



CHILDREN YOUTH

NEWFOUNDLAND & LABRADOR

Office of the Child and Youth Advocate

**Annual Performance Report
2016 - 2017**

Message from the Child and Youth Advocate

I am pleased to present the Annual Performance Report for 2016-2017 for the Office of the Child and Youth Advocate. I began my work as Child and Youth Advocate for Newfoundland and Labrador on December 16, 2016, and I am truly honoured to serve in this role. I would like to take this opportunity to thank my predecessor Ms. Carol Chafe for her efforts that are reflected in this report. This report demonstrates our Office's progress towards achievement of the objectives for the third year of the planning cycle.

We have been very busy this past year in providing individual and systemic advocacy services to children and youth and we have continued working our way through some very complex investigations. Significant inroads have been made towards legislation on mandatory reporting to the Office of the Child and Youth Advocate when critical injuries and deaths of children occur. We initiated a renewed focus on connecting with youth, and with other organizations working to promote and protect the interests of children and youth in the province. Through my participation in the Canadian Council of Child and Youth Advocates, we are able to monitor trends, identify promising practices, share information, and engage in collaborative advocacy and planning when issues of broader scope are identified.

This Annual Performance Report has been prepared in accordance with the *Transparency and Accountability Act* provisions for a Category Two entity. As the Child and Youth Advocate I recognize my obligation under the Act and I am accountable for the results reported herein.



Jacqueline Lake Kavanagh
Child and Youth Advocate

TABLE OF CONTENTS

1.0 OVERVIEW.....	4
2.0 HIGHLIGHTS AND PARTNERSHIPS.....	5
3.0 REPORT ON PERFORMANCE	8
4.0 OPPORTUNITIES AND CHALLENGES.....	18
5.0 Financial Statements	19

1.0 OVERVIEW

The Office of the Child and Youth Advocate is mandated to protect and advance the rights and interests of children and youth. Because child and youth serving systems can be complex, difficult to understand and hard to navigate, young people and their families may need help to access services to which they are entitled. We advocate to ensure children and youth have access to services, their voices are heard, and that their complaints receive appropriate attention. Our governing legislation is the *Child and Youth Advocate Act*, which is among the strongest of such legislation in the country.

In carrying out our mandate, we provide individual and systemic advocacy services, and offer education and outreach activities. We conduct reviews and investigations into specific issues and cases. We provide our advocacy services with and on behalf of children and youth throughout the province.

Our Office operates from a rights-based perspective and applies the *United Nations Convention on the Rights of the Child* as the basis for all advocacy work. Canada has ratified the Convention with the support of the provinces and territories and as a result, legislation, policies and procedures that govern services and programs for children and youth should be reflective of those rights.

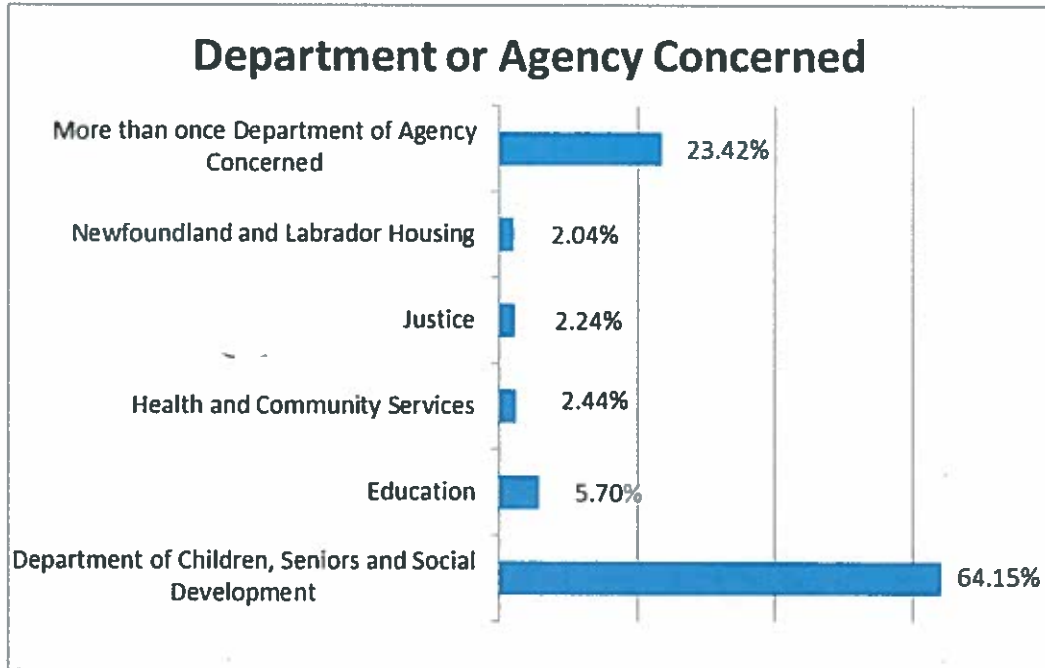
The Child and Youth Advocate is a Statutory Officer of the House of Assembly, and reports directly to the Legislature through the Speaker of the House. The Office employs a total of 13 staff and all are members of the public service of Newfoundland and Labrador. The Office operates on a budget of approximately \$1.4 million.

