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COMMITTEE

ON

COMMUNITY SERVICES

Tuesday, September 13, 2011

Committee Room 1

**Children and Youth in Crisis Task Force -
Maritime Conference's Church in Action Committee,
United Church of Canada**

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[Mr. Brian Skabar was replaced by Mr. Jim Jim Boudreau.]
[Mr. Eddie Orrell was replaced by Mr. Alfie MacLeod.]

In Attendance:

Ms. Kim Langille
Legislative Committee Clerk

WITNESSES

Children and Youth in Crisis Task Force

Ms. Delores Feltmate,
Chair

Dr. Rusty Neal,
Member

HALIFAX, TUESDAY, SEPTEMBER 13, 2011

STANDING COMMITTEE ON COMMUNITY SERVICES

1:00 P.M.

CHAIRMAN
Mr. Jim Morton

MR. CHAIRMAN: Good afternoon everyone. My name is Jim Morton, I am the Chairman of the Standing Committee on Community Services, where we are today. For those of us who are members of the committee, welcome to everybody after a summer break.

This afternoon we have one set of witnesses, as you will all have noticed on your agenda, and we'll have some introductions in a moment. Delores Feltmate and Rusty Neal are here today to talk with us about the Children and Youth in Crisis Task Force of the Maritime Conference's Church in Action Committee of the United Church of Canada.

I think before we introduce ourselves, I'll just mention some of the other issues on our agenda. Once our witnesses have had a chance to introduce their concerns and issues and we've had a chance for questions, we have some other business to attend to. We have had a few pieces of correspondence that we need to look at. We have an annual report on our business from the year past, so we need to take a look at that to either get approval or to make any changes that might be necessary. Then we will be talking a little bit about our next meeting and perhaps our future meetings.

Having said those things, I think we probably should have some introductions. Perhaps I'll start with Kim on my left.

[The committee members introduced themselves.]

MR. CHAIRMAN: I'd just like to take a moment to welcome Alfie who is filling in for Eddie Orrell who will be a new member of the committee, so welcome in absentia to Eddie. I'm saying welcome also to Kelly Regan who has been here before so welcome back. Welcome to Jim Boudreau as well, who is a replacement.

I think now I'm going to turn the floor over to our witnesses and if you would introduce yourselves, please, more fully than I did. Then begin your presentation and from there we'll pick up on questions.

MS. DELORES FELTMATE: Thank you very much. As was said, my name is Delores Feltmate and I am with the Children and Youth in Crisis working group of the Church in Action Committee, Maritime Conference, with the United Church of Canada.

Before I start, I'd like to take a moment to take this opportunity to thank you for being here and allowing us to come here and discuss with you an issue that we find very important. We are concerned with the children in our province, and we are particularly concerned with the children in our province who are in the child welfare system. With me today is Dr. Rusty Neal . . .

DR. RUSTY NEAL: And I'll do this part. He asked us to do this ourselves. (Laughter) I am here actually because I have five adopted children who have come out of the foster care system and I have a sixth foster child who, hopefully, I will be adopting some day. I am here as a foster parent, as well as an adoptive parent. All my kids have been through the system and I am also a member of this group.

MS. FELTMATE: I think it's a good thing to have Rusty here because when I begin my presentation, I'm going to be talking a lot about facts and figures and statistics. I think there is a danger when we talk about numbers sometimes, that we can forget that behind those numbers there are actually individuals with faces and names and stories. I think that Rusty being here will serve a wonderful addition to the presentation because she can keep the discussion real and she can give us stories because we need stories as well as all the facts and figures.

The first thing I am going to tell you today is that there are approximately 2,000 children who are in the care of the Minister of Community Services right now. As a group, these children are not doing well. Before I go on, I want to say that there certainly are children who come through this system and do exceptionally well. There are children who not only survive the system but go on to thrive and live wonderful, meaningful, full, rich lives. We celebrate those children and we celebrate those successes.

For those of us who are involved in this - I am a foster parent myself - those are the things we want and those are the things we want to see. However, what we're going to talk about today is not so much the children who have beaten the odds but we are going to talk

today about some of the real, practical ways that we can change the odds for the children who are in this system.

As I said, there are approximately 2,000 children who are in the child welfare system here in Nova Scotia. These children are incredibly vulnerable children and they face risks that children in the general population don't. These children are over-represented by families living below the poverty level, these children are over-represented by minority groups. These children have disproportionate amounts of school failures, substance abuse, mental health issues, emotional issues, and behavioural issues.

One statistic that I found particularly alarming, and I think that you would find this particularly alarming as well, comes from the Youth Advocate in British Columbia. Recent research and findings by her and her committee have found that children who come through the child protection system - adolescents who are receiving services - 44 per cent of them become involved with the criminal justice system and that is staggering; 44 per cent. Only 24 per cent of those children get a high school education. So those are the kind of numbers that we are looking at.

We also know that children who come through this system show post-traumatic stress disorder at twice the rate of war veterans so we have extremely traumatized children. I'm here to tell you that things are not getting better; as a matter of fact, things are getting worse. In the last 10 years - and this is a conservative estimate - there has been a 65 per cent increase in the number of children who are coming into the system. The children who are coming in, we not only have more of them but their needs are greater, they have high needs.

I'll give you a statistic from the Canadian Journal of Psychiatry; children in care today have much higher needs than children in care did a generation ago. Canada research cites estimates of emotional and behavioural problems in foster care rising from 30 per cent to 40 per cent in the 1970s, to 48 per cent to 80 per cent in the mid-1990s. Again those are some staggering statistics.

When we sit back and ask the question why - and that's what we all should be doing - I hope today when you leave here you have more questions than you have answers and you continue to ask those questions. We try to look at why the situation exists as it does. It is easy to understand and I think intuitively - I don't think we need research, although the research is there, to understand that children who are abused and neglected are going to have a variety of emotional issues.

The reality is that it is not just what happens to these children before they come into the system, it's what happens to them when they come into the system as well. One of the issues of particular concern to us is the issue of multiple placements and multiple moves. Children who come into the system can expect to have anywhere from three to seven moves in their time within the system; again, I think those are conservative estimates. They are certainly, and I have experience with children who have had far more moves than that.

I just want you to think about what that would be like for a child who has already had issues and already been through traumas - the instability and insecurity definitely adds to the problematic outcomes. As a matter of fact, the research shows us that for each move a child in care makes, it negatively affects outcomes related to school, emotional health, mental health, ability to transition into adulthood - all those kinds of things.

What is of particular concern to us are children who come into the system as very young children, babies and toddlers, because at that point that is the point in child development where the child's brain is being developed. These kinds of moves and this kind of instability impact the child not just in short-term ways but in long-term ways. It actually affects the architecture of the brain. When children are in stressful situations and when that stress is unrelenting, when children have frequent caregivers, when children have abrupt changes in caregivers, when children have chaotic parenting or caregiving experiences, it shapes them.

One of the things that I hear a lot of people say is children are resilient. Children are resilient and there are tremendous things we can do to make things better, but the reality is that children are also shaped. They are shaped by these experiences.

To keep it real, maybe I could - and I haven't asked Rusty this and I hope I'm not putting you on the spot but if you could maybe give an example, talk about your children and how long they were in the system and maybe how many moves they had when they were in the system.

DR. NEAL: So for the sake of thinking about my girls, Amma was lucky. I adopted her at the age of eight. She is now 19, out on her own, having completed high school. She was the luckiest one in terms of moves; she had only two foster moves in one year, before I was able to adopt her.

The next girl, Anna, now at the age of 18, was moved in nine placements in under three years and was going to the Reigh Allen Centre for the rest of her life at age 12. She came into my home at that point and we said, enough. We adopted her.

The next girl, Fran, she is now 18, she started being under surveillance at birth. Her first older sister, a half-sibling, was adopted at birth. She was left in her home until the age of six, wherein she had suffered massive injuries to her face; her nose had to be reconstructed as a teenager so she could breathe. She had massive amounts of reconstruction, in terms of burns. She was not apprehended until she was six and that's when she finally went into the care. She moved in the system, in three years, between three foster families and any number of other placements.

Now remember, these movements are not including the amount of time that they were going back and forth between birth family and foster care families.

The next girl, Ruth, was her sister. She was lucky, she was apprehended at age four and she had only managed to suffer brain injury as a result of some of the trauma. In foster care it didn't get a whole lot better for them because of the moves. That child, when she finally moved into my home at the age of seven, when a social worker would come to check up on her would throw up the day before the social worker arrived and would throw up the following day. The anxiety of being moved one more time made her puke; she couldn't help it and she didn't know why.

The next girl, Rue, had nine moves and these are just with the foster families. She came out of a failed adoption, no one would take her. She had been rejected and told over and over again, you are not good enough to adopt, you are not good enough to stay here, your behaviour is such that we don't want you. We'll take your sisters, we'll take your mates but we won't take you. She was all of the age of 10. She had been to, in one year, five schools when she arrived at my house.

