



Annual Report 2012-2013



CHILDREN & YOUTH

NEWFOUNDLAND & LABRADOR



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ABOUT THE ADVOCATE

BIOGRAPHY

Carol A. Chafe was appointed Child and Youth Advocate for the province of Newfoundland and Labrador, effective September 27, 2010. Since her appointment, Ms. Chafe has met with various child and youth-serving agencies and has participated in a number of awareness-building activities for the Office. She has spoken at several conferences, including the Newfoundland and Labrador Foster Families Association's Annual Symposium, the Child Welfare League of Canada's Atlantic Forum, and the Biennial National Conference of the Canadian Council of Child and Youth Advocates.

Ms. Chafe is the Vice-President of the Canadian Council of Child and Youth Advocates, a national alliance of ten Child and Youth Advocates, each having similar mandates to promote and protect children's rights. Ms. Chafe will become president in September 2013.

Prior to assuming the role of Child and Youth Advocate, Ms. Chafe practiced as a registered nurse for 12 years and then entered into 20 years of progressive management positions, with the last 13 years in senior management roles. Prior to becoming the Advocate she was Regional Director, Children's and Women's Health Program, Eastern Health Authority.

Ms. Chafe holds a Masters of Employment Relations from Memorial University, a Bachelor of Nursing from Memorial University, and a Registered Nurse Diploma from St. Clare's School of Nursing.



MESSAGE FROM THE ADVOCATE

I am delighted to present our second public Annual Report for the year April 2012 to March 2013. You will see as you go through our pages what we do and what we have accomplished during the year.

It has been a very productive year of addressing individual issues through our advocacy role as well as identifying many important systemic issues for the children and youth of our province. We have completed three outstanding investigations and released them publicly, which was a large task to complete. This provided a significant avenue for us to not only highlight these particular stories but more importantly allowed us to identify what needs to change in the system to ensure the best services are provided to our most vulnerable.

We had the opportunity to get out more into our communities across the province of Newfoundland and Labrador. It was a pleasure to meet so many dedicated professionals who continue to strive to ensure services are available where they are most needed. Meeting and connecting with the children and youth as always is its own reward.

We are proud of the work we have accomplished this past year and we continue to be dedicated to further enhance the various advocacy roles we can offer to children and youth in our province. I hope you take the time to read through our report and become more informed of not only what we do but also of how you too can be part of ensuring our children and youth have their voices heard and their rights respected.

Carol A. Chafe

Advocate for Children and Youth



ABOUT THE OFFICE

The Advocate for Children and Youth Newfoundland and Labrador

The Office of the Child and Youth Advocate opened on November 18, 2002. The Office was established by statute, *The Child and Youth Advocate Act*, which was proclaimed on May 12th, 2002. The Office of the Advocate for Children and Youth has 12 staff including the Advocate.

The Advocate for Children and Youth (ACY) is a Statutory Officer of the House of Assembly. The Advocate reports directly to the Legislature through the Speaker of the House of Assembly on matters relevant to our mandate.

Advocacy services are provided to children and youth through a central office located in St. John's with outreach to all areas of the province. Services can be accessed by contacting the office by telephone, our toll-free number which is available for people living outside of St. John's calling area, TTY phone, office visits, email, website, and by in-person contact during advocacy outreach conducted throughout the province by advocacy staff.

Our vision is that the rights and interests of every child and youth are protected and respected and each child and youth has access to all the government services they require in Newfoundland and Labrador.

Scope of the Office

The office provides services to any child or youth under the age of 19 years old who is entitled to receive services from a department, agency or board of government. The age is extended to youth up to their 21st birthday where they are in a care or custody arrangement.

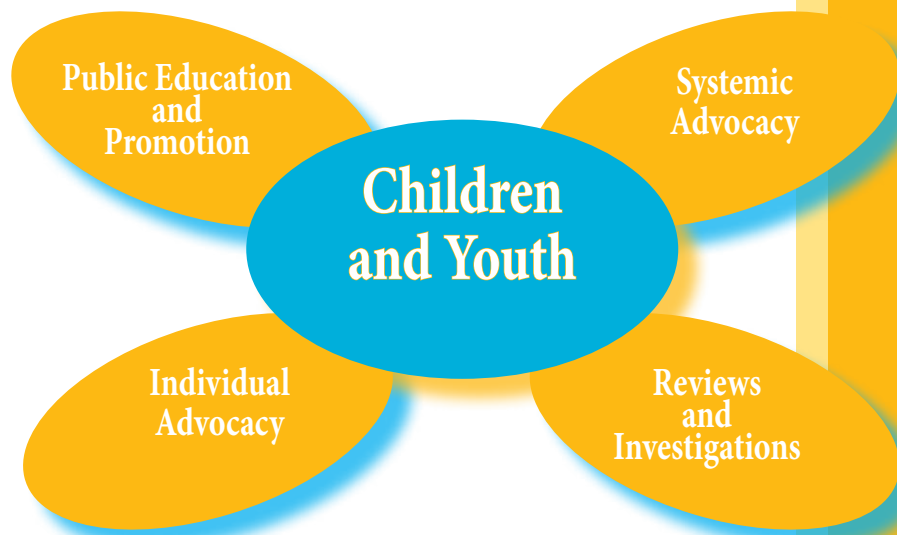
The Advocate engages in both individual and systemic advocacy, public education and reviews and investigations on behalf of children and youth in the province.