Budget Approved for 2016-2017 Fiscal Year	
Salaries	\$1,150,100.00
Employee Benefits	\$3,500.00
Travel & Communication	\$55,400.00
Supplies	\$6,000.00
Professional Services	\$19,000.00
Property, Furnishings and Equipment	\$4,000.00
Purchased Services	\$160,900.00
Total Budget	\$1,398,900.00

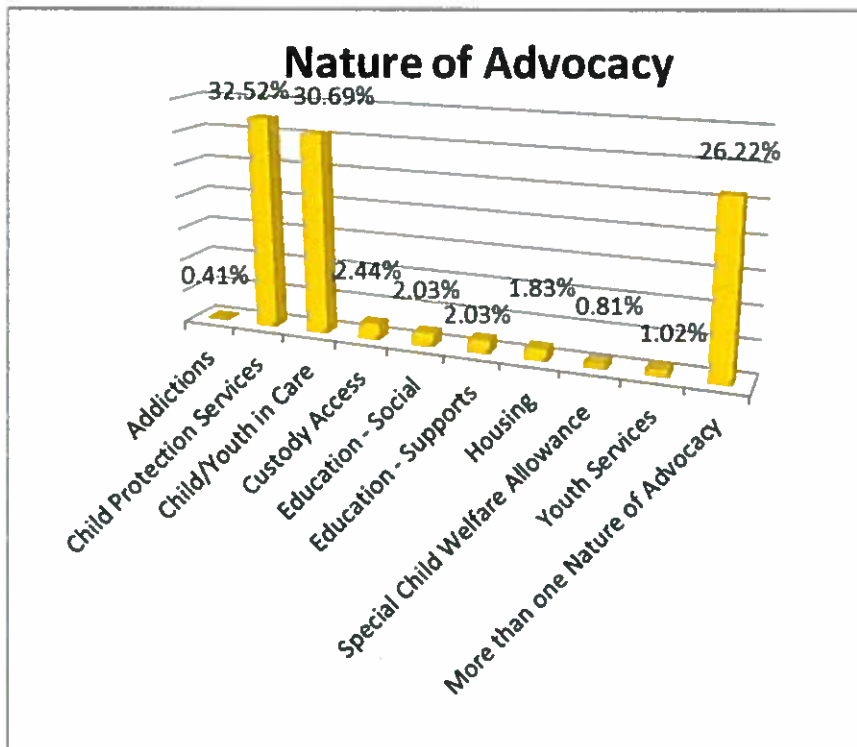
2.0 HIGHLIGHTS AND PARTNERSHIPS

During the reporting period of April 1, 2016 to March 31, 2017, the Office of the Child and Youth Advocate was involved in a range of activities including individual advocacy, systemic advocacy, investigations, outreach and education. Points of interest include:

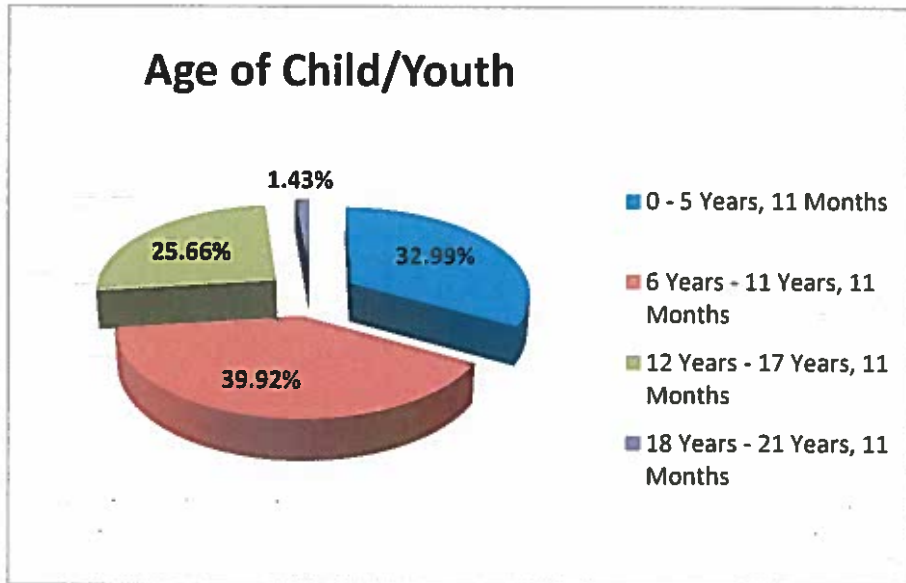
- Responded to approximately 500 new requests for individual advocacy and related information. This is in addition to 89 requests carried forward from the previous year.
- Released investigative report “*A Stolen Life*” which contains seven (7) recommendations. Report can be found at <http://www.childandyouthadvocate.nf.ca/pdfs/ACY-AStolenLifeReport2016.pdf>
- The new Child and Youth Advocate began an immediate process of reaching out to the many departments and organizations that work so hard for children and youth every day. From December 16, 2016 to March 31, 2017, she met with 55 organizations and government departments on the island and in Labrador.
- The Child and Youth Advocate visited Labrador in February 2017 which included visits to Happy Valley-Goose Bay, Sheshatshiu and Nain. She met with youth, parents, foster parents, service providers and Indigenous leaders in the communities.
- Provided a written submission to the Premier's Task Force on Improving Educational Outcomes in March, 2017.
- Provided a written submission to the Senate in February 2017 urging support of Bill S-206 which would repeal Section 43 of the *Criminal Code of Canada*.
- Staff participated in 18 separate educational activities during February and March 2017.
- The Office participated in community events to support and raise awareness of important systemic issues impacting young people.
 - February 22, 2017: issued a provincial challenge to PINK IT UP to raise awareness of bullying and to wear pink as a sign of support for young people
 - February 25, 2017: joined thousands throughout Canada in the Coldest Night of the Year Walk to raise awareness and funds for community organizations working with homeless and vulnerable youth. The local recipient of the funds was Choices for Youth.



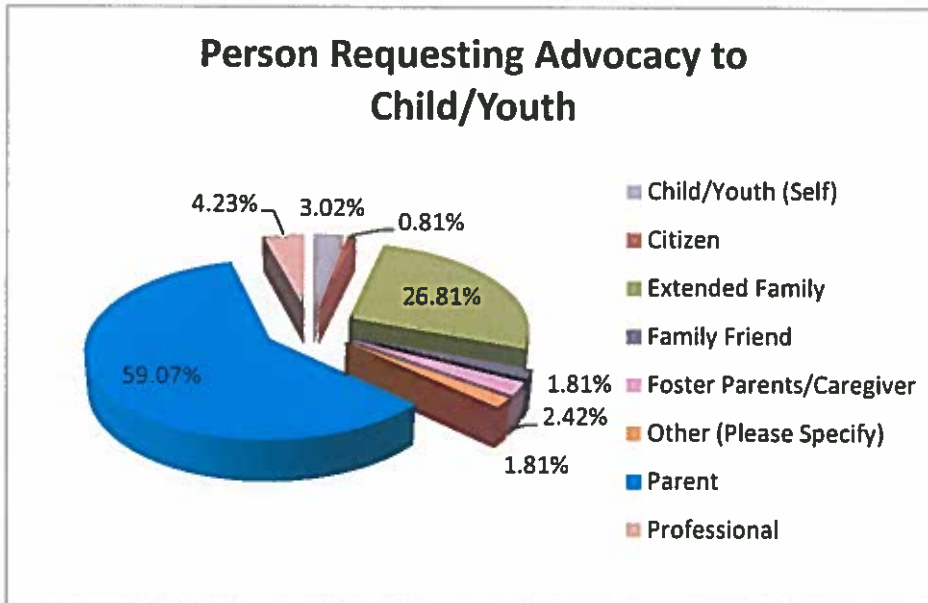
This graph represents the department or agency that was the focus of a concern or complaint. Trends are consistent with previous years.



