you get into - first of all, we would go to any relative. We mentioned there's 33 per cent that are kinship placements and when a child comes into care, we would always look at whether there is a member of the family - including grandparents - who could play a role in raising a child either temporarily or permanently. But you can imagine the complexity once you get into who has the rights and then, of course, we end up in court ultimately for determination of permanent care and custody, even temporary care and custody.

I'm sure you can appreciate the complexity of who has the primary say and often we can end up with an independent assessment as well on either the parents or other caregivers and their ability to parent. Yet we recognize it as very important and as Janet said, we've learned in Technicolor from children who have been raised in foster care or have been adopted. When they come back, the importance of that attachment to significant members of their family is critical and it's a very important part of their healthy development. We're very conscious of family, including grandparents and as I mentioned, it is on our list to look at. We're one part of it, of course, there is the Department of Justice who has a role in maintenance and custody as well.

MR. MACLEOD: I guess from an emotional standpoint when you talk about grandchildren and you talk about care and loving and somebody who wants to foster the needs of a young person who has come from a dysfunctional family, it would seem obvious to me that if the grandparents are able and willing to take on that role, that would be an obvious choice.

I hope when people are looking at the legislation in the department and we, as members of the House, when it comes to that point, will take into account that at the end of the day it's what's best for the child that must be looked at and must be the most important factor. For a child to have a significant and good start in their life, love has to play a significant role in that. Anything that your department can and will do to promote people who have a direct love tie to a child, I think it's something that needs to be really considered as we move forward. Yes, it is a very complicated matter, but if it wasn't, we wouldn't be here.

MR. SAVOURY: Very true, very well stated.

MR. MACLEOD: I'd just like to change my focus a little now and we spoke a little bit earlier about First Nations and some of the counsellors who are hired in First Nation situations. Just what role does the province play in First Nation communities when it comes to children, their needs, their problems. Most First Nation communities feel that they are more a child of the federal than they are of the provincial governments.

I represent Eskasoni, which is the largest First Nation community this side of Montreal, and we've seen significant challenges there, whether it be suicides or different types of interventions. We were able, through the help of your department and others, to do some work there. What is the role of Community Services, in particular with children's welfare, in First Nation communities?

MR. SAVOURY: First of all the agency is an approved agency of the minister and, in fact, in our province right now we have district offices in all locations, except Mi'kmaq Family and Children's Services, they're the only agency, apart from our district offices, that have the legislative mandate given to them by the minister to carry out the Children and Family Services Act in its entirety.

[2:15 p.m.]

Actually there are a lot of advantages in this province compared to some other jurisdictions, like in Alberta, Ontario and even New Brunswick. Literally, each reserve has their own independent agency, so I think in this province it is to their advantage that they have one board of directors made up of all the chiefs and I think for us, as well, we only have to relate to one board and one executive director. They are funded, as you alluded to, by Indian and Northern Affairs (INAC) for their services, but they're accountable to the minister to deliver the Act and to carry out the standards to protect children the same way as any other office of the minister. We audit and are expected to audit them for how well they comply with our standards and legislation, they are part of all of our same training, be it adoption or child protection, children in care training, so we hold them to the same standard.

We know that there are issues in First Nations communities in terms of poverty, housing and a lot of issues. We know their job is not an easy one and, in fact, because of that we believe we have to work harder and in greater partnership with them to do the job, but they are a fully mandated agency. There is a tripartite committee made up of the province, Indian and Northern Affairs Canada and the chiefs of First Nations reserves and communities that basically provide an oversight over the agency.

MR. MACLEOD: In relation to reviews, quarterly inspections, or inspections and interaction with Mi'kmaq Family and Children's Services and other agencies for non-First Nation communities, how often does that take place? Is it quarterly for some things?