The office operates from a rights-based perspective and applies the United Nations Convention on the Rights of the Child (UNCRC) as the basis for its advocacy work. Canada has ratified the Convention and as a result, legislation, policies and procedures that govern services and programs for children and youth should be reflective of those rights.

DID YOU KNOW ?

November 20th
is National Child Day!

The Advocate for Children and Youth provides advocacy services to children and youth in four main capacities:



Restrictions and limitations of the Office:

Section 15 (2), Sections 18 and 27 of the Act

The Advocate can determine based on the Act not to intervene in the following circumstances:

- If the matter does not require investigating.
- A matter of which the complainant has had knowledge for more than one year before coming forth.
- The referral is felt to be frivolous or not made in good faith or concerns a trivial matter.
- If public's interest outweighs the complainant's interest.
- The law, or existing administrative procedure, provides an adequate remedy.

Additionally,

- The advocate cannot act as legal counsel, intervene in or change a decision of a court.
- The advocate or office staff cannot be compelled to give evidence in a court or judicial proceeding in exercising the functions and duties under the Act.
- The Advocate cannot investigate a matter where no government department, agency or board service is being provided.
- The Advocate cannot make or reverse a decision regarding services of government.

Our work is guided by the following principles as reflected in the UNCRC:

- Children and youth are our primary clients.
- Children and youth must be treated with respect and their inherent dignity as human beings recognized.
- The right of privacy of the child, as well as all parties involved, must be respected in the advocacy process.
- Children and youth have a right to speak, to be heard and to participate in decision-making processes.
- Parents, extended family and significant others are natural advocates for children and youth.
- Actions are based on empowerment.
- Interventions are respectful, understanding and compassionate.
- Cultural diversity is recognized and respected.



INDIVIDUAL ADVOCACY

Individual Advocacy- includes the provision of information, self-advocacy, basic and comprehensive advocacy services. Individual Advocacy differs depending upon the type of intervention provided.

Information- involves the provision of information and/or referral to another government department, board, or agency. These types of calls are usually opened and closed on the same day and involve very little action by the Advocacy Specialist.

Self-Advocacy Assistance- involves the provision of information regarding programs, services, appeal procedures, options, and strategies, and may include coaching. These types of cases are usually very short term and can be opened and closed on the same day. Information may be mailed or e-mailed to assist the caller further, such as a copy of a policy or information regarding services and supports.

Basic Advocacy Intervention- involves the provision of advocacy services requiring consultation and/or referral to other agencies and is usually completed within a short time frame. Individual Advocacy staff engage in problem-solving strategies; make initial calls to service providers; and provide self-advocacy assistance. These cases usually require phone contact with service providers, referrals to government departments or agencies and are short term in nature.

Comprehensive Advocacy Intervention- involves the provision of intensive advocacy intervention when basic advocacy intervention and/or self-advocacy assistance is not sufficient. Comprehensive Advocacy Intervention may involve in-depth self-advocacy coaching; meetings with multiple service providers; meetings with the child or youth and/or his or her natural advocate; attending/arranging case conferences/meetings; and engaging in alternate dispute resolution processes.

During the 2012-2013 fiscal year, a variety of services were provided on behalf of children and youth who required assistance, ranging from self-advocacy assistance, negotiation, liaison with multiple government departments and agencies and participation in meetings and case conferences.

DID YOU KNOW ?

The UN Committee on the Rights of the Child, established under Article 43 of the Convention, monitors each country's compliance with the UNCRC.

CASE EXAMPLES

Please note: References to names, ages, and, in some cases, gender were changed to protect the client's privacy.

Housing • Child Protection • Community Supports

Background

A representative from a local community group called on behalf of a family requiring assistance. A young mother and her two-year-old daughter Melissa had been victims of domestic violence. Unfortunately, significant damage to the home they were renting had occurred, as a result of a domestic dispute, and the landlord/home owner presented the mother with a notice to vacate the premises. Child, Youth and Family Services (CYFS) were involved and a plan had been put in place to ensure the safety of the child. It was in the family's best interest to move to a place unknown by the father, even if they had not received an eviction notice, as there was reason to believe the child's father planned to ignore the protection order. Although mother and child had been approved to be housed under Newfoundland and Labrador Housing Corporation's (NLHC) Victims of Family Violence Policy, there was no unit presently available.

Intervention Provided

Staff from the Advocate for Children and Youth connected with representatives from the government agencies and community organizations involved with this family as well as NLHC. Service providers working with the family including CYFS, a local community group involved, and Victim Services all wrote letters to NLHC advocating for this family to receive a housing unit as soon as one became available. Everyone involved supported this **child's right to be safe** in a new home. The mother in this case was an excellent advocate for her family and made many contacts in an effort to secure a safe place to stay for herself and her daughter. Mother and daughter were able to receive temporary assistance from a local women's shelter. Within a couple of weeks, they had secured a unit with NLHC.

UNCRC Article 19:

Children have the right to be protected from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment while in the care of their parents, legal guardians, or any other person who has the care of the child.