This graph identifies the nature of issues where advocacy assistance was sought. Trends are consistent with previous years.



Almost 40% of requests for assistance involved children between six and twelve years of age. As with previous years, relatively fewer youth related requests were received.



Parents continue to be the primary contact with our office, requesting advocacy services for their child(ren).

3.0 REPORT ON PERFORMANCE

Issue 1: Public Education and Promotion

While public education, promotion and communication have been ongoing initiatives of the office, we seek to find new initiatives to enhance the level of youth participation and raise the profile of the office with this population.

Goal:

By March 31, 2017, the Office of the Child and Youth Advocate will have enhanced public education, promotion and communication.

As this report represents the last year of the three year business plan for 2014-17, results for the three years are identified.

Indicators	Accomplishments 2014-2017
Current public education and promotion initiatives evaluated.	<ul style="list-style-type: none"> • In March 2014, outreach and education activities were assessed, reorganized and reassigned • Outreach activities largely involved presentations with child and youth serving agencies/professionals and children and youth in school • New Advocate analysed activities and resources and has engaged organizations and youth to reassess further. As a result, a redesigned program and resources will be implemented in 2017
Current organizational liaison program evaluated.	<ul style="list-style-type: none"> • The Organizational Liaison Program was halted in April 2014 because of changes in residential support services through the Department of Children Seniors and Social Development • Evaluation of the program completed via meeting between OCYA directors and management of all group homes. <ul style="list-style-type: none"> ○ Pros and cons of the program discussed ○ Liaison functions and needs

Annual Performance Report
2016 – 2017

	<ul style="list-style-type: none"> discussed <ul style="list-style-type: none"> ○ Potential options to change program discussed given the significant increase in group home numbers. ● Organizational Liaison Program resumed in November 2015 with a revised structure ● Program continued until October 2016 and is currently under review ● Redesigned program to be launched in 2017
<p>New communication initiatives including the application of social media reviewed and researched.</p>	<ul style="list-style-type: none"> ● Completed research in the area of youth engagement in November 2015 ● Social media, including Facebook and Twitter, included in this research ● Evaluation report of communication tools completed in March 2016 ● Report included recommendations for specific youth engagement initiatives, including usage of social media tools
<p>Initiatives to promote ways in which the office can engage with youth identified.</p>	<ul style="list-style-type: none"> ● From January 2017-March 31, 2017 several youth engagement initiatives identified, including: <ul style="list-style-type: none"> ○ Began engaging Indigenous youth in their communities ○ Outreach Program to be more youth focused ○ Explored outreach partnerships with youth-serving organizations ○ Consulted with youth in design of new educational and promotional materials
<p>Initiatives identified to enhance public education and promotion implemented.</p>	<ul style="list-style-type: none"> ● From January 2017-March 31, 2017 significant outreach planning occurred with a commitment that Outreach activities will have a more direct child and youth focus ● Developed discussion guides as staff resources for discussions with youth ● Policy decision to ensure youth perspectives inform our understanding of issues affecting them so that our

	<p>Office can better educate the public and government about current issues impacting our primary clients.</p> <ul style="list-style-type: none"> • Presented to Centre for Collaborative Health Professional Education - Faculty of Medicine Memorial University • Presented to RCMP senior management group • Completed an outreach trip to Labrador in Happy Valley-Goose Bay, Sheshatshiu and Nain including 21 meetings with youth, Indigenous leadership, services providers, parents, foster parents, and families
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Objective 3:

By March 31, 2017 the Office of the Child and Youth Advocate will have developed initiatives and strategies to promote youth engagement with the Office.