MR. SAVOURY: Our objective is to at least annually do an audit of all of our offices and that would include Mi'kmaq Family and Children's Services, but in the meantime, they link with our regional office in Sydney where we have a child welfare specialist and a placement specialist that's available to them on an ongoing basis for consultation on individual cases or to help them in terms of policy and standards, that kind of thing as well.

MR. MACLEOD: Thank you.

MR. CHAIRMAN: We've had a round of questions, but I'd like to take the opportunity to ask a question myself, if I might. I'm a social worker by training and although I've never worked in these areas, I've worked around them quite a bit and I understand, as a result of that some of the complexity, certainly how important these services are. It has occurred to me from Mr. MacLeod's question and comment around grandparents' rights, I think, is a part of this. It's hard for me to imagine anything that's more closely aligned to family than the kinds of things that we're talking about here today. Child protection services and adoption services are by their very nature about how families work.

One of the things I'm aware of is that there's a growing body of knowledge related to family theory and evidence that is growing, too, that knowledge of family theory and family-based interventions actually get good results and sometimes much better results than other ways of going about the kinds of work that your social workers might be involved in. I guess I'm just interested in any comments you might have to the extent that social workers who work in the field are expected, as part of their basic knowledge, to have an understanding of family theory, to what extent family theory might be the basis of ongoing in-service education or professional development, and to what extent the programs are designed in such a way to provide support and supervisory support so that workers might stay current and confident about their knowledge about the intricacies of how families work.

MR. SAVOURY: A good question. I should mention, of course, the minimum requirement for someone to practice in the field of child welfare is a Bachelor of Social Work degree.

MR. CHAIRMAN: Although I would just like to say, having been around the field for a long time, having a social work degree is no guarantee that one will have the knowledge of how families work.

MR. SAVOURY: Very true, but we do expect that in their undergraduate curriculum, because most social workers would probably have done a bachelor's degree in sociology or psychology before they do the two years to get their BSW. We do regularly meet with the School of Social Work and we're always included when they do their accreditation to give them feedback on, are the courses and supervision they're getting in

their program meeting our needs because we're probably the largest employer of graduates from particularly Dalhousie University.

The other thing I would say is that in the training and orientation we do for staff, we require all social workers to go through three weeks of mandatory training after they graduate, before we would give them the authority to be able to apprehend a child. Otherwise, they have to have a more experienced worker with them. I think if you looked at our manuals and our standards and even the other programs that we have adopted, like the PRIDE Training, which is an internationally approved training program for foster parents, and I'm thinking of the Safe Training that we provide for adoption workers. All of these programs speak to the family dynamics within families and, of course, the importance of family to children and their development.

MR. CHAIRMAN: I think we will go to Mr. Glavine. Maybe I should comment on the time we have left, about 7 or 8 or 9 minutes. I have left on my speakers list Mr. Glavine, Mr. Preyra and Mr. Ramey. So if we could maybe each be brief, everybody would have a chance to ask the questions they have in mind.

MR. GLAVINE: Just going back as a follow-up to a couple of years ago, Judith, when the department had to take a look at the Kings County Family and Children's Services and do an intervention process. I'm just wondering how you come about to have that kind of involvement. Is it the community reacting, is it caseworkers going beyond the local management? I mean how much autonomy does each of the local areas actually have? I wonder if you could address that, at least in some broad terms there.

MS. FERGUSON: Thank you for the question. I don't think I'll get into specifics of individual circumstances but I can say George mentioned earlier that the department does audits. Really, for the most part, the decisions we make around circumstances that come to our attention, in large part, are as a result of audit findings that the department makes when we go into now what are all our district offices to look at whether we are doing things in accordance with our standards and our regulations.

However, having said that, we would receive contacts through a number of sources, like any department would, and we take anything we hear, in terms of any program in the department, very seriously. In reality, information could come to us from a number of sources. Obviously we'd have to validate that but the audits have been very instructive and informative, not only in terms of things we need to improve on but also in terms of some offices that are doing some wonderful and really innovative and creative work that we can then go out and share with all of our offices around the province.