The last girl - three days ago, the social worker phoned her and she threw a massive temper tantrum and probably broke about 15 items in her room, destroyed the room, threw everything out and was extraordinarily emotionally upset. What does a social worker mean to this child? One more move. Does that give you a sense? One more move. I'm not letting her move.

MS. FELTMATE: As disturbing as some of the things are that Rusty is sharing with us, I don't think there is anything exceptional about them. I am a foster parent as well. I cannot speak as freely as Rusty can because I'm under confidentiality. What I would really like to do - and I'll continue giving you facts, figures and statistics - is tell you the stories of the seven children that I have been the caregiver to, I'd like to tell you what happened to them before they came to care, what happened to them while they were in care, and what has happened to them afterward. But I can't do that.

I can tell you this, that the very first child that I was the foster parent to, I had her as a baby and by the time she was 16 months old - and you remember what I said about that particular window of opportunity and critical time in brain development - that child had had five moves and that's not untypical of other children I have been involved with.

Another issue of concern is that not only do we have more children, not only do we have children with higher needs, but we also have less resources to deal with those children. For a whole lot of reasons - and I won't go into them now but if you want to ask me questions about it later you can - the amount of foster homes in our province is not keeping pace with the amount of children who are in need of foster homes. One trend that we find disturbing is a move toward group and residential care.

We know that certainly there are issues with foster care and there are things that we need to do to improve the system, but when the choice is between family-based foster care and group homes, the research is conclusive on this - the outcomes are much better for

children when they are in family-based foster care than group homes. Yet, a 58 per cent increase in the use of residential and group homes in our province.

One of the things I want to talk about too today is our ability to serve the birth families of the children who come into care. One issue that has been identified by a variety of groups and service providers who work in this field is an issue around supports for reunification. What we mean by that is when we do take children into care - it's a very crisis-driven system, a lot of the resources go into keeping the child in care. If the child is returned back to the home, oftentimes the families are still struggling and the families are still vulnerable. The support systems are not adequate to help the families deal with the situation of having the children back in the home. The result of that, when we don't provide adequate supports for reunification, is that the placement can break down.

Rusty gave reference to the fact that the children who were in her care, there were many repeated attempts to put the children back with their birth families and those attempts would break down and the children would come back into the system. That is devastating for children, that's devastating for families and on top of that, let me tell you what they would come back to. Because there is a shortage of foster homes in the province, I can tell you that they're not going to come back to the same foster home that they had previously been in. Although agencies do their best to try to do that, the reality is that there are not enough homes and that family would have been filled up, so that child is going to go to another foster home and start all over again. One day you live here, the next day you live there. One day you're at this school, the next day you're at that school. One day you have a brother, the next day you don't. Those are the kinds of disruptions, those are the kinds of losses, those are the kinds of traumas that are repeated in these children's lives. When we see the direction and the outcomes, we can't be too surprised.

There is another issue that I want to bring to your attention, again in respect to where there is lack of supports for children in this province who are struggling. I'm sure that this is not a new issue to you - I sit on the Minister's Advisory Committee to the Children and Family Services Act as well, I know there have been reports and recommendations regarding this issue that date back years - the issue of a gap in services and lack of supports for children who are 16, 17 and 18 years old in this province. Right now, the way that we define "child" in the Children and Family Services Act is a person who is under the age of 16. So if you are 15 and under, you are a child. This is a problem because most Community Services-based programs are geared for people who are 19 years and older.

I'm going to tell you a story - I have permission, I'll keep names out of it. I'm going to tell you where this gets to be a problem. There's a little girl - and she is a little girl - she's 16 years old, she lives with her mom. Her mom struggles with mental health issues and substance abuse and they pretty much keep it together until the little girl is about 12 years old. When the little girl is 12 years old the father leaves and the mental health issues and the substance abuse issues start driving the bus in that family and mom becomes less of a

caregiver and caretaker. Not only that but the home becomes place where people with questionable motives and unsavoury things start to hang out. This little girl is not safe in her own home and she is surrounded by people.

She meets a man - he's not a boy, he's a man - and he is in his late 20s. He has an apartment and he has a car. The little girl moves in with the man and he is an abuser, he beats the little girl and she ends up in a transition house. When she is in transition house - her family has never been involved with child protection agencies before - they work with her and they try to get her a place to stay. She doesn't fit the definition of child so child welfare agencies can't take her case and she is too young for income assistance programs so they can't take her. She can't go back home because that's not a safe place to be.

That kind of story is repeated over and over again throughout our province for these children who find themselves at this vulnerable age. I've read different statistics, this stuff is hard to take because it is dynamic but something like about 50 to 70 per cent of the children on the street come from these kinds of scenarios. These children don't go away, I mean they are going to show up. They might not show up with Community Services but they will be showing up in other departments, I can guarantee you and we'll be dealing with them. Sometimes it is the criminal justice system, unfortunately.

We have a system that certainly needs some improvement. We also have some wonderful people in the system and our group believes that some specific changes can make a difference. Obviously I'm going to talk about legislation today but that obviously is only part of the puzzle. There has to be an interdisciplinary community response to this issue.

One last statistic I'm going to leave you with is that over two-thirds of current child welfare investigations involve families with previous child welfare contact. So you can infer from that what you will, in terms of our ability to meet the needs.

We are recommending four changes to the legislation. The legislation that governs the child protection system, all the programs and policies, is the Children and Family Services Act. It is a 20-year-old piece of legislation which has had very few amendments. There are things that are true now 20 years later, as I tried to point out to you, that were not true 20 years ago. On top of that, there are things that we know that we didn't know 20 years ago. Unfortunately the legislation hasn't reflected that.

We are recommending four changes in the legislation. The first change I will speak about is the change of how we define "child". I just want to say as well, I was speaking to the director of child welfare in New Brunswick a couple of days ago because New Brunswick has just changed their definition of "child" in their protection Act from under 16 to under 19, as did P.E.I.; they have just made that change as well. As a matter of fact, Nova Scotia is one of the few provinces in Canada that still defines a child that way and I said to him, why did you make the change, outside of the obvious reasons like there's a

vulnerable group of citizens that aren't being served? He said, probably the biggest reason that they made the change is that they were out of alignment with the UN Convention.

When we signed the UN Convention on the Rights of the Child in 1989 and we ratified it in 1991, we said a child was a person up to the age of 18 years old. We also said that we would have a national standard of child protection in Canada - neither one of those things is true. So that was one of the guiding principles for them. As I said, they have recently changed that in P.E.I., as well, and that would certainly be something that we think would make a difference for the children in this province.

The other change that we are recommending is a change to the legislation around timelines and the amount of time children can stay in care. This, again, is based on legislation that is working in another province, the Province of Alberta. It is based on a tremendous amount of research with recognition that multiple moves, time in care, chaotic care - those kinds of things - are in and of themselves harmful to children, and that we have to limit the amount of children and not let children bounce around in this system indefinitely.

So they've capped times and it's called cumulative time in care. They allow a substantial amount of time to work with the children and families but at the end of that time, permanency decisions for that child have to be made. They can only bounce around in the system for, I think, 18 months - it's different depending on the age - and then there can be a six-month extension. But there's a real, sincere recognition that that is another harm to the child as well.

Two other changes that we're recommending - we're not really good at understanding families in our province and I don't think we truly understand families as systems here. We have very much an interventionist approach in these kinds of matters, which is very typical for all of North America. The reality is that most children are coming into the system not because of physical abuse, although that happens, and not because of sexual abuse, although that happens as well - the majority of children are coming into the system because of serious neglect. That neglect is the result of other issues that the parents are dealing with: mental health issues, inability to access adequate housing, and poverty. Poverty, poverty, poverty. When we don't address those issues, what happens is the situation often falls apart.

In the Act, there is Section 22 and it's how we identify children in care. Right now you can't just think somebody is not doing a good job and go take their children from them; there are legal definitions. Substance abuse doesn't enter into it and the reality is that in many of these cases, what is neglect is traced back to substance abuse. If you can get services for the family and if you can treat that, sometimes the situation doesn't spin out of control and we don't have to go to the really dark and ugly places before we can intervene. We have a threshold system here, and many of the people who try to access services don't

qualify for services because of this system - there are only certain things that qualify you and many of them are disqualified.

I think you had a report - I think George Savoury was here a couple of months ago and he spoke about how many referrals the province is dealing with and I think it's in the number of 9,000 - I think he said there are around 9,000 calls - and that would be accurate, that's what I would have understood to be true as well. But involvement trickles down to the hundreds, what is happening to all those other children and families and how we best serve them. It's unrealistic to think that one department can meet all these needs. There absolutely has to be an interdisciplinary approach. We absolutely, as Merlin Nunn has said, have to see the child as a whole human being. Children end up in the child welfare system when everything else is not working the way it should be.

So those are the recommendations - oh, one more. We also want to add emotional harm as a criterion for involvement and to provide services for families because right now the way it's written in the Act, you can be involved if there is physical harm from neglect but we understand that most of the implications of neglect show themselves in mental health and emotional issues, not physical issues. If we can recognize that and if we can be involved, then we're going to get better results. Basically that is what we're advocating for and that is why we're advocating for it.