CASE EXAMPLES

Permanency Planning • Family Reunification

Background

A foster parent contacted the Advocate for Children and Youth to discuss his concerns regarding three-year-old William. William was removed from his mother's care as an infant and was placed with this foster family. After a recent assessment, CYFS determined that reunification with the father was an option and they had begun the process of transitioning William to his father's care. The foster parents had concerns about the father's ability to care for William, because the three year old did not know his father. Although he had been having access to his mother, visits with his father had just begun a couple of months prior to the transition period. The foster parent felt that reunification with his father would not be in William's best interest.

Intervention Provided

Regular conversations between CYFS and the Advocate for Children and Youth occurred. CYFS assured us they had many discussions regarding permanency planning and what was in the best interest for William. A child's **right to be raised by a parent whenever possible** was included in those discussions. CYFS had ensured his father completed an extensive list of assessments and services before considering his request to have his son placed in his care. The transitioning plan began with supervised visits; then moved to unsupervised visits and eventually to overnight visits with unscheduled drop-ins from the social worker. William was placed in his father's care under the supervision of CYFS.

UNCRC Article 9

States parties shall ensure that a child shall not be separated from his or her parents except when competent state authorities determine that such separation is necessary for the best interests of the child.

Please note: References to names, ages, and, in some cases, gender were changed to protect the client's privacy.

Education • School Bullying • Justice

Background

The Mother of fifteen-year-old Jennifer contacted the office requesting assistance. Jennifer was having an issue with another girl at school, fourteen-year-old Beth. Beth had accused Jennifer of spreading gossip about her. The next day, as Jennifer was boarding the bus, Beth made a negative comment to her friends about Jennifer and her family. Later that same day, Beth followed Jennifer around school and told Jennifer she planned to have her friends "gang up on her."

Intervention Provided

In 2006, the Department of Education launched its Safe and Caring Schools Policy in order to foster safe learning environments, respecting children's **right to education**. The Advocate for Children and Youth presented Jennifer's mother with details of the policy and provided self-advocacy assistance to help guide her in her discussions with the school. Jennifer's mother contacted the school principal who arranged for the guidance counsellor to meet with the girls separately. A plan was developed that included regular follow-up meetings with each of the girls to address issues as they arose. As some of the alleged harassment occurred in the community, Jennifer's mother contacted the police who talked to Beth and her mother about the potential seriousness of certain actions. In a follow-up discussion with the Advocate for Children and Youth, Jennifer's mother spoke of how the situation had improved and that Jennifer was back in school.

UNCRC Article 28:

Education is a child's right.

Youth Services • Justice • Community Supports

Background

Seventeen-year-old Joshua had a history of violent behaviour. He had criminal charges due to an alleged assault on his mother, and therefore could not live at home. Attempts were made to place Joshua with family members. However, the placements broke down due to Joshua's violent episodes. He had exhausted other options and was residing temporarily in a shelter. Joshua wished to live in his own place. A member of his extended family contacted the Advocate for Children and Youth to request our assistance in obtaining a **suitable home** for a young man wanting independence while requiring structure and supports.

Intervention Provided

All service providers working with Joshua came together as a team to ensure a placement was arranged that would meet his needs. Team members included representatives from this office, Youth Services, Pre-trial Services, a local youth serving agency, family members, and, of course, Joshua. The group decided that a supportive housing program was the best fit for this youth which included guidance and supports. The youth engaged in this program and was soon able to move into his own place with supports.

UNCRC Article 27:

Children have the right to a standard of living adequate for their physical, mental, spiritual, moral and social development.

• Mental Health Services

Background

A mother contacted the Advocate for Children and Youth requesting advocacy services for her fourteen-year-old daughter Mary who was awaiting a mental health assessment. The mother believed the doctor had made the referral some time ago; however, when she contacted central intake requesting an update as to wait time she was told that no referral was received.

Intervention Provided

The Advocate for Children and Youth contacted the hospital as well as the doctor who made the referral. We made inquiries as to the referral process in general and asked about the status of this referral in particular. Through these conversations, we learned that the referral that was sent to the hospital was received by the psychiatrist on staff but was not received at central intake. An appointment was arranged with the psychiatrist. The hospital, recognizing a child's **right to the best health care possible**, agreed to re-examine their procedure to ensure that all future referrals are processed through central intake and then distributed to the appropriate clinicians for follow up.

UNCRC Article 24

Children have the right to the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health.

Please note: References to names, ages, and, in some cases, gender were changed to protect the client's privacy.

Secure Custody • Supports and Services

Background

Sixteen-year-old Jonathan had been found guilty of committing various criminal offences and was serving his sentence at the province's secure custody facility for youth. Jonathan contacted our office voicing concern that he was not receiving some of the services that were outlined in his court order. Jonathan informed us that his order stated that, during his time at the facility, he was to engage in a variety of services, however, these services had not been implemented as part of his programming at the facility.

Intervention Provided

Conversations occurred between the Advocate for Children and Youth and the secure youth facility. Jonathan's court order was discussed as well as planning for implementation of supports **to help promote his reintegration into society**. We continued to follow up throughout his time at the facility. Jonathan was offered a variety of services, some not even included in his order. Facility staff worked with him to ensure he received the support he needed.

UNCRC Article 40:
Children have a right to help
with legal matters.

Please note: References to names, ages, and, in some cases, gender were changed to protect the client's privacy.