This is extremely difficult and challenging work and it provides me a bit of a segue to say that in my seven years in the department, I have to say that the front-line child protection staff are an unbelievably incredible group of people who do very challenging and difficult work on a regular basis. I'm thankful and very grateful that we have people who are prepared to do that kind of work on behalf of the children that we have in the

province, because those are certainly some of the most difficult jobs in terms of what they deal with on a daily basis.

To go back to your original question, the audits - really, we receive information as a result of the audits and we act on those to ensure that we're doing what we need to be doing in accordance with the legislation and standards, to ensure that we're carrying out our mandate under the Act.

MR. GLAVINE: Thank you.

MR. CHAIRMAN: Thank you, Mr. Glavine. Mr. Preyra.

MR. PREYRA: I just want to get back to an earlier question I had asked about some of the presenting cases, what it is that brings these children and their families to the attention of the department and eventually into care. Does the department circle back to the children who are in permanent care and look at whether or not those presenting issues and conditions have changed since they were initially taken into care, with a view to deciding whether or not - especially since the answer to the earlier question's suggestion that there were parenting issues involved, with addictions and socio-economic means and those kinds of things. Does the department circle back to say, have those presenting conditions changed and changed to such an extent that we might want to reconsider our earlier decision? Is there a mechanism for doing that?

MR. SAVOURY: I should say that oftentimes there could be a significant and extensive involvement even before we ever go to court. We could be involved for six months - it could be up to a year but we could be involved, say, for a six-month period - where we're trying to actually see if we can address the issues before the child is taken into care. Even when the child is actually apprehended, if it reaches that point, there's a presumption that we would - and the court would have that expectation on us as well - that we're going to see if these issues can be addressed and actually return a child before we'd ever go to permanent care and custody.

Unless the abuse is absolutely so severe, from medical reports and others, it's just not one that we should be considering. In the far majority, we would be continually going back to see if the addictions issues or other issues have been addressed and, in fact, we would often have the report back and there would be expectation to the court on how well they're doing and, in fact, they would also have representation legally with their lawyer, as well, who is helping to present their case.

MR. PREYRA: Are you talking now about children who are in permanent care or before they get in, because once they're in permanent care . . .

MR. SAVOURY: No, before.

MR. PREYRA: I'm asking a different question.

MR. SAVOURY: Okay, sorry.

MR. PREYRA: I'm asking once they're in permanent care, is there a mechanism for going back and circling back to see if those presenting conditions have changed?

MR. SAVOURY: No.

MS. FERGUSON: I would say - and George can add to this - permanent care is an absolutely last resort. My experience has been by the time it gets to that stage with the department, in terms of really looking at every option and to absolutely making sure that we're not going to be able to maintain the integrity of that family and that child with the family, by that point in time, in terms of everything that has occurred in that file for that child, like I said, there's usually - not all of the time, and George alluded to that, that sometimes it's instantaneous - but in the vast majority of cases, if you look at what has gone on and the interplay and the services and the involvements, it's an absolutely last resort. The goal, obviously, is to keep the child with the family.

MR. PREYRA: Thank you. I know Mr. Ramey is standing by here.

MR. CHAIRMAN: The last question goes to Mr. Ramey.

MR. RAMEY: Thank you, Mr. Chairman. This is a bit of a strange question and it may not be relevant actually to our discussion, but I do need to ask it because it came up awhile ago in my constituency.

There was a family - a stepmother and biological father of a person who was 15 years old. The 15-year-old got involved in drugs and stopped going to school - well, he said he was going to school, he'd leave the house, but he just didn't go to school. He was doing things like taking things from the family and selling them to support his drug habit and so on. They were trying to get somebody to help make him go to school - there aren't truant officers anymore, obviously. They were also trying to get him to seek help for his drug problem. This is a family that isn't abusive or anything like that to this person, he just got in with some bad folks and they're at their wits' end. He said, I don't need to go to counselling for drugs because I don't have a drug problem, so he didn't go. The choice was up to him, apparently, to do that.