MR. CHAIRMAN: Thank you very much, Ms. Feltmate and Dr. Neal. Now we'll turn the floor over to questions. I began a speakers' list as your presentation was going on and the first questioner will be Ms. Regan.

MS. KELLY REGAN: Thank you, Mr. Chairman. In the most recent statement of Public Accounts for the Department of Community Services, the government posted ". . . savings of \$3.3 million in Grants to the Children's Aid Societies due to the transfer of the societies to the province, and savings of \$2.5 million in Child Welfare Maintenance for Children costs due to a reduction in caseload accounts."

Can you explain the transfers of the societies to the province and do you feel this will benefit children in care?

MS. FELTMATE: One of the problems we have in child welfare - and, again, in Nova Scotia and all across the country - is a lack of national standards. But there's not just a lack of national standards, in the Province of Nova Scotia there are 20 agencies that deal with child protection. I believe the last transfer was about a year ago, I'm not sure, but roughly around that time there was a mixture of agencies in the province that were either privately run - the agency I am associated with, Cape Breton, was a privately run agency - and agencies that were run by the government, provincially.

Now, here's where it gets tricky and this is where these conversations always get tricky because what happens is when we start discussing these things, I think we mix

opinion and fact and ideology all together. I think that's a real problem because we haven't been really good at getting the facts. As a matter of fact, one of the statistics I gave you - and I'm going to read it to you just so I get it right: Although all agencies agree on the value of accountability mechanisms, including outcomes evaluation, and many do collect information for their Boards, funders and others, only 50 per cent have systematic processes for integrating results of their own outcomes evaluation and needs assessments into practice, and only 30 per cent have processes for integrating the results of external research into practice; 39 per cent do not have any processes at all.

So we had 20 agencies in the province doing 20 different things. I think there was a concern about lack of standardization. I think they did audits, and I'm certainly not the person who can speak to what they found in the audits, but I would encourage you to ask those who are in the province what they found out when they did the audits of these different agencies because I think that would be important information to have.

That being said, in terms of assimilating under the province and its standardization and those kinds of things, what we do know is that some of the issues - the issues in rural communities are different than the issues in urban communities. What I can provide for my child in need, even in Sydney with all our problems, is going to be a lot more than somebody who's in a little community of 500. So the agencies sometimes could better assess the needs of their own population. So is it a better thing or a worse thing? That's an ideological question and we'll have to see how it pans out. Probably in terms of administrative costs and in terms of running it, I can see where there would be savings.

MS. REGAN: That's the part that sort of made me sit up and take notice. We're looking at \$3.3 million in grants saved and \$2.5 million in child welfare maintenance, and we're conversely saying that there are more children in care. I don't understand how those two things link up if we are providing enough care for children. I don't understand how we can possibly be saving almost \$6 million.

MS. FELTMATE: I think that's an excellent question and that would be a wonderful question to ask those at the provincial level. How could that possibly be in light of the statistics that you heard today? I think that would be an excellent question.

MS. REGAN: So has there been a costing done to assess the resources that are needed to strengthen?

MS. FELTMATE: Like I said, one of the concerns - and I'll read a quote from Peter Dudding. Peter was the director of the Child Welfare League of Canada in 2003 and he said - actually no, he didn't say that. This is coming from Nico Trocmé, a renowned child welfare specialist. He said, "... services to children ... continue to be driven primarily by evidence of need irrespective of evidence of service effectiveness." Funders have traditionally responded to increasing need and caseloads and "... have not required accountability based on outcomes" We also know - as I read from the other statistic -

different agencies measure different things, keep different records, and to add to all of that, we have different terms of references. We don't have cross-Canada comparative studies because we can't even agree on what a child is.

National statistics are very hard to come by and that would be another thing if we all had the same definition, we could start generating some of that kind of information and whatnot. We certainly need to do work in that area. We're doing things, but we don't have evidence-based research to tell us exactly what's working and what's not working. We certainly know we're seeing the same families over and over again. We certainly know that the children are coming out of the system with a tremendous amount of concerns, and it's hard to stop when you're on a stretch budget and start to do that kind of accounting and that kind of outcome measurement. I think people are afraid that their funding is going to be cut and I think funders are afraid that they're going to see a real increase for needs in certain areas that maybe they can't provide for. We haven't done a really good job of that and that's certainly something we need to improve in the future.

MS. REGAN: Do you know how many children in any given year - I realize this is a ball park figure - are in that 16 to 19 age range in any given year in Nova Scotia? Do you have any idea?

MS. FELTMATE: That's really hard to calculate because they don't come before any kind of place where they can be recorded. They're the kid not going to school, sleeping on their buddy's couch - they're the transient. Because of the work I've done and part of the work we've done on my committee, we've conducted hundreds of interviews with people and whatnot. There is a significant part of the population that have found themselves in that position. The minister in Sydney Mines, the little fellow living next door to him, he tried to get help for him, he was in that situation, and no help to be had. Another minister that I know in St. Peter's tried to get help. I, myself, have been involved in several cases and it's difficult. There's a significant amount of children in that situation.

MS. REGAN: We have 2,000 children in care up to the age of 16, so that group . . .

MS. FELTMATE: It can be more than 16 and maybe I should clarify that. If the child has been involved with child protection agencies previously and is in a foster home and that child is still in school, they can stay in the system for many years. Much to our credit - if we're going to point out the flaws, I have to point out one of the things that Nova Scotia leads the pack on. We have a program where if children do get to secondary education, they can stay in care and that program is funded for them - their first university degree - and that's an anomaly across Canada. The reality is most children don't stay in school, don't get to that place, and that's a concern. Yes, there are children in the care of the province who are older than 16 years old.

MS. REGAN: I'm just thinking if you take 2,000 children, divide it by 16, that will give you sort of the rough number of each year that we would have in there, so 15 children

from each age range, roughly, and then you multiply that by - sorry, that's not right, 150 kids. So we're probably talking about adding 450 children to that list, at minimum. I'm sure that's less than \$6 million. We've just saved money over here; why not put it there for those kids who would need it?

MS. FELTMATE: I think it's an excellent point and something for us all to think about.

MS. REGAN: I'll let someone else ask some questions.

MR. CHAIRMAN: I think we'll go now to Mr. Bain.

MR. KEITH BAIN: Thank you very much, Mr. Chairman, and thank you both for your presentation. Dr. Neal, I think the description of your experience has certainly put everything in a real-life perspective so that everybody can understand. As Delores mentioned, it's not just about figures, the important thing is the impact on the children.

I know that this was something that my colleague brought up in Question Period during the Spring session, as a result of correspondence that you had sent in. The minister at the time said that the department was reviewing the legislation because of the concerns they had and they were looking at other aspects within the department. I'm just wondering if you're aware of anything that has transpired since that time.

MS. FELTMATE: Do you want me to answer?

MR. BAIN: Sure, yes.

MS. FELTMATE: I don't know if you read the paper today, there is something. It's not through Community Services, it is through Justice. There has been a call to review legislation in terms of divorce cases and custody and those kinds of things, particularly looking at access with children who come from families where there's domestic violence. So they are looking at that and they're calling for a public appeal. That was just today, that was in the paper.

In terms of the legislation which governs children in care, as I mentioned before, I'm on the Minister's Advisory Committee on the Children and Family Services Act and a number of recommendations have been made. The last report came out in 2008. To my knowledge - and the report, I'm sure you're familiar with it, is on the Web - there is still a lot of work to be done.

In our committee meeting right now - I'll tell you what we're working on - we're working on terms of reference so that we have a focus and we can better represent the different stakeholders in the province in terms of what we need to do to make things better for children in care. But it's slow work. You have to judge for yourself what you think the

progress has been in terms of the recommendations made and the recommendations acted on.

MR. BAIN: I'm pleased to hear what you just mentioned about the Department of Justice because it's too big an issue for just Community Services . . .

MS. FELTMATE: It is.

MR. BAIN: . . . and you mentioned that a collaborative approach is necessary. I think that's a good approach. Thank you, Mr. Chairman.

MR. CHAIRMAN: Thank you, Mr. Bain. Mr. Ramey.

MR. GARY RAMEY: Thank you and thank you for your presentation. I think, Ms. Feltmate, you said something as you were speaking - you were talking about the underlying causes of so many children being in foster care. I think you mentioned things like poverty and substance abuse, lack of adequate housing and so on, and I can certainly see how that would be the case.

Has that been studied? I mean those are factual comments - are those the results of a study that had been done?

MS. FELTMATE: Those are the results of a study and I'll read something to you. This came up - there are reports, there's no lack of reports on this topic. Let me just find it for you, it's in the notes I gave you. This comes out of Saskatchewan; they just did a review of their system. They're in crisis out there because they just don't have the foster homes. They have foster homes with five and six children and there have been some really tragic consequences because of that, so they've been involved in this full review of the system. They have a wonderful advocate out there who is releasing some stuff. This comes from that report, *For the Good of Our Children and Youth, Saskatchewan Child Welfare Review Panel Report*:

“Our child welfare response is a classic ‘threshold’ system. While the focus is on protecting children from abuse by caregivers, most child welfare cases are the result of neglect stemming from poverty, substance abuse, mental health problems and inadequate housing. The investigation process, which is the first response of our system, actually disqualifies the vast majority of families from receiving any help.”