• Education Supports

Background

Mother of ten-year-old Mitchell contacted the Advocate for Children and Youth to request our assistance. Mitchell had been diagnosed with a global developmental delay and required constant supervision at school as well as help with meal time and bathroom use. Recently, Mitchell had been displaying some inappropriate behaviours. His mother received a letter from the school stating that, due to behaviour issues, Mitchell would only be permitted to attend school half days. The plan was for Mitchell to go to school in the morning and dismissal time would be at noon. The school bus ran only before and after school as the children typically stayed in school for lunch. The family's home was very far from the school so walking there to get Mitchell and then walking home would be unrealistic. Aside from the transportation issue, his mother felt it was not in Mitchell's best interest to be in school only a couple of hours a day.

Intervention Provided

The Department of Education has clear expectations around the process to shorten a child's school day. These expectations were communicated to Mitchell's mother. Instituting a shortened day for a brief period of time is intended to provide an opportunity for the planning team to meet and develop a plan to successfully transition the student back to fulltime. If the shortened day is a result of safety concerns, a Behavioural Management Plan would be developed and evaluated regularly. Mitchell's mother contacted the school and shared what had been communicated to her by this office. As Mitchell required **special assistance with education** his supports were coordinated through an Individual Support Services Plan (ISSP). Mitchell's mother and the principal agreed that Mitchell's planning team – his ISSP group – would meet to develop a plan that would allow Mitchell to return to school fulltime. The school district provided temporary special transportation until Mitchell transitioned back to full days.

Kinship Care • Permanency Planning • Family Connection

Background

A grandmother contacted this office to discuss her three grandchildren. The oldest child had been living with her and was receiving supports under the Kinship Services Program. The other two children had been removed from their parent's care and were residing in a foster home. The grandmother wanted all three children together with her and her husband. While the goal is to keep siblings together whenever possible, CYFS questioned whether this was in their best interest. The children only spent time together once a week at their grandmother's house. CYFS was applying for continuous custody and, if successful, the two youngest would be profiled for adoption, the oldest child would remain in her grandmother's care.

Intervention Provided

The Advocate for Children and Youth discussed permanency planning with CYFS and the children's grandmother. The grandmother was provided information about the options available. After careful consideration, she chose to apply for custody of all three children. The court recognized the children's **right to preserve family connections**. The grandparent's application for custody was successful and the children in care were transitioned to their grandparent's home so they could be reunited with their oldest sibling. CYFS agreed to continue providing support to the children as they transitioned to their new home.

Please note: References to names, ages, and, in some cases, gender were changed to protect the client's privacy.



UNCRC Article 8

State parties undertake to respect the right of the child to preserve his or her identity including nationality, name, and family relations.





SYSTEMIC ADVOCACY

The Advocate for Children and Youth regularly monitors issues that appear to be impacting a group or groups of children and youth. These issues may require further research to determine if they are of a systemic nature. Often, individual files highlight issues which require further advocacy work. At the call of the Advocate for Children and Youth, issues that are presently being assessed as possible systemic matters, may require systemic files be opened and assigned to a Systemic Advocacy Consultant for more comprehensive involvement.

DID YOU KNOW ?

A child has a right to a name from the day they are born.

Systemic files are opened when issues presented to the Advocate for Children and Youth impact a group or groups of children and youth and, therefore, require advocacy from a systemic perspective. Systemic issues occur when policies and practices of government departments and agencies interfere with the delivery of services and programs intended to support the quality of life for children and youth.

A systemic approach is used to influence programs and services, identify gaps, and determine the impact of the delivery of services and programs on children and youth in the Province. This is accomplished by providing recommendations to government regarding the challenges and changes needed to practices, policies and procedures.

During the 2012-2013 fiscal year, the Advocate for Children and Youth conducted systemic advocacy through research, meetings, consultations, and reporting on multiple issues involving government departments affecting children and youth.





Systemic Advocacy Highlights

Health and Safety of Aboriginal Children and Youth

Department of Child, Youth and Family Services

Since December 2010, the Advocate for Children and Youth has been closely monitoring safety concerns facing children and youth in Natuashish involving solvent abuse. The Advocate has been regularly monitoring actions taken by provincial and federal government departments responsible for providing services to children and youth. The Advocate continues to have communication with government stakeholders and community leaders regarding this critical issue. In September 2012, the Advocate released a press statement whereby she called on CYFS “...to take **immediate aggressive action to ensure the safety, protection and well-being of these children.**” In addition, she called on all government departments in the community to collaborate with CYFS to address overall issues in order to build a healthier community. The Advocate publicly addressed the importance of the immediate assessment of every child in the community, supporting the adults in the community, and the development of a long-term strategic plan to address the overall health of the community.

The Advocate regularly requests and receives updates of any actions taken by CYFS and current statistical information regarding the children and youth of Natuashish. These updates indicate that solvent abuse continues to present as a critical health and safety risk to children, that adequate action to address the issue has not been taken by government departments or the community stakeholders. Although the issue of solvent abuse in Natuashish has been at the forefront of public attention on numerous occasions, the Advocate feels strongly that it should not be dismissed or ignored. The Advocate is committed to holding government departments responsible for the health, well-being and safety of Aboriginal children and youth, accountable to their role.