[2:30 p.m.]

They're doing this and I was wondering, when people do that, is there any recourse for them? This is almost more of a parental problem than a child problem, I realize that, but what does a family like that do? They don't know what to do, they can't sort of slot him into anything because if he doesn't feel like doing it, he doesn't have to do it. He's quite well behaved when he goes to any kind of a counsellor. He says, yes sir, no sir, thank you very much, I really appreciate your time - he does all of that. Are there any services of any kind for a family like that, because they've called me and I don't know the answer?

MR. SAVOURY: In the area that you represent, it's one of the areas where we do have a family therapist on the staff. Now, the challenge you run into - and you seem like you know not only the problem but the issues associated with it - if the individual is just not willing to participate in treatment, it's a big challenge.

MR. RAMEY: That's the issue, and that is the problem, he chooses not to do that. They've gone that route - they're saying, we know what the problem is, we're the parents, we want to be responsible. What can we do to get this kid straightened out? They seem to be not finding any way to get him straightened out if he doesn't feel like straightening himself out, but he's only 15 years old. They're saying, why would he be making that decision when clearly he's going down a bad path?

MS. FERGUSON: Specific cases aside, those are some of the exact issues that George and his colleagues have been looking at when we've been looking at our Child and Youth Strategy and how we can work better together in government in terms of really looking at the kinds of services that this youth or this family needs. We've been having some good discussions around how we make sure that families know exactly what services are available. Having said that, however, the services are voluntary and there are some significant challenges exactly around some of the pieces that you've spoken about.

In terms of supporting that family or families that find themselves in those situations, I think we're getting much better as government departments - whether it's Education, Health or DCS, whoever - in trying to assist families at least in terms of knowing what's available in their communities to do some things to help. So we'd be very willing to talk to you about some of those types of - at least about knowing what's available. Now, there are other challenges around that I think we'd have to talk about, but just to go back, it's interesting because I've had that discussion with George and some of his staff, truancy is not a ground under the Children and Family Services Act . . .

MR. RAMEY: I found that out.

MS. FERGUSON: I found that out myself because I asked that question, so all the more reason though, I think, why we need to work together. Again, as Justice Nunn found out during the inquiry, there are, in fact, a large number of services that are available, but there are a number of challenges, one of which is they're voluntary. So whether people will go to those services, there are some whole other issues. I think that it's incumbent upon us, and those of us in these positions across government, to at least help families in knowing what is available and what they may be able to take advantage of in their community. We can't solve all of the problems, but we can at least make sure that they don't have to navigate through all the suites of services.

We've started down that road, and George and his colleagues in the departments have done some great work. It's not perfect yet but at least that piece, we need to make sure we're doing a really good job.

MR. SAVOURY: Very quickly, I did spend some time in the Bridgewater area a while ago, in my other role with the Child and Youth Strategy. There's a lot of keen folks from mental health and the department and others who are extremely willing to come together, so maybe after - I'll leave my card and we could chat because there may be merit in having a small group discuss some strategies and there are some other services that they might want to try that would certainly be worth pursuing.

MR. RAMEY: That would be very much appreciated, thank you very much. Thank you, Mr. Chairman.

MR. CHAIRMAN: Thank you, Mr. Ramey, an interesting discussion. I would be remiss if I didn't suggest that this might be a typical case for Addiction Services - at least in my past life I know that our workers saw lots of situations like this. I think if I could also add an editorial comment, it speaks, to my mind, directly to the point of having a good knowledge of family theory. What to do when there isn't compliance is not so much about how do you enforce things, but how do you understand the nuances of what might be happening in that complex of social relationships. I think that's more about theory than about force. Anyway, it's just something that interests me.