That's based on research that they have done out there in Saskatchewan.

MR. RAMEY: Has there been a similar study done in Nova Scotia?

MS. FELTMATE: Well, the issues are similar across the country in terms of what brings children into care. There had never been a national study until Nico Trocmé did one, the national incidence report. He looked at what was bringing children to the attention of child welfare agencies. We're very aware of sexual abuse, and that certainly has tremendous emotional overtones for us in the community, and we're aware of physical abuse and those kinds of things. The reality is that although those are horrific things and they still very much exist, that's not what the majority of the cases were about, that's what he found out.

It was very hard to do this study because, as I said, there were no terms of reference that we could share across the country, but he did do it and he did release it and those were the findings that he found across the country. These by far and large represent the majority of cases that agencies are dealing with.

MR. RAMEY: In Nova Scotia, do you have any statistics on the numbers of children in care by geographic region? For instance, like the South Shore as opposed to the Valley and Cape Breton, that sort of thing?

MS. FELTMATE: Those are all on the Web, you can access those. I don't have them here in my report or off the top of my head. Certainly the majority of children would be in the larger urban centres, just because of populations and whatnot. So Halifax and Cape Breton would certainly represent the majority of cases but then there would be distribution across the province.

I believe, if I am correct when I read it, I think you guys are having Family Services of Eastern Nova Scotia at your next meeting? An interesting thing to talk about to them would be some statistics and research that they've just recently done. I can't quote - I don't remember exactly what the statistics are, but the report is available and it looks something like this. In Cape Breton, in certain communities, I think Glace Bay is one of them - I don't want to give inaccurate information - in certain communities 5-year-olds entering the school system are testing, proportions like 50, 60, 70 per cent in the 10th percentile. That definitely is a representation of poverty and the issues that we are facing in Cape Breton, so there are direct correlations to those kinds of things.

Yes, probably the urban centres, a larger population, would have more children.

MR. RAMEY: Can I have a short snapper?

MR. CHAIRMAN: One more.

MR. RAMEY: Okay, this is a really quick one. You did mention, and I sort of get it - there's no national sort of coordinated compilation of what's going on. I know both Saskatchewan and Alberta, and there are pieces that we've done and so on, but to your

knowledge, is there any effort at the federal level to take this on as a serious issue and try to pull it together?

MS. FELTMATE: Child welfare is provincially based . . .

MR. RAMEY: I realize that.

MS. FELTMATE: . . . except in cases of First Nations, and that's a federal system. One of the things that we have tried to do at a federal level is to get a children's ombudsman because that individual would have independent oversight and they would be able to educate the public, because there's a tremendous gap in understanding what's going on in the system.

To date we haven't had any success. I believe it was - who is the hockey guy who was the MP? - Ken Dryden brought in a Private Member's Bill and then the House was shut down, so that went away. That would be a tremendous thing. But in terms of any department at the federal level where there's any kind of oversight, not to my knowledge.

MR. RAMEY: So it would have to be driven by provincial ministers wanting to have a national meeting where they all got together somewhere and talked about this.

MS. FELTMATE: Right, and if I can reiterate just one more time - when we signed in 1989 and when we ratified in 1991, the UN Convention on the Rights of the Child, we promised we would do that. We haven't done that.

MR. RAMEY: Okay, thank you very much.

MR. CHAIRMAN: Thank you, Mr. Ramey. Ms. Casey and then Mr. MacLeod.

HON. KAREN CASEY: Thank you for your presentation and information and statistics that none of us like to hear but it's the reality and I appreciate you sharing those. I have two quick questions, if I could. The questions will be quick but I'm not sure how quick the answers will be.

Ideally we would not have any children requiring foster care so I have a question that relates to both. Since we do have children who require foster care I want to go to one of your comments, Dr. Neal, that some do very well and some do not. My question is, what are we doing to try to find out why some do well and some do not, this is after they are in foster care?

DR. NEAL: What are we doing to find out?

MS. CASEY: That's right.

DR. NEAL: I actually don't know what we're doing to find out. I do know that the more moves kids make before they get to some permanent place the far worse it gets.

MS. CASEY: So your legislation which is suggesting that be changed would be one thing. I guess what I'm trying to find out here is if we know that there's a model that works - let's find out what works and ensure that other foster homes are able to provide the same. Once they're in the homes and some of them are working . . .

DR. NEAL: I can tell you what the social worker said to me yesterday when I was talking to her - after the child trashed the room and had an emotional meltdown and destroyed all her belongings - she said, if there's anything you could say to the committee it is to please provide some services for families - foster families first - and stop making us do this insane bureaucratic paper filing that is filling out time. That's what she said to me and I said, I will pass that on.

MS. CASEY: Thank you, I'm glad I gave you the opportunity to share that. My second question refers to the provincial, of course, and there's reference to the Nunn report and we know that the recommendations in the Nunn report were intended to break down the silos that exist with all governments and put those resources together because we are dealing with the same population, whether it's through Justice, Education, Health or Community Services. I know that was one of the recommendations and it's my understanding that there were some attempts to do that. Are you seeing any positive results out of a combined effort across government departments to make things better for the youth at risk?

MS. FELTMATE: No.

MS. CASEY: I told you the questions would be short, and the answers. Thank you, very much.

MR. CHAIRMAN: Mr. MacLeod.

MR. ALFIE MACLEOD: I'd like to thank you both for your presentations. Certainly, Delores, I know this is an item that you've been working on for a long time that is near and dear to your heart and many others. I had the opportunity to ask the minister some questions during Question Period back in May. One of the ones we talked about was, of course, the timelines in which a child is in care and the total number of moves. At that time the minister answered that they are looking at the legislation and reviewing it and looking at other aspects of the whole system.

When it comes to the moves and from the discussions we've heard from you both here today, I'm just wondering if you heard anything from the department or anybody within the department as to whether there has been any serious look at the legislation in reference to the moves and the time?

MS. FELTMATE: I can speak to that. There were your comments and your questions in Question Period to the minister about this particular issue. I also am aware - and this is something we're advocating in my committee - of a number of letters that the minister received from YMCAs, community groups like the Golden K and they'd have 65 signatures, individuals throughout the community asking for us to revisit the legislation and look at this.

Again, as I said, I'm on the Minister's Advisory Committee on Children and Family Services Act. We really haven't received anything from the minister. We received the proposed recommendations and that basically was the last contact that we've had.

MR. MACLEOD: You received the proposed recommendations from the minister's office?

MS. FELTMATE: That we sent to the minister's office asking for her to look at this. She sent them to the other committee I am on, the Minister's Advisory Committee and that was the last contact we've had.

MR. MACLEOD: So did that committee send their thoughts back to the minister?

MS. FELTMATE: No, there has to be a restructuring of that committee, there are problems with that committee. There are appointments for a year and the reality is you cannot address these kinds of issues and you can't have this changeover. I'm a new member and I think there are three or four of us who are brand-new members and just getting up to snuff on what has been happening takes four or five sessions. So to be off of it in six months and then have new people, it makes it a committee that's not functioning particularly well; we're trying to address that issue. Now I've forgotten the question.

MR. MACLEOD: The question was, has there been any feedback from the committee?

MS. FELTMATE: No, they're just finishing up the report that they did last year and we're starting to look at new issues, and there has been no feedback.

MR. CHAIRMAN: Thank you, Mr. MacLeod. That takes us to Mr. Burrill.

MR. GARY BURRILL: I was wondering if I could get you to back up a bit and give an elementary, Grade Primary-style explanation of these legislative changes. I think everybody would understand your foundational point about the multiple harms of non-continuity of care but it wouldn't be immediately apparent to a non-specialist how this recommendation about the section, what it would stand to actually do to put us in a position where the fractured pattern of care could be overcome. Would you mind explaining that?

MS. FELTMATE: No, that's an excellent question, and I would like to do that. I know that in reading it, it can seem very jargon-ish. Right now in the Act, there is a set of timelines laid out for children to move through the child welfare system. It's a legal system; there are court dockets and there are hearings. Those court hearings happen about every three months.

Right now the way it stands, the timelines say that a child who is under the age of six can only be in the child welfare system for 12 months past the disposition hearing. The disposition hearing is the part where they decide what the plan is for the child. It takes about six months to get there. So the way the legislation is written, a child under six can only be in the system for 18 months. That sounds good, that sounds reasonable.

The reality is, and this is what happens in many cases, the child moves through those 18 months and at the end of the 18 months there has to be a decision made and the decision is about where that child is going to go. If that child is returned home, and in many cases that's the reality, then the case is closed. When the child comes back into care - if the child comes back into care - a new case is opened and the child moves through those 18 months again. If they go home again, they come back, and we move through those 18 months again.