Continuum of Care

Department of Child, Youth and Family Services

In June 2012, the Department of Child, Youth and Family Services unveiled a new system of placement options for children and youth: the Continuum of Care Strategy. This Strategy was created to enhance the In Care system, allowing children and youth to be placed in residential settings designed to best meet their needs. Previous to the release of the strategy, the ACY was monitoring systemic files of residential placements, including: Independent Living Arrangements, Alternative Living Arrangements and Child Welfare Allowances. As these placements were devolved under the Continuum of Care Strategy, the Advocate is now monitoring the impact of the strategy for children and youth who require residential placement.

School Busing

Department of Education

In January 2013, after receiving several complaints regarding school busing, the Advocate opened a systemic file to monitor school busing issues. Complaints included concerns about safety issues and the requirement that children must live at least 1.6 kilometers from their school to be eligible for school busing. These issues continue to be monitored by the ACY through Individual Advocacy and media reports.

In December 2012, a contract was awarded for an independent review and evaluation of the school transportation system in Newfoundland and Labrador. Changes to policy and actions created as a result of this report will inform the ACY's advocacy role with regard to this issue.

Mental Health and Addictions Treatment Centres

Department of Health and Community Services

In 2009 the Government of Newfoundland and Labrador announced the plan to open two treatment centres for youth with complex mental health needs and addictions. Currently, children and youth who require residential treatment for complex mental health and/or addictions issues are required to travel out of province for residential services. Until the treatment centres are in operation, the gap in residential mental health and addictions services continues to exist and will be monitored by the ACY.



DID YOU KNOW ?

More countries have ratified the UNCRC than any other human rights treaty in history.

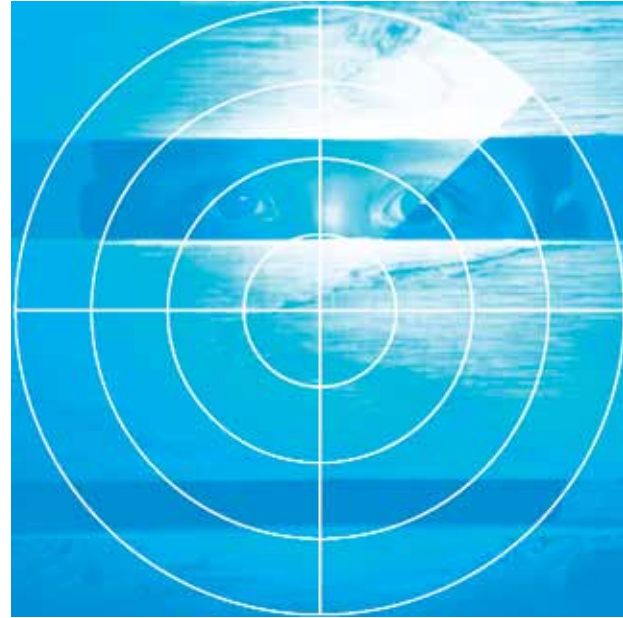


Systemic Research

Systemic Advocacy Consultants are responsible for conducting background research and providing analysis on a variety of systemic issues impacting children and youth. In addition to reviewing local points of interest, Consultants inform the office on current national and international systemic trends and how they relate to the local context. Creating a knowledge base within the office of best practice and evidence-based services for children and youth enhances the advocacy role of the Advocate for Children and Youth.

Research areas explored in the 2012-2013 fiscal year included:

- Anti-Bullying legislation (national trends/legislation review)
- Report from the United Nations Committee on the Rights of the Child as per Article 44 of the Convention (review)
- Mental Health Strategies (national/provincial policy review)
- Age at which children can live independently (legislation review/research)
- Child Death Review Committees (national scan)
- Social work documentation standards (research/policy review)



Systemic – On the Radar

The Advocate for Children and Youth is continually identifying, assessing, and monitoring systemic issues impacting children and youth in Newfoundland and Labrador. Key systemic issues that were “On the Radar” for The Advocate for Children and Youth during the 2012-2013 fiscal year are listed below. These issues will continue to be addressed by the office over the next fiscal year.

- Temporary Detention of Youth in Adult Holding Facilities (Justice)
- ATV Safety (Justice)
- Inclusive Education (Education)
- Elimination of Supportive Services under the CYFS Act (CYFS)
- Development of New Department (CYFS)
- Drug Endangered Environments (CYFS/Justice)
- Bullying (Education)
- Health and Safety of Aboriginal Children and Youth (CYFS)
- Mental Health and Addiction Treatment Centres (Health)
- Continuum of Care Strategy (CYFS)
- School Busing (Education)



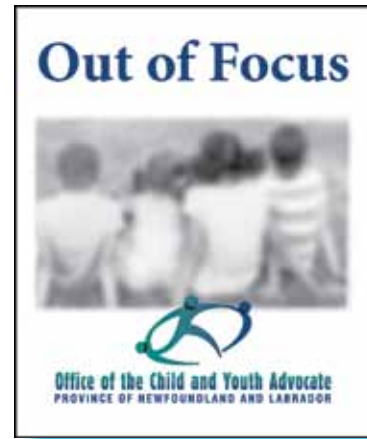
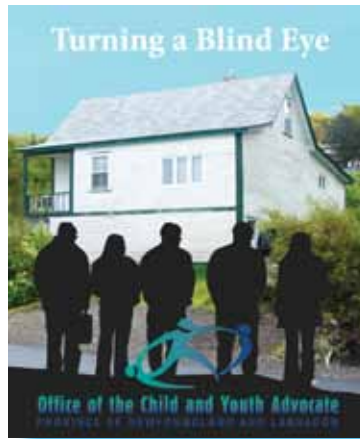
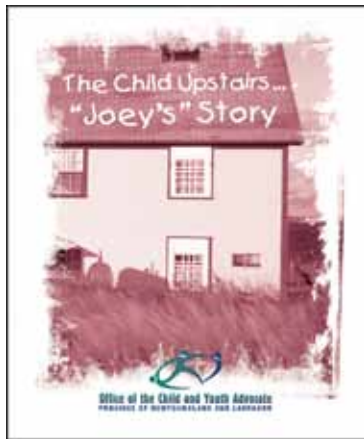
REVIEWS & INVESTIGATIONS