That brings us to the end of our period for questions. Thank you, all three of you, for being here. Judith, would you like to have the last word, a summary of any kind?

MS. FERGUSON: No, Mr. Chairman, I'd just like to say thank you and if there were any questions that any of the members had that we didn't get an opportunity to talk about today, we're always available at any time to answer questions, so thank you very much for the opportunity.

MR. CHAIRMAN: Thank you all for being here today. We will take just a moment's recess to allow our witnesses to pack up and then we can reconvene for some other business.

[2:36 p.m. The committee recessed.]

[2:40 p.m. The committee reconvened.]

MR. CHAIRMAN: We have a little more business to take care of and we have a few minutes to do that. If you look at your agenda, under Committee Business, I think the next thing it would be useful for us to take a bit of a look at is the selection of additional witnesses. We have agreed for our February meeting to have witnesses related to women's centres but that brings us to the end of what we've agreed to do.

However, as you'll see from the lists that you have in front of you, at the top, we've had two letters requesting an audience with us. The Dress For Success folks have asked for an appearance, so has the Nova Scotia School Boards Association. Both those requests came two or three months back, probably. I guess I'm maybe putting those two suggestions

out as possibilities but you'll see in front of you, we do have some other things that we've discussed that have not yet been pursued, so any thoughts would be welcome.

MS. KENT: Just a question because I'm not 100 per cent familiar with your mandate. Can you just give me a sense of the Nova Scotia School Boards Association request associated to Community Services?

MR. CHAIRMAN: When the school board made its request to appear before this committee it was in relation to some of the things, actually, that Ms. Ferguson was discussing earlier. How various departments might work together to meet the needs of young people, particularly those students in schools who have complex needs that aren't easily served within the Department of Education itself. Mr. Glavine.

MR. GLAVINE: Yes, this has nothing to do with the present climate around wonderment where budgets and so on are going to be. The new president of the Nova Scotia School Boards Association, Vic Fleury, is really big on inter-agency collaboration. In the past the Nova Scotia School Boards Association has been a very effective lobbyist. I think back to about seven or eight years ago when they were the first ones to actually put forth the idea of Options and Opportunities and how they pushed it and pushed it and how successful. So this inter-agency collaboration they feel is essential, that the school is a central agency dealing with children but has the other four or five agencies working with them for greater success for schools. So that's what that's all about.

MR. CHAIRMAN: Any other comments or recommendations at this point? Maybe Ms. Raymond next. Oh, sorry, Mr. MacLeod, I didn't see your hand.

MS. RAYMOND: No, actually mine was not about the school board specifically, so you may want to comment.

MR. MACLEOD: The only thing I was going to say, I think just in relation to Gary's last question regarding a young person with certain challenges about going to school, it seems to almost fit right into that whole vein of, how do we help the youth who have this challenge. It would be something that I would be very much interested in hearing more about.

MR. CHAIRMAN: I think Ms. Raymond, then.

MR. COLWELL: Are we going to finish the school board thing first?

MS. RAYMOND: Yes, please do.

MR. CHAIRMAN: I guess what I'm interested in is just maybe hearing some general comments because there might be other suggestions. I think we're at a point of just doing a little bit of review and brainstorming around where we want to head to next. We've got a couple of proposals but there might be some other ones as well.

MS. RAYMOND: I'm just looking at the possibility of bracketing some presentations together, for instance, women's centres and the Transition House Association, if it were possible to do those in the same day and perhaps DASC and sheltered workshops, that's all. I'm just looking at agenda setting.

[2:45 p.m.]

MR. CHAIRMAN: If I could say in relation to your comment, Michele, we are planning to meet with women's centres in our next meeting. Are you proposing that we might also invite transition houses to come next month?

MS. RAYMOND: Yes.

MR. CHAIRMAN: Just for the purposes of checking the room would that be an acceptable approach? Mr. Glavine.