Cumulative time in care says we're not going to do that. We're not going to indefinitely move children through the system, open new cases, move them through the same timelines and do this for an indefinite period of time, because we recognize the harm to the child. So the days are cumulative; you can be in care for 18 months if you're under six years old, plus one more six-month period, then a decision about permanency has to be made. You cannot be placed back home and taken back out again. If it is not okay to go back home, we have to look at other permanency options so the child cannot bounce through the system indefinitely. Did I explain that well? Do people understand or is there still - if there's any questions of clarity, I don't mind.

MR. BURRILL: Well, is it the case that the primary cause of the fracturing of continuity of care is the closing and reopening of files at the time of family reintegrations?

MS. FELTMATE: That's part of the problem.

MR. BURRILL: It's the part that's addressed here, right.

MS. FELTMATE: That is a big part of the problem, the closing and opening of files. Maybe the child moved through the 18 months and there wasn't reunification with the parents, then there would be permanency options put in place at that point. It is children who are in temporary care and who still are bouncing back and forth that we are concerned about. They tend to be the younger children. Does that make sense?

MR. BURRILL: Thanks, yes, I'm getting there.

MS. FELTMATE: Okay, there are no bad questions; I can say it again maybe differently.

MR. BURRILL: Slower. (Laughter)

MR. CHAIRMAN: I think that takes us to Ms. Casey.

MS. CASEY: Well, I guess this is in response and reaction to the question and answer that has just been had. After the 18 months and then a decision is made about permanency, let's say that the child can't go back home and there are no foster homes available, what happens to the child? If the child can't go home, can they stay in that foster home that they're in?

MS. FELTMATE: They possibly can and there are children who go into permanent care and stay with the foster families, and I know many who are brought up there. That is a less desirable situation than a legal, permanent situation. There will be a place for the child if they decide that there's a permanency option and the child stays.

The problem with long-term foster care - foster parents are wonderful people and they do amazing things. I had these ideas, too, of what foster parents are like - that, you know, what we need to do to fix the system is get better foster parents. That's not a reality, we have really good foster parents. It's the instability and the fact that children can move around in the system, not the quality of care the foster parents are giving. They're giving excellent care.

The problem is you have to make a legal arrangement. My babies, my children, I was their caretaker. I had the same legal relationship with them as if I were their daycare worker. I could make no legal decisions on their behalf. So in terms of permanency, one option is long-term foster care, but we get into problems when we're splitting caretaking and legal responsibility on behalf of a child. A more preferable option would be guardianship or adoption, those kinds of things.

I don't think people know this, I didn't know this until I became a foster parent - professionally I'm a teacher and for a period of that time I was a guidance counsellor, so I thought this would be a good thing to do. What I didn't realize and what I've come to realize is that most foster parents would be more than willing to adopt the children in their care but they never get that option. They don't have that option.

MS. CASEY: Do you believe the changes that you're recommending in the legislation will give them that option?

MS. FELTMATE: I don't think necessarily think that's going to give them that option and I think the changes that we're recommending in the legislation are a very small part of the puzzle. What we really want to do is prevent the breakdown of families in the

first place, that's what we really want to do. Then we want to stabilize - if children go back, we want to support those families and stabilize those situations. When that can't happen - and sometimes that can't happen - then we want to be decisive, we do not want to leave children in the system.

There is research by Evelyn Wotherspoon, who is a child welfare specialist and researcher here in Canada - it's Canadian research. She said if the changes in the family situation don't happen in the first year, they probably are not going to happen. So to allow children to bounce back and forth - and this is what this does. Is it the full answer, will this solve everything? Absolutely not. Is it a step in the right direction and a recognition that moving is a harm? Absolutely, it will make a difference.

MS. CASEY: Should the legislation go far enough to address that issue, though, that's still outstanding which is the foster family being able to adopt?

MS. FELTMATE: There's so much controversy and again, this is a question where we get into ideology. They brought forward a couple of years ago a discussion about what is called a concurrent foster home. A concurrent foster home - and they have this in other provinces - is a foster family that identifies as willing to adopt the child. If you place that child with a concurrent foster home and you cannot reunify the child, they have already established that they are more than willing to adopt the child. Here's where the problem comes. There is a tremendous - and they'll say this isn't true, but it is true - push for reunification and success often is defined in child welfare cases by reuniting the family. It becomes tricky, dicey and tenacious when you're looking at best interests of a child.

If I have a child and I say, I'm more than willing to adopt this child, people can become very suspicious of that because their goal is to reunify the family. They do not want a competition between the foster family and the birth family and they're afraid of setting up that kind of a dynamic. In reality, the foster family is not dealing with the same kind of issues and comparatively, is probably going to look better than the birth family.

So to have families be afraid that the place where they put their child is going to keep their child, adds a whole tension in dynamic. That being said, there are many provinces in Canada that do have concurrent foster homes, with a recognition that the first goal is to address the issues with the family and reunite the family, but then to keep the child.

MS. CASEY: No easy answer.

MR. CHAIRMAN: Thank you, Ms. Casey, a good question. Mr. Prest.

MR. SIDNEY PREST: What would you say the average age is for children coming in under foster care?

MS. FELTMATE: If you look - again, those statistics are on the Web - probably in the early school-age years because a lot of the stuff is picked up in schools and that's where recommendations and stuff would come from. There is a bar graph on the Web site and you can go and see - I would say school age, mostly. Certainly less, the older the children get.

MR. PREST: And would you have any idea - there would be a certain number, probably, because of the financial situation in their homes. Do you have that broken down?

MS. FELTMATE: Well, the national incidence report, which is a Canadian study and does look at geographic areas and whatnot, sort of quantifies those kinds of things. Some of the overwhelming factors present - and there tends to be multiple of these factors in the homes where children are taken from the home - are mental health issues and substance abuse, and these two issues often go hand in hand. Domestic violence is a really big driver right now in the child protection system; there are a lot of issues around that that we don't have time to discuss today, but that's a tremendously big driver. So domestic violence, mental health, substance abuse and, like I said, poverty - it's poverty.

MR. PREST: So it's quite a bit contributing to this financial picture.

MS. FELTMATE: Maybe you know this already - I didn't know this - but it was in one of the studies I read and some of the research I did. Do you know what the most stabilizing factor is for a struggling family, what thing you can do, what tangible thing you can do for a family that's struggling, that has a runover sort of impact on everything else in their life, do you know what the number one thing is? (Interruptions) Food and security is a huge thing, but it's access to affordable housing. Access to affordable housing has the most stabilizing effect on a family over everything else.

When we're working with families - and by "we", I mean the community; we're all stakeholders in this. By the nature of the definition in the Act, "we" are the wise and conscientious parents of these children when they become part of the state. When we're working with these families and we're doing parent aid and we're sending people off to different services, I think it would help us very much in reaching the desired outcomes if we actually knew the kinds of services that we could help people with or the kinds of things that we could do in our communities that actually make the differences for these families: access to affordable housing, daycare, child tax credits that aren't clawed back.

Any kind of family-friendly policy is going to make a difference in these and other children's lives because these are the children we see. They're the tip of the iceberg. One in six children in Canada is living in poverty. I think the statistic I've seen for Cape Breton now is one in four children living in poverty.

MR. PREST: But the children are just a product of what comes out of that household.

MS. FELTMATE: I think when we see statistics like two-thirds of child welfare cases have had previous contact, I do see it being generational. I'm not at liberty to speak the way Rusty is because I'm still a foster parent but I can tell you that of my seven children I've had in care, a significant proportion of their mothers were former foster children.

DR. NEAL: Of the six young, beautiful women I have in my household right now, it's not the multiple moves that I was referring to that was happening before. When they were with their birth families, they were moving on an average of every three to four months because they were running out of rent money and then they'd move into another house and so when they're going to school, in Grade 1 they're in five and six different schools. Sometimes they don't even get caught in terms of the fact that they're not speaking English well, they don't know their colours, they don't have food, they have bruises on them, because they're in school for three months and then they're in another school and then they're in another school. If the school is the leveller, it's because their parents are moving.

All of them, I'm looking at those five of the six currently in my house, their birth mothers were all foster children and they all had siblings apprehended before they were apprehended. The average age of their birth mothers was 16.

MR. PREST: So we have to kind of get to the root of the problem, don't we?

MS. FELTMATE: Yes, that's where we're going to make a real difference and that's where you're going to see - because we're paying lots of money. In the 2006 steering report that came out of Nova Scotia, just placements - and there's a whole lot more that goes with child welfare than placements, not the services that are involved or other things - cost the province \$52 million in 2006. It's a tremendous amount of investment.

I think part of the problem is when we don't pay it on the front end, we're going to pay it on the back end. You're going to pay it - it's going to crop up in different places, but we're going to pay.

MR. PREST: Thank you.

MR. CHAIRMAN: That will take us to Ms. Regan and then Mr. Ramey.

MS. REGAN: We talked earlier about the various agencies that have now been taken over by the province because they weren't adhering to the Children and Family Services' policies? Is that why they were taken over or was that sort of a happenstance, one of the issues?

MS. FELTMATE: That would be a really good question to ask people who are in the provincial office who are doing this, to ask about the audits and what the audits detailed to them. They now have an auditor on staff full time to go across. What exactly those audits

found is not public information. I think, like I said, there are a variety of reasons why the agencies now fall under the direction of the province, certainly standardization. I think we can speak to that and I certainly know that came up as an issue. We were just doing totally different things in totally different places and giving totally different services.