Reviews and investigations are carried out pursuant to **Section 15(1) subsection (c)** of the *Child and Youth Advocate Act*. The Advocate for Children and Youth may review or investigate a matter on behalf of a child or youth, or group of them, whether or not a complaint has been made and may conduct an investigation if advocacy, mediation, or another dispute resolution process has not resulted in an outcome satisfactory to the Advocate. The process for reviews and investigations is based on a comprehensive framework that may include review of documents, interviews of individuals, analysis of facts, and release of findings and recommendations to government and agencies and followup respecting the recommendations. As necessary, the Advocate can subpoena individuals to be interviewed.

An investigation is an independent and formal review of a matter concerning a child, youth or group of children or youth receiving services from any department or agency of government. An investigation can determine if a decision, recommendation, act or omission that is the subject of the investigation appears to have been contrary to law, unreasonable, unjust, oppressive, improperly discriminatory, based in whole or in part on a mistake of law or fact, or wrong. The *Child and Youth Advocate Act SNL 2001* provides the Advocate for Children and Youth with the legislative authority to conduct investigations if she deems it appropriate to do so.

In the 2012-2013 fiscal year, the office completed two (2) case reviews with no recommendations to government departments and one (1) outstanding investigation with a total of 13 recommendations. The Advocate called two (2) new investigations in January 2013. In addition, three (3) outstanding investigation reports were publicly released in March 2013 with a total of 34 recommendations.

"Thank you from the bottom of my heart for your continued support and going to bat for us. We feel everything that we are receiving is because of your involvement".
-Client



Release of Outstanding Investigations

In March 2013 the Advocate publicly released three investigative reports, *The Child Upstairs... "Joey's" Story*, *Turning a Blind Eye* and *Out of Focus*. These reports concluded three outstanding investigations that the Advocate had committed to completing upon her appointment on September 27th, 2010. The Advocate gave much thought and deliberation prior to releasing these reports, however she concluded that these children's stories, and the valuable lessons that lie within, were too important not to share. Below is a brief overview of each of the reports:

- ① **The Child Upstairs... "Joey's" Story** is the story of neglect of four children with one ultimately being permanently developmentally delayed. This investigation resulted in 9 recommendations.
- ② **Turning a Blind Eye** is the story of several children who suffered abuse at the hands of their mother over a span of thirteen years. This investigation resulted in 12 recommendations.
- ③ **Out of Focus** is the story of two families with children who suffered neglect over a period of thirteen years. The tragic result was the death of two children, three adults, and the injury of a third child. This investigation resulted in 13 recommendations.

For further details on these reports, or for copies, please visit our website at www.childandyouthadvocate.nl.ca.

An anonymous caller contacted the office after the reports were released to say that she commended the office and the Advocate for the work that went into the reports and to continue with the work that we are doing.



EDUCATION

Section 3 of the *Child and Youth Advocate Act* requires the Advocate to **protect and advance the rights of children and youth**. The education and promotion role of the office is inclusive to all regions of the province through Advocacy Outreach.

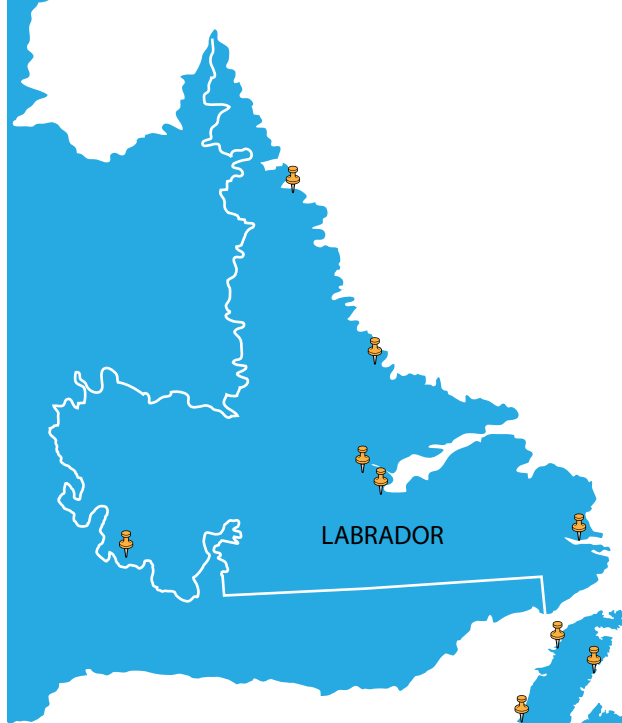
Advocacy Outreach provides opportunities for in-person contact with individuals, groups and agencies throughout the province as well as the opportunity to promote the office and educate the public about the ACY's role, mandate and children's rights. This is accomplished through Outreach, by developing relationships with service providers and engaging children and youth in their environment. This includes proactively finding opportunities to engage individuals at all levels through community capacity building, regional visits, volunteer initiatives and discussions and consultations regarding issues affecting children and youth in Newfoundland and Labrador.