Indicators:

Indicators for Objective 3	Accomplishments
Youth engagement initiatives and strategies researched	<ul style="list-style-type: none"> • From January 2017-March 31, 2017, the management team researched ways to incorporate youth engagement into their current programs. This included jurisdictional review, community consultations and best practice reviews
Youth engagement initiatives and strategies evaluated	<ul style="list-style-type: none"> • Upon analysing research and program results, the following needed changes will be implemented: <ul style="list-style-type: none"> ○ Commencing in spring 2017, outreach activities will include a Provincial Youth Listening Tour. ○ Revised outreach approach focusing on elevating youth perspectives. ○ Changes in Organizational Liaison Program ○ Youth involvement in design and development of educational and promotional materials.

	<ul style="list-style-type: none">○ Presence on social media○ Age-appropriate, multi-activity education sessions○ Enhanced community networking○ Design and develop inclusive promotional materials targeting LGBTQ youth○ Based on identified need for increased presence in Labrador, in February 2017 the Advocate and a Director completed an Outreach trip to Sheshatshiu, Happy Valley-Goose Bay and Nain. Meetings included young people from those communities○ In February 2017, staff participated in several community events to support young people and raise awareness of systemic issues such as bullying and youth homelessness
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Discussions of Results:

At the Office of the Child and Youth Advocate, we recognize the importance of effective public education and outreach strategies, and we see that we must do more to ensure that all such initiatives must be inclusive and designed with children and youth at the centre of the activities. We must do more to hear the direct voices of marginalized young people in our communities.

While we have made progress, we are committed to expanding our relationship with youth and identified stakeholders through increased outreach and engagement initiatives. Strengthened connections with youth, their communities and service-providers will increase access to and awareness of children's rights.

Issue 2 - Enhanced Reviews/Investigation Protocol and Process

Over the course of 2011-2014 significant work took place to refine and enhance the investigation process, including the completion of a policy and procedure manual. There, however remains a need to establish a formal process to follow up on the status of recommendations to government generated in reports. This report would be released publically as part of the offices desire to remain transparent and accountable.

Goal

By March 31, 2017 the Office of the Child and Youth Advocate will have further enhanced the reviews/investigation protocol and process.

Indicators	Accomplishments 2014-2017
Process to report to Government and the public on the status of all recommendations of all reports outlined.	<ul style="list-style-type: none"> • The first <i>Advocate's Report on the Status of Recommendations 2014</i> released in February 2015 • The <i>Advocate's Report on the Status of Recommendations 2015</i> released in April 2016 • Work on the <i>Advocate's Report on the Status of Recommendations 2016</i> is ongoing and report to be released in Fall 2017
Investigation protocol and processes reviewed and revised, including investigative report template developed.	<ul style="list-style-type: none"> • All policies and procedures were reviewed in 2015 and again during the period of January - March 2017 • Significant changes made to the investigative protocol and process, including: <ul style="list-style-type: none"> ○ The investigative protocol and process and report writing format was reviewed in January 2017 ○ New template implemented effective February 2017
Human resources to meet the necessary demands of systemic advocacy and investigation increased	<ul style="list-style-type: none"> • The Advocate reviewed and revised the investigative process in January 2017 to better streamline efforts. Revised policies and protocols enabled greater efficiencies within current human resources capacity • In addition, realignment on some duties/position occurred

Objective 3:

By March 31, 2017 the Office of the Child and Youth Advocate will have increased resources to meet increasing demands of systemic advocacy and investigations.