So standardization, and again, it would be interesting to ask what the financial reasons might be for that kind of decision as well.

MS. REGAN: I've been mostly focusing on numbers, but if, as foster moms, if you were going to leave any message with us today - and thank you, by the way, for coming - if we were going to go back to our respective caucus offices and discuss what we heard here today, what message would you leave us with?

MS. FELTMATE: I would tell you that these are not defective children, this is a defective system. I would tell you that there are lots of things in the world, we're going to have ongoing problems with and there are lots of things to deal with, particularly in Community Services and whatnot. This is an issue we can actually do something about.

I think a lot of the reasons we are slow to do the things that we need to do is because of the gap in information about what's really happening. We're seeing these children again. We're seeing them in the criminal justice system, we see them in the schools for a little while and then we don't see them anymore. If we put the time, money, energy and investment up front - and I think as Ms. Casey said, if we look at being able to evaluate what actually works, if we look at best practices across the country, if we develop systems to integrate that information, if we refine the system. Let me be perfectly clear, this is not a people problem. We have great social workers, we have amazing foster parents - this is a system problem. You could have all new people, we're going to get the same results. It is until we change the way we do things, until we change our understanding.

We used to think if we took the child, we used to see the family as a bad family; they're not bad families. If we took the child away from the bad family and put them in a good family then everything is going to be okay and that child is safe now, things will be okay. That's not how it works and we have to stop having discussions that are ideologically-based and opinion-based and we have to deal with facts. There's a whole lot we're never going to be able to do, but we can make this better. You guys can make this better.

DR. NEAL: Kids do not thrive in drug, alcohol, prostitution, and crime environments. They don't do well with young mothers who are in those environments and can do nothing about it. The thing is to get these kids to a situation - either by supporting those parents to have that change so that they're no longer mentally ill, with drug addiction, beating children - either supporting them to change or get those kids to some place quickly where they can thrive.

MR. CHAIRMAN: Mr. Ramey and then Mr. MacLeod.

MR. RAMEY: My question is a quick one. You did mention I think when you were talking about remediating the birth families, you mentioned things like housing and I know that's a biggie. You mentioned tax credits - there have been some tax credits that have been put in place by the government and I was just wondering if you had any feedback as to whether or not that has helped? There have been a couple of different ones - Affordable Living Tax Credit, Poverty Reduction Credit, where tax is taken off certain things. Has that helped at all?

MS. FELTMATE: I'm not sure. Anything that has to do with more money when you're living well below the poverty line helps and it's certainly a step in the right direction. Is it enough to make a difference? I'm not so sure.

MR. RAMEY: Ok, thank you.

MR. CHAIRMAN: Mr. MacLeod and then Mr. Burrill.

MR. MACLEOD: In initial correspondence and again today when you're talking about legislative changes, you talk about the age definition for a child and how important it would be to change that from 16 to 19. Can you give us an example of why that is so important?

DR. NEAL: Oh, please let me. (Laughter) Fifteen-year-old girls, you take them to the Department of Community Services with bruises on them, you take them there with a known history. Their cases have been closed because they've been returned to their families. The Department of Community Services will not respond because they know they're turning 16. What do they do? They are out on the streets - I'm thinking specifically of two kids that were in my house - they're on the streets, they're maybe getting a job at McDonalds and then they get found.

Two young women, now aged 17, have babies and are living with men who are in their late 30s who are known abusers, perhaps pedophiles, and that's how they're surviving. That is the difference it would make if they were seen as children in need of care at 15, instead of almost 16 so then they're an adult and nobody can serve them, they might be treated differently. It was very frustrating being in that DCS office.

MR. CHAIRMAN: Mr. Burrill.

MR. BURRILL: I keep thinking right along this same line, trying to understand better the obstacles to the improvements that you're proposing about the age 16 and 19 rules. Is it simply the case that the present Act was formulated in a time when the age of 16 meant something different about adulthood than 19?

MS. FELTMATE: Absolutely.

MR. BURRILL: That's the sole matter, there are no other sort of general policy reasons, I'm not talking about financial reasons, but general policy reasons?

MS. FELTMATE: There are policy reasons.

MR. BURRILL: What might those be?

MS. FELTMATE: There's a few. The biggest one - and I'll tell you what it is and how they dealt with it in other provinces. The problem they looked at was this - you have a 16-, 17- or 18-year-old who has run away from home, who is on the street, who is involved with drugs, who is not doing well. If you are now the legal parent and guardian of that 16-, 17- or 18-year-old, you have to take that child off the street, you have to put that child in a home, you have to take care and you are legally responsible for that child. Maybe that 16-, 17- or 18-year-old is not in a place, certainly they probably don't want to be in a foster home - they may or they may not - so they'll run away. Are you going to go out and scoop them off the street again? Are you going to chase them down?

The reality of administering the Act to that age group was of tremendous concern, a tremendous point to consider. They found out in B.C. the hard way - that's the best way we learn stuff, the hard way. What they did in New Brunswick and what they did in P.E.I. was that they changed the definition - and like I said, I think this is all within the last year - in their Act, but then the policy states that services are voluntary. That means that they will, if a child in need - if Rusty were to bring the girls that she was talking about and they were willing to accept services, they would evaluate the situation and put in services for those children. However, there has to be a recognition that the children want that; otherwise, in an already stretched system with tremendous budget concerns, administering that would become incredibly problematic. So that's how they dealt with it and that certainly was an issue that they had to consider.

DR. NEAL: In the case of those two girls I was talking about, those girls wanted services and it was the workers who were saying they're too close to the cut-off; we're not going to do it. Anecdotally, in that same conversation with that same social worker, she said, if they're 16 and they run away in the street, if you're a foster parent, not your problem. Guess what? If I'm an adoptive parent it's my problem and I'm going to do stuff. If I'm a foster parent I can do nothing. I know how to get that 16-year-old off the street, but nobody will let me do it because I don't have the legal authority to do it. As an adoptive parent, I can.

MS. FELTMATE: What they find, too, is most children do want help; most children don't want to be on the street. Even if initially they don't, the fact that in that three years, particularly if there are drug issues, if there are other issues, there is some place to

come and access services, many children eventually show up on the doorsteps reaching out for help.

MR. CHAIRMAN: Thank you. Are you finished, Mr. Burrill? Ms. Casey, we'll go to you for a quick question and answer.

MS. CASEY: Just to follow up on the conversation question with Mr. Burrill. If that 17-year-old who now is out there and nobody can provide services, but he or she decides they want services and they come forward, there's no place for them to go, there's no place that if they did go would be able to say yes?

DR. NEAL: Right.

MS. FELTMATE: Phoenix House, maybe, and there's a few others in Halifax.

DR. NEAL: Let me tell you how attractive they are to older men, that is the saddest thing.

MR. CHAIRMAN: Mr. Boudreau.

MR. JIM BOUDREAU: I have sort of a quick question on the threshold system that you refer to. I'm just wondering, can you give us an overview of the major concerns you have with that and then perhaps some of the ways in which you see this part of the system being improved?

MS. FELTMATE: Okay, I'll give you an example that happened with me. There was a young mom, she had four children - she was five years younger than my youngest child, I think she was 21, and she had four children. She didn't pay her rent and she didn't have enough money to survive; many times she didn't pay her rent and she certainly didn't pay it on time. She had four babies, four children, and she was 21 and she had been on her own since she was 15 years old.

The landlord got very upset with her and said she had to leave. She had nowhere to go, she came from a history similar to what we're talking about, okay, so there's nobody in her corner. We all had dads, moms and grandmas and she had nobody. When she made the mistake she was going to pay for the mistake. The landlord was fed up, she just hadn't paid her rent most of the time for many months, maybe a year, so he was going to put her and the children out.

Section 13 of the Children and Family Services Act says that if housing is an issue, the social worker will help find housing for this woman. I knew that her children had been in and out of care and I also knew that one of her children could not survive another in-and-out; he was having night terrors, he was tremendously damaged by all the moves. I knew that if she lost her apartment and she was put on the street, they would come and take

the children. I knew it would be for a brief time because then they would work with her and try to find housing for her and, maybe or maybe not, they would try to help her with budgeting and stuff like that. I didn't want the two-year-old to go through that move again because I knew that it could be very, very serious for him.

I called and made a referral and I said, this is going to happen, she really doesn't have anywhere else to go, you're probably going to take the children. Why don't we skip a step and find her a home right now, find her a place right now? They said they couldn't because she didn't qualify, because it's a threshold system. When she was in that situation, they could. I'm sure the woman on the other end of the phone would have loved nothing more than to be able to help, but the reality is that's the system that she's dealing with.

MR. BOUDREAU: So what you're indicating then is that that whole system needs to be revised so some of these steps need to be looked at and adjusted?

MS. FELTMATE: Right.

MR. CHAIRMAN: Mr. MacLeod, and that may be our last question.