In 2012-2013 the office implemented its Organizational Liaison program. This is a proactive program whereby an ACY staff member is assigned to a specific youth-serving centre throughout the province. This staff person is dedicated to the facility to ensure consistent communications and advocacy for youth. This program increases the knowledge staff and youth in these programs have of the office and provides them with a dedicated contact person to connect with if they feel that there is an issue or concern that our office may be able to assist them with.

Educational activities of the office ensure children, youth, their families and service providers know:

- How to access our advocacy services;
- The role and mandate of the office;
- The rights of children and youth and how to advance those rights; and to develop an awareness of government services and programs available to meet their needs.

"I'll call (staff person), she has helped me before. If she doesn't know the information she will definitely find it for me".
-Client



Outreach

The mandate of the ACY includes the legislated responsibility to ensure the rights, interests and viewpoints of children and youth are protected and advanced.

During 2012-2013 the ACY formalized its Provincial Outreach Program, a structured approach to effectively meet the education and promotion mandate under our legislation.

The office engages in education and promotion throughout the year, with the majority of this work conducted during outreach visits. Provincial Outreach consists of quarterly visits by ACY staff team. We educate children, youth, service providers and others on the role and mandate of the office, and about children's rights and responsibilities. Our outreach activities include planned visits, presentations and meetings with provincial government agencies, youth-serving agencies and schools.

The Advocate and her staff conducted 24 meetings and 25 presentations during 2012-2013. Outreach throughout the Province included:

- Burin
- Clarenville
- Bell Island
- Corner Brook
- Happy Valley-Goose Bay
- Marystown
- Carbonear
- Grand Falls-Windsor
- Deer Lake
- St. John's
- Bonavista
- Harbour Grace
- Botwood
- Sheshatshiu

These regional visits provide the Advocate with valuable information regarding challenges experienced by children and youth in accessing government services and programs. They also include the opportunity to educate children, youth, government service providers and organizations about children's rights and the challenges they face.

Calendar Project

For the ninth year, the office invited schools across the Province to participate in the Child and Youth Advocacy Calendar Project by submitting artwork. This year the ACY focused on 12 rights provided in the UN Convention on the Rights of the Child (UNCRC), with each month in the calendar representing a right.

The Calendar Project was a great success with 363 children submitting their artwork to the ACY. The twelve winners were picked and the resulting calendar was printed and distributed.

2013 Calendar Project Winners

January	Conor Kavanagh	Grade 6	Holy Trinity Elementary	Torbay, NL
February	Abigail Joyce	Grade 6	Holy Trinity Elementary	Torbay, NL
March	Emily Shave	Grade 6	Holy Trinity Elementary	Torbay, NL
April	Sarah Turner Rowe	Grade 6	Holy Trinity Elementary	Torbay, NL
May	Mackenzie Thornhill	Grade 6	Holy Trinity Elementary	Torbay, NL
June	Chelsy Nichol	Grade 2	Stella Maris Academy	Trepassey, NL
July	Cassandra Nichol	Grade 4	Stella Maris Academy	Trepassey, NL
August	Jeffrey Stride	Grade 3	St. Anne's School	Conne River, NL
September	Colby Holwell	Grade 2	Jens Haven Memorial School	Nain, NL
October	Brady Penney	Grade 4	Persalvic Elementary	Victoria, NL
November	Alyssa Samson	Grade 8	St. Paul's Intermediate	Gander, NL
December	Caitlin Bennett	Grade 7	St. Michael's Elementary	Stephenville Crossing, NL



A special Thank You to all who participated.