MR. GLAVINE: I just wondered in terms of the timeline for doing that. Secondly, there are some topics here that very naturally fit together and two groups, as we've had here and, in fact, are really almost very similar vehicles to accomplish some of the same goals, so that's the question I would have around that. Perhaps there are some that need that stand-alone attention for a good two hours, like we could have gone on today, obviously, on this topic. Child protection, how important, how big.

MR. CHAIRMAN: I think both the comments are important. My own experience in chairing our last meeting, if I can refer to that, is that we had three sets of witnesses and in retrospect I think that was a bit much to give justice to each one. So we need a certain level of caution. Mr. MacLeod.

MR. MACLEOD: My thought on it is the individuals who are appearing as witnesses, if it's transition houses or Every Woman's Centre, to them that is the centre of their focus and that is their dedicated time. When you're looking at a period of only two hours in the run of maybe a calendar year or better, I think in fairness to the organizations we have to look at giving them that two hours and if their presentations don't need that - it seems that every time we have a presentation, the answers we require give me at least and I'm sure others around the table, some fodder for other questions that he haven't thought of. I think it would be a disservice to the groups if we didn't give them the two hours that are here.

MR. CHAIRMAN: Mr. Ramey.

MR. RAMEY: I have no comment on that, other than that sounds reasonable.

MR. COLWELL: I would agree with that because these organizations sometimes when they come every several years to plead their case, whatever the case may be, and to talk about how important the work is that they do. I've gone to meetings before and have

had a couple of people or different organizations in and unless it's a really short presentation and something that really doesn't need to be here, to put it point blank, to cut them short of the two hours, and it really isn't two hours of the thing, I don't think it's fair to the organizations. I'd rather see meetings at any of the committees I'm on, I'd rather see it stop early, 15 minutes or so early if that's the case, if there are no other questions - and I've very seldom seen that - than sort of lump everybody together, I rather see them individually.

MR. CHAIRMAN: Ms. Raymond.

MS. RAYMOND: It certainly wasn't my intention - it's just that we don't have that many meetings and I just thought in some cases we'll never get to some of these groups, that was all.

MR. CHAIRMAN: Ms. Kent.

MS. KENT: Again, not being familiar with perhaps some of the past discussions, would it be fair though then - we have Dress for Success, for instance, and Nova Scotia School Boards Association requesting appearance, yet there are still outstanding lists under each caucus wish list. Would it be correct, Mr. Chairman, that to some degree they have been approved as appropriate witnesses and would this have been available? Would there be a sense out there, for instance, that the sheltered workshops or Mount Saint Vincent or DASC would have an expectation that they're waiting to have a call from the committee?

MR. CHAIRMAN: No, I don't think that would be . . .

MS. KENT: No, because that would be bad, that would be difficult if we pre-empted somebody, right?

MR. CHAIRMAN: I think it might be fair to say, and I'll just check this to see if I'm on track, that these are lists that were generated by our various caucuses as things that we might want to have a look at, but have been local to the committee.

MS. KENT: Okay, good enough.

MR. GLAVINE: I've been on the committee for seven years and I know that some of these are fairly steady ones that come along every couple of years, that we will go back to them and say, how is your organization doing, what are your deficiencies, what should we as government or MLAs be advocating on your behalf, so some are a check-in.

MR. CHAIRMAN: I think what I'm hearing at this point and I'll just check to see if I'm hearing accurately or hearing what you're trying to tell me, that perhaps there is a level of comfort in the committee with moving forward with our plan to meet with women's centres at this point and to treat, for example, the Transition House Association, as a separate witness when we would get to that. We have had two specific requests by letter

and I think what I'd like to check at this point is whether you're prepared to elevate those to the groups that we might approach next. Are you comfortable approaching those two groups as our next sets of witnesses? Mr. Glavine.