MR. MACLEOD: Just so I'm sure that I understand what you're saying here, and I'm pretty sure I do, but if we have a 17-year-old who is in a bad situation, they can't turn to anybody?

DR. NEAL: In Halifax they can go to Phoenix House.

MR. MACLEOD: Generally speaking.

DR. NEAL: Generally speaking it's pretty tough.

MR. MACLEOD: That's pretty scary.

DR. NEAL: And we know where they go. We know exactly who is picking up those girls and we know where they're ending up, or at least I do and I'm sure you do too.

MS. FELTMATE: For children who get involved with the criminal justice system - let's put away compassion, let's put away morality for a second, let's put away what it means to be a community. A 14-year-old who gets involved with the criminal justice system is going to cost the community anywhere from \$2.3 million to \$5.5 million over their lifetime. The implications are that when we're not meeting the needs in the beginning, we're certainly going to pay for it down the road.

MR. MACLEOD: That will lead me to my final question, I guess. In May, the minister said that they were considering a model called restorative approach. What are

your thoughts on that type of initiative and do you think it would be better than we are now?

MS. FELTMATE: I don't know a whole lot about it. I know that when I met with her to discuss our concerns - she was very good to sit with us and she listened very intently, asked excellent questions - she mentioned that at that time. I think it is a model that is based on restorative justice, I believe, and it's something that impressed her, that she had been to a workshop or it comes from another country. That's about all I would know about that. I don't know what the implications are, I don't know what the research-based evidence is on how well it meets the needs of children or whatnot.

MR. MACLEOD: My understanding from the minister was that there was a conference held here in Halifax in June and you're right, it comes from England. There was no invitation extended to you as a member of the minister's task force to go to that?

MS. FELTMATE: No.

MR. CHAIRMAN: I don't see any other hands. This has been a very interesting discussion with good questions and very thorough responses. I've been interested in some of the discussion on what I would think of as a dichotomy between the needs and perhaps the rights of birth families and the importance of creating stability for children in care. I just wondered if either of you had given any thought to children who might be in longer-term care and the maintenance of contact with birth families as an element of that experience?

DR. NEAL: I can speak to that in terms of practical experiences. My eldest daughter has contact with her birth siblings, full, who are in another adoptive home and has contact with a birth grandparent and the birth mother. My next daughter has Facebook contact with a birth mother and a half sibling. My next two daughters have had contact, but the contact was so disastrous that we actually had to move our household because of the effects on them - the threats and possible abduction. My next daughter has contact with five birth siblings that we've arranged, and there are some attempts to make some contact for my current foster child. These are adopted kids who have all kinds of relationships through their birth family, through their real family and it works when it's in the child's wishes, in the way in which the child wants to do it. My children have control over that.

MR. CHAIRMAN: I think that brings us to the end of our question period. Are there any concluding comments that you would like to make as witnesses?

MS. FELTMATE: I guess the takeaway is that the outcomes for children in the child welfare system are not inevitable - we can do something about it - and they're not acceptable. What we do next will determine what happens next to them. I hope it is something that we at least begin to discuss. The more education and the more advocacy, obviously there is going to be inter-relationship with beneficial policies.

DR. NEAL: I've got pictures I can show you afterward. (Laughter)

MR. CHAIRMAN: Thank you both for being here, Ms. Feltmate and Dr. Neal. I guess I would just like to say my thanks not only for being here, but for the research that has informed the discussion today and for the concern that's obviously behind that and also, not only for sharing your fostering experiences, but for being foster parents and I know we all appreciate what you've had to share with us today. Thank you.

What we're going to do now is take a moment to break so our witnesses can leave and then we'll get back to finish our business.

[2:33 p.m. The committee recessed.]

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

MR. CHAIRMAN: Order, please. We have a little bit of business to conclude. Maybe just as a way of putting it in some order, I think we know at this moment about our next meeting date, as Kim has recorded, on October 4th and that meeting will again be at 1:00 p.m. We have arranged for Family Service of Eastern Nova Scotia to be witnesses on that date. We also have the Dartmouth Adult Services Centre arranged to be here for our November meeting, just as a way of putting our next couple of steps in context.

I want to go now to correspondence, and we received a few pieces of correspondence. First, I guess I'll mention from the Retail Council of Canada, which I think everybody has in front of them. We have a letter from them just offering us an opinion, stimulated by our discussion of a nutritious food basket, the work that was done by Mount Saint Vincent research. That's for our information, although you know the thought that occurred to me, and I don't know if it has occurred to anybody else as you have thought about this letter, is that it might be interesting to invite the Retail Council of Canada as witnesses to offer another opinion about things.

MS. CASEY: My first thought was, we got their attention.

MR. CHAIRMAN: Yes, which is a good thing and it might not be a bad idea to get their attention a little further. Any thoughts about that as an idea? I'm just throwing it out there, I haven't discussed it with anyone.

MR. RAMEY: I'd certainly be interested in hearing from them if others were in agreement.

MR. CHAIRMAN: Maybe it's something we could add to a list of possible witnesses as we go forward, as we consider our next ideas we would like to have included.

We also have received two related letters - these actually arrived today so they weren't on the initial agenda that you saw - both from Dalhousie Legal Aid and from Nova Scotia Legal Aid, both asking to be considered as witnesses relating to recent changes that have been made in special needs for persons with disabilities. Have you had a chance to look at the letters at this point? Ms. Regan.

MS. REGAN: I would like to suggest - and I don't know how often this is done - that we also hear from the two legal aid services on October 4th. I know Family Service of Eastern Nova Scotia is already booked in and I wouldn't want to mess with their schedule, but if the other committee members are willing, I think the folks from these two legal aid societies have some information that we should hear.

MR. CHAIRMAN: I'd like to speak about the difficulty in combining those two. I think Family Service of Eastern Nova Scotia provides an important opportunity for us to look at a kind of alternative model of service delivery. I can see that if we combine them, both of these are quite large topics and might crowd everything in a way that would make it difficult.

MS. REGAN: I'm actually suggesting that we sit longer than the two hours that day to be able to hear these. I guess the alternative would be to add another meeting and again, I'm not sure how often that's done, but it seemed to me that the changes to the ESIA regulations has the potential to be trampling on the rights of people who happen to be sick. I think we should be hearing from these two legal aid societies before this province moves any further down this road, because I think we've made a big mistake.

MR. CHAIRMAN: Maybe there are a couple of possibilities on the floor. Should we entertain a meeting with legal aid services around this issue is one, and the second one is, if the answer to that is yes, it's when and how.

MR. RAMEY: Just for clarification, are we talking about having both Dal and Nova Scotia Legal Aid present at the same meeting?

MR. CHAIRMAN: I would think so, I think there (Interruptions)

MS. REGAN: It's on the same topic.

MR. RAMEY: I was going to say they have similar issues, but then on top of that, are we then saying we want them to also present at the same time as this other group from the Eastern Shore?

MR. CHAIRMAN: No, I think at a different time, at least. If I understand you, Ms. Regan, one option you're suggesting would be to meet for a longer period, an extra couple of hours or an extra hour?

MS. REGAN: Yes, on October 4th we could begin a second meeting at 3:00 p.m. or we could add another meeting if we can get a room booking with the Committees Office.

MR. CHAIRMAN: Mr. Bain.

MR. BAIN: I don't have a problem if we extend the meeting for an extra couple of hours, but I think we have to make sure that Family Services has their two hours that's allotted to them, and then we allow two hours for Legal Aid as well.

MR. CHAIRMAN: Point well taken.

MR. RAMEY: So Dal Legal Aid and Nova Scotia Legal Aid are going to have a two-hour slot to present separately from the Eastern Shore group, am I correct?

MR. CHAIRMAN: Yes.

MR. RAMEY: Would it be reasonable - since this is in relation to Community Services changes or changes to policy - to have somebody from Community Services here to present what they're doing? At the same meeting, I mean.

MR. CHAIRMAN: I think that would provide some good balance.

MS. REGAN: That has the potential, but generally when we hear from a group, we hear from a group. We don't hear from the corresponding government agency that has its reasons why it did what it did. I have no objection to doing that, I just think if we're talking about a four-hour meeting already, then we're potentially talking about a five- or six-hour meeting. If you want to do that, that's fine with me, but this is not the way we normally do it. We don't hear from both sides in a single meeting.

MR. CHAIRMAN: It strikes me that in this instance the request from both the legal aid societies is in relation to a recent, quite specific change that was made to regulations. But it might give us a more fulsome understanding of the issues involved to hear, in a public way, from both those positions.

MS. REGAN: If you want some cover for the decision you've made, that's fine. But just understand the two legal aid societies should get the full two hours to present because they need that time, if you look at the list of presenters. We don't normally say to somebody who is coming in, okay, United Church, you can present on your issue, but you have to share the time with the government agency that deals with that. We don't normally do that and my concern is that these two organizations are already going to have to share the time as it is.

MR. RAMEY: I care nothing about cover for anybody. That's not the reason I'm interested in hearing the DCS side; I could care less about that. I just think they made

changes and these people obviously are objecting to the changes. I would like to hear them talk about why this is happening and I'd like to hear both sides of the coin, that's all.