Indicators for Objective 3	Accomplishments
Reviewed existing policies and procedures and internal human resources to identify potential reorganization and restructuring opportunities that could enable the office to better meet the demands of systemic advocacy and investigations.	<ul style="list-style-type: none"> • Reviewed the investigative process, including report format in January 2017
Assessed options for practicality of implementation.	<ul style="list-style-type: none"> • Management team analysed feasibility of all options
Implemented changes determined to be appropriate to the investigative process and systemic advocacy work.	<ul style="list-style-type: none"> • Changes to the process and report format were implemented for ongoing and new investigations effective February 2017 • Revised policies and protocols which enabled greater efficiencies within current human resources capacity • Realignment on some duties/positions occurred

Discussions of Results:

Significant progress has been made towards enhancing the investigative process. The 2017-2020 business planning cycle will continue to work on ways and means to streamline work in this area so that a more expedited investigative process is possible and recommendations may be implemented to address existing gaps in services in a timelier manner.

Issue 3 - Systemic Advocacy Protocol and Processes

The overall focus of the systemic work of the office has been mainly on reactive investigation of cases and systemic issues. There is also a need to enhance systemic advocacy to include more proactive work. This would allow the office to fulfill the mandate of being the voice for children and youth to ensure their anticipated needs are met with a goal to decrease poor outcomes. Proactive work includes the monitoring of systemic issues related to children and youth, position statements and reports.

Goal

By March 31, 2017 the Office of the Child and Youth Advocate will have further enhanced overall systemic advocacy.

Indicators	Accomplishments 2014-2017
Initiatives to address systemic issues more proactively will be identified.	Research on several proactive systemic initiatives occurred during 2014-2017, including: <ul style="list-style-type: none"> • Partial school day programming • The health and safety needs of Aboriginal children and youth • Impact of court delays on permanency planning • Secure treatment and secure withdrawal management • Mandatory reporting by when a child or youth receiving government services, dies or is involved in a critical incident
Initiatives to address systemic issues more proactively will be implemented.	Research on the below systemic issues was implemented and completed for the purpose of identifying the status of these issues within Newfoundland and Labrador. <ul style="list-style-type: none"> • Review of the <i>Truth and Reconciliation Commission of Canada's</i> final report - June 2015 • Protecting children from bullying – UN Submission - August 2015 • Foster home retention and youth running from residential care - August 2015 • Review of NL sex trade and sexual

	<ul style="list-style-type: none"> exploitation report - October 2015 • Literacy Enrichment and Academic Readiness for Newcomers (LEARN) program – Transportation issues – October 2015 • Sudden Infant Death Syndrome (SIDS) May 2015 • Comprehensive Assessments – Newfoundland and Labrador English School District - November 2015 • Waitlist times – Speech Language services in both the health and school system – January 2016 • Change in practice in pre-adoptions medical records management – August 2015 • Hunting rights/restrictions for youth in Canada - May 2015 • Capacity and consent for youth- June 2015 • When youth may withdraw from parental care – July 2015 • Rights/funding for on-reserve children - February 2016 • Restraints on youth in courtrooms- March 2016
<p>Position Statements/Reports on proactive systemic issues produced as necessary.</p>	<ul style="list-style-type: none"> • Submission made to the Premier's Task Force on Improving Educational Outcomes – March 2017 • Written representation to Senate urging support of Bill S-206, which would repeal Section 43 of the <i>Criminal Code of Canada</i> and therefore provide stronger protection for children against violence and abuse. • Public commentary via media communications on the need for alternative foster care approaches

Objective 3:

By March 31, 2017 the Office of the Child and Youth Advocate will have produced position statements/reports(s) on proactive systemic issues as necessary.

Indicators for Objective 3	Accomplishments
<p>Topics for position statements/reports(s) on proactive systemic issues identified.</p>	<ul style="list-style-type: none"> • In February 2017 a member of the Premier’s Task Force on Improving Educational Outcomes presented to the Office • Reviewed and monitored education – related advocacy requests to identify systemic issues • Identified common issues/topics of concern through the Canadian Council of Child and Youth Advocates • Consulted with community organization to identify systemic issues, evolving needs of young people
<p>Work initiated on identified topics for proactive systemic issues as resources available.</p>	<ul style="list-style-type: none"> • Conducted research and advocacy file reviews to inform submission to Premier’s Task Force on Improving Educational Outcomes • Communicated and shared research on federal legislation proposal Bill S-206
<p>Position statements/reports on proactive systemic issues completed as a result of the work completed.</p>	<ul style="list-style-type: none"> • Submission to the Premier’s Task Force on Improving Educational Outcomes in March 2017 • Written request to Senate urging support of Bill S-206 which would repeal Section 43 of the Criminal Code of Canada • Public commentary via media communications on the need for alternative foster care approaches in Indigenous communities