MR. GLAVINE: I think the School Boards Association - I look at the work of Merlin Nunn and the Nunn report, and it's interesting that there are actually other provinces that have stepped up and have actually perhaps taken his report and pushed it further than what we've done here in Nova Scotia. I know there is inter-agency collaboration, but I think hearing from the School Boards Association and what their plan would be to make this a more living document over the next while, I think, has great validity, it ties in a lot of what we were talking about here today.

Dress for Success, I'm not sure if that would require two hours, but I know the kind of work they do actually - in hearing some of their witnesses - is really quite amazingly transformational. I was overwhelmed by the presentation they did to talk about their work. It was interesting today, Jim and I were at an event this morning that's also groundbreaking in terms of what's going on around creating greater employment opportunities for people in Nova Scotia. We were at the opening of a community centre that embraces a number of agencies.

One of the conversations I had when I was there was from one of the staff and I said, the programs here are phenomenal, I know a number of former students of mine through the school system and families who have come here and the success that they've gone on to with getting jobs. He was pointing out to me that it's interesting that many of these people have worked in some of our factories and never required education, never did any interviews or anything - it was interesting, he brought it around to that fact that nobody ever told them about how they should really dress when they're going for an interview and the difference it can make and so on. I think this is a really important little organization, founded in New York about 10 years ago, has a chapter here in Halifax and some of the work they're doing is quite monumental, actually. So I speak to those two, but I'm not saying it has to be two hours for Dress for Success.

MR. CHAIRMAN: I certainly heard you making a case for the Nova Scotia School Boards Association, Leo, and I think before I was beginning to hear a level of agreement to go forward with that.

MR. MACLEOD: Here we have two groups who actually want to come and share their stories with us, other than us sitting down at a table and saying this might be a good group. I think that if people want to come and share their stories with us, I think it's something that we should be willing to look at and move forward.

MR. CHAIRMAN: So are you comfortable with Dress for Success as a stand-alone witness?

MR. GLAVINE: Oh yes, for sure, but I was trying to embrace what Michele was saying here.

MR. CHAIRMAN: I was kind of wondering, just looking at the list, if maybe one of the places that might fit with is the Family Resource Centre update? I could see Dress for Success and a resource centre being . . .

SOME HON. MEMBERS: Yes.

MR. GLAVINE: Yes, absolutely. That sounds good.

MR. CHAIRMAN: So if my understanding is correct at this point, we would go forward on February 1st with women's centres, perhaps we would then go to the Nova Scotia School Boards Association for the March meeting, followed by maybe a combined meeting of Dress for Success and a Family Resource Centre update for April. Are you comfortable with leaving it there at this point?

MR. MACLEOD: I am.

MR. CHAIRMAN: Okay. Anybody not comfortable? Kim.

MS. KIM LANGILLE (Legislative Committee Clerk): Can I just mention, should they not be available, for example, if the School Boards Association wouldn't be available in March, I do have authority, I guess to move them around if I need to?

MR. CHAIRMAN: I think so, yes. I think for the purposes to be pragmatic, that's a good idea. Let's do what we best can.

Thank you very much for that discussion and for reaching that agreement. That takes us to the other item under Committee Business is our March 1, 2011 meeting date. We received some notice that there will be an equipment upgrade in this room that's taking place during the last part of February and possibly into the first week of March, which could disrupt our possible meeting. I'd like to propose that we move our March meeting date to March 8th, which would be the following Tuesday, just to get us out of the range of the renovation schedule. Would that be an acceptable plan?

MR. MACLEOD: I'm just not sure where the March break would fall in other areas outside of the HRM?

MR. CHAIRMAN: It's the week after March 8th.

MR. MACLEOD: I'm never sure about that. That was the only observation I had.

MR. CHAIRMAN: Are there any other possible impediments to March 8th? Then I think we're agreed that we will reset that meeting for March 8th at 1:00 p.m., if the House is not in session.

To the best of my knowledge, that is the end of our business and I will declare the meeting adjourned. Thank you.

[The committee adjourned at 2:56 p.m.]