MR. CHAIRMAN: Any other comments or input about how to approach this? Mr. Bain.

MR. BAIN: I think if the two legal aid services have concerns and feel it's important enough that we hear them, that they have the opportunity themselves to bring those concerns to the department, as well, in a separate forum. I don't think we should get into a discussion that could go back and forth and turn into: no, that's not what it is, this is what it is, and no, this is what it is. I don't think it would accomplish what we should be doing as a committee.

MR. CHAIRMAN: I think that's an excellent point. What we have done in some previous meetings over the last two years in any case, we've had different sets of witnesses and we've separated the time so that the focus is on one and then the other. I would see no reason why we couldn't replicate that.

MR. BAIN: Could I make another suggestion?

MR. CHAIRMAN: Maybe we'll go to Mr. MacLeod this time.

MR. MACLEOD: The only suggestion I was going to make is this: I'm in agreement with my colleagues, but there would be no reason why we couldn't make sure that the Department of Community Services knew that these people were coming and making presentations. If they wanted to have somebody here to listen firsthand to get some knowledge about it, I think that would be good. If they decided on their own that they wanted to come back and give another side of the story, then so be it.

I would suggest to you at this point it would be very good to have these two people here and like you said, Gary, it's not about cover - it's about finding out the information. DCS should be notified that they're coming so that indeed they can hear what's being said and if they have something alternative that they want to say, they can put it together and make sure you get it as chairman and circulate it if there's a hurry. If there's no hurry, set a time to come back and do it, but if they feel that they have to speak to the points being made, then they should be given the opportunity to be here to listen to them at least.

MR. CHAIRMAN: Ms. Regan.

MS. REGAN: We've had a request from these two groups. We have not had a request from the administrators of the program or anything like that and I think we should be dealing with these requests.

MR. CHAIRMAN: I think an element in the discussion is timing and my guess is - because there has already been quite a bit of discussion of this issue in the media - if the Department of Community Services was aware that the request had been made, we probably also would have had a request from the minister's office to be part of that discussion. So we received those letters today, I think.

MS. KIM LANGILLE (Legislative Committee Clerk): Yes, they were on the fax machine. I think one came in last night and one perhaps was received this morning.

MR. CHAIRMAN: Mr. Bain.

MR. BAIN: Mr. Chairman, as Alfie has mentioned, the department can be here as observers, but can they not provide us with a fact sheet or something, a bullet of what it's all about and see where it goes from there? They will have the opportunity to take note of the concerns and as you say, they have probably been already expressed to the department anyway. I think the important thing is that those two entities have requested that we as a committee hear those concerns and just take it from there and see if we have to go further after that.

MR. CHAIRMAN: Ms. Regan.

MS. REGAN: I would be more than happy to move at the end of that meeting that the program be given a chance to respond by letter. They can have that in our hands very quickly, I'm sure, so we would have their response to this. I can't see how we're going to get them into a time slot unless it's a really, really long meeting and I have no objection to having really long meetings, but it would be awfully long by the time it got through.

MR. CHAIRMAN: Any other discussion about this? I think I'm hearing a general trend. Ms. Casey.

MS. CASEY: I would just say that because they've written to the committee, I think it's important that the committee hears from them. If information came in that would help us as committee members better understand the position of government before we have somebody come in and express their concerns about it, then we would be better informed and perhaps better able to understand their concerns. So whether it's a fact sheet or whatever it is, I think, around this table a little bit of background information might help us all as we listen.

The next comment that I would make is that I would not be opposed to extending the time on the October 4th meeting if we agree that we want to accommodate them.

MR. CHAIRMAN: As I'm listening to everyone, I think I'm hearing - and I haven't seen negatives to this - my understanding is that we have a level of agreement that we should issue an invitation to the legal aid services that have requested to present to us. I

think I'm hearing an agreement that we could extend our meeting an extra couple of hours on October 4th. I think I'm hearing that we would confine that to the two legal aid services that have made the request, that's the way we would organize the witnesses. I'm looking at my colleagues in particular as I'm saying this and I'm hearing no objections to that.

I guess that leaves me with - I haven't looked at my schedule so I don't know what I'm doing until 5:00 p.m. on October 4th because I know I wasn't planning to be sitting in this room. I guess the other question is maybe we should have a little bit of discussion about how we would handle - there's a suggestion that quite a pile of witnesses might arrive from the two services if we combine the number, I think I counted 10 or so people who might present. Is that doable?

MS. REGAN: Can we give them each an hour?

MR. CHAIRMAN: That might be more efficient. If we give them each an hour so each one has a chance for a presentation, followed by an opportunity for our questions, is that the way you envision it? Ms. Casey.

MS. CASEY: I would think if we give them a time slot, it's their choice who they want to bring to present and how much time they want to give within that. If they want to bring 10 people and give them each five minutes, that's something that would be their decision, I would say. If they know the defined time that they have to present, then they choose how they want to present.

MR. CHAIRMAN: So 20 minutes for a presentation for each one of them followed by questions. Is that a reasonable breakdown?

MS. REGAN: I'd just give them an hour each and how they use it, if their presentation is five minutes, if it's . . .

MR. PREST: It's usually the questions that take up all of the time, not the presentations.

MS. REGAN: Yes.

MR. CHAIRMAN: I guess with five or six presenters, especially from groups from a law firm, they might be able to easily fill up the time. Ms. Casey.

MS. CASEY: Perhaps if we want to have a little more control over the structure in which they're presenting, if we said that each one of these gets one hour and out of that one hour they have 20 minutes to present and 40 minutes for Q & A. What they do with their 20 minutes is their choice and what happens with the 40 is kind of our choice because that's when we get to ask our questions.

MR. MACLEOD: Tell them it's not billable time and they'll be short. (Laughter)

MR. CHAIRMAN: Kim, I think you were going to add something.

MS. LANGILLE: I was just going to say that's generally how with whomever comes in, whether it's for an hour or two. We say can you limit your presentation to 15 minutes and the rest is questions, so that would seem to be a good way to do it, yes.

MS. CASEY: And the chairman has the responsibility to manage that.

MR. CHAIRMAN: Okay, so I think we've got the level of agreement and thank you for working that through. We will proceed on that understanding.

I think the next piece is - we're getting close to the end of our work, I think - we also had a bit of communication from Wendy Keen, the executive director of New Start, the Men's Intervention Association of Nova Scotia. Those of you who are part of the committee will recall that Ms. Keen had some months ago asked for her organization to be a witness before this committee. They had some particular concerns with funding that related to the Department of Community Services and the Department of Justice.

We were able to facilitate a meeting with those ministers, which I think has resolved the issues which initially led to the request for a presentation. We have been able to confirm that that meeting has occurred. I think we can remove them from our list of potential witnesses at this point unless somebody has information to the contrary. Kim.

MS. LANGILLE: I noticed in our letter that we wrote to her saying we were going to arrange a meeting with the ministers and so forth, it says at the very end: We will follow up with you after the meeting with the ministers to determine whether you are still interested in presenting. I guess we should do a letter to them indicating that they have met and everything is okay on their end.

MR. CHAIRMAN: I think that would be very appropriate just to confirm that's the way it is and if they're still interested, we can add them to groups that we consider.

The final piece of business on our list - I didn't ask if there was any other business - is the Standing Committee on Community Services Annual Report that Kim has prepared and circulated to everyone and has at least on a couple of occasions, I know, asked for feedback. I think I'll just turn the floor over to Kim for a moment, just so she can comment on the report and we can take it from there.

MS. LANGILLE: Yes, you all have received it and I did send it to Kelly yesterday. Basically I didn't receive any comments from anyone indicating that there were any changes or suggestions. I did make a change and the only thing I changed was there were dates used in the body of the document, for example, in the letter to the Speaker, I had

mentioned the period covered was from September 7th, I think it was, to August 12th or August 17th; I just forget the date now. I checked with some of the other clerks and they don't put the exact date they just put the month, so from September to August, so that's the only change that I've made, wherever those dates occurred I changed it to just the month and year.

MR. BURRILL: Frankly, this is scandalous. (Laughter)

MS. LANGILLE: Other than that, everything is fine, I haven't made any changes so hopefully, you guys will be satisfied and we'll be able to approve it today.

MR. CHAIRMAN: Thank you, Kim. Are there any other comments on this report, other than Mr. Burrill's? Ms. Regan.

MS. REGAN: Kim, you probably e-mailed me back but I forgot my BlackBerry at home today, so I just don't know, how does this work, does Geoff MacLellan still sign it?

MS. LANGILLE: No, he doesn't. That was a question that I had as well because it was just changing the day before and so forth. I did speak with Gordon Hebb on that and he said that it's fine, you are the current member as of today, so you would sign it and that's fine.

MR. CHAIRMAN: Okay, if there's no further discussion, I think it would be helpful to get your signatures to the extent we can on the report today, to save the trouble of finding us. Is there any other business?

If not I'll declare the meeting adjourned, but please stay long enough to add your name.

[The committee adjourned at 3:01 p.m.]