Discussions of Results:

There has been considerable public dialogue on issues such as the ability of the education system to meet the needs of children in the province, whether the child welfare system appropriately delivers foster care programs in Indigenous communities, and our culture's two tiered system of dealing with violence against children and against adults. When opportunities arose to participate in processes and public discussions to include our experience, perspective and recommendations for change, we chose to be included in order to provide our input as well as share concerns and experiences of young people, their families and communities.

We will work hard to proactively identify systemic advocacy issues in the 2017-2020 business planning cycle, and to advocate for the changes needed.

4.0 OPPORTUNITIES AND CHALLENGES

Given the current economic climate of Newfoundland and Labrador, it is important to ensure a strong monitoring and advocacy role so that services and supports for our province's vulnerable children and youth are maintained or strengthened. We need to ensure young people can rise out of poverty, access appropriate educational supports, engage appropriate mental health services, receive critical protection services and in ways that are culturally appropriate.

There is clearly a need and an opportunity to directly tap into the voice and experiences of young people. For us, this must become a regular way of working. This will better enable us to understand issues and needs from our clients' perspectives. This will better inform our advocacy work and also provide empowerment opportunities for young people. We need to enhance our abilities and efforts to engage young people, and to get out to where they gather. We must go to them.

As we move into 2017-2018, there are challenges ahead, however these challenges also present significant opportunities for growth for the Office of the Child and Youth Advocate. While Newfoundland and Labrador is a small province based on its population, there is very real diversity among our young people. We have seen the arrival of larger numbers of refugee children in recent years, and the Province has also committed to significant immigration in its Immigration Action Plan. This means services and responses must be ready and positioned to address these children's needs. We already hear that services and approaches with Indigenous children are not reaching the mark, and are not providing adequate results. Our Office commits to enhanced involvement with Indigenous communities, so that we are positioned to elevate the voices of these young people, and to advocate with a stronger position of knowledge and understanding.

Through many discussions with young people, we know that many feel like they are pushed to the margins in our society, and do not know where it is "safe" to tell their story and feel respected and heard. We also know these youth can be hard to reach. Sometimes the barriers they experience are related to the fact they are gay, lesbian, bisexual or transgendered youth. It can result from their struggles with mental health. Their experience of growing up in care, or experiencing homelessness, or formal involvement in the justice system all create particular challenges and barriers. We will do more to ensure these young people know our door is open, and our space is safe for them.

5.0 Financial Statements

Expenditure and revenue figures included in this document are based on information provided in the **Report on the Program Expenditures and Revenues of the Consolidated Revenue Fund for Fiscal Year Ended 31 March 2017**

	Actual	Estimates	
		Amended	Original
	\$	\$	\$
OFFICE OF THE CHILD AND YOUTH ADVOCATE			
OFFICE OF THE CHILD AND YOUTH ADVOCATE			
<i>CURRENT</i>			
5.1.01. OFFICE OF THE CHILD AND YOUTH ADVOCATE			
01. Salaries	1,221,867	1,221,900	1,150,100
Operating Accounts:			
<i>Employee Benefits</i>	351	3,500	3,500
<i>Transportation and Communications</i>	37,513	55,400	55,400
<i>Supplies</i>	4,963	6,000	6,000
<i>Professional Services</i>	10,953	19,000	19,000
<i>Purchased Services</i>	153,513	160,900	160,900
<i>Property, Furnishings and Equipment</i>	2,748	4,000	4,000
02. Operating Accounts	210,041	248,800	248,800
Total: Office of the Child and Youth Advocate	1,431,908	1,470,700	1,398,900
TOTAL: OFFICE OF THE CHILD AND YOUTH ADVOCATE	1,431,908	1,470,700	1,398,900
TOTAL: OFFICE OF THE CHILD AND YOUTH ADVOCATE	1,431,908	1,470,700	1,398,900