January



February



March



April



May



June



July



August



September



October



November



December



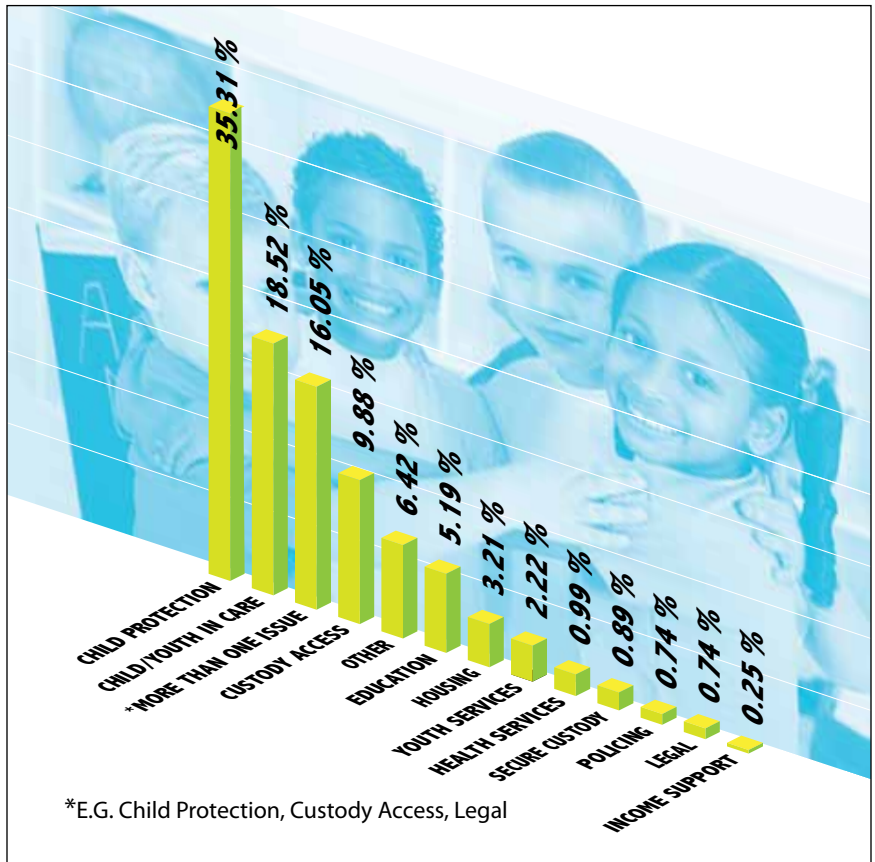


STATISTICAL SUMMARY

For the Fiscal Year April 1, 2012 – March 31, 2013, the Advocate for Children and Youth received a total of 405 complaints regarding children and youth in receipt of, or entitled to, government services in Newfoundland and Labrador.

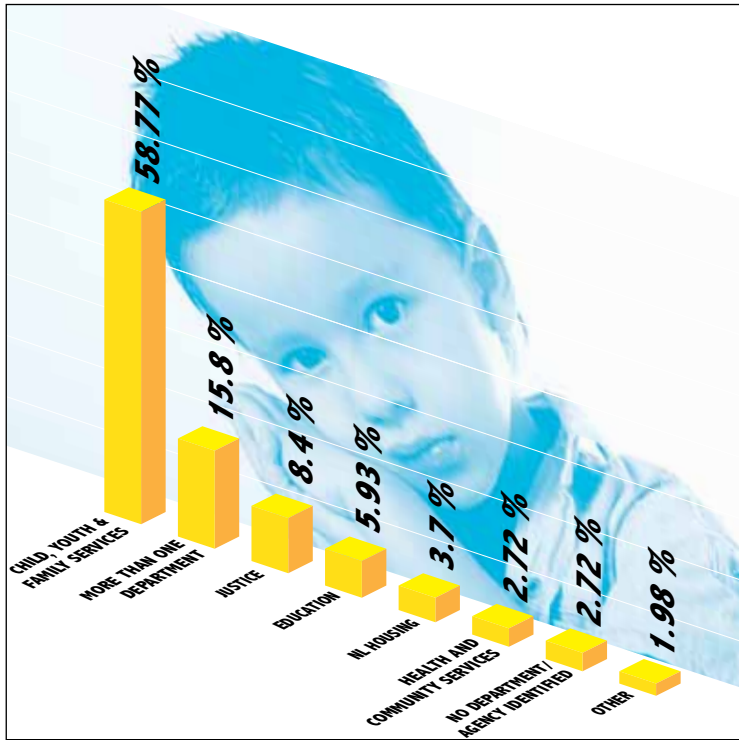
NATURE OF COMPLAINT

The most frequent complaint was related to Child Protection Services at 35.31%



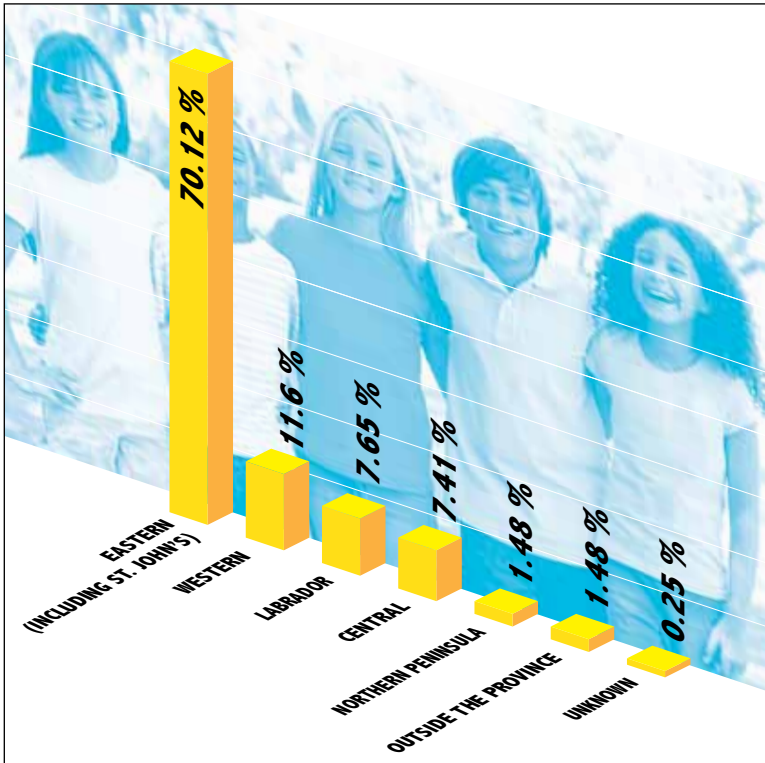
DEPARTMENT OR AGENCY CONCERNED

The majority of the complaints received were in relation to services being provided by the Department of Child Youth and Family Services (58.77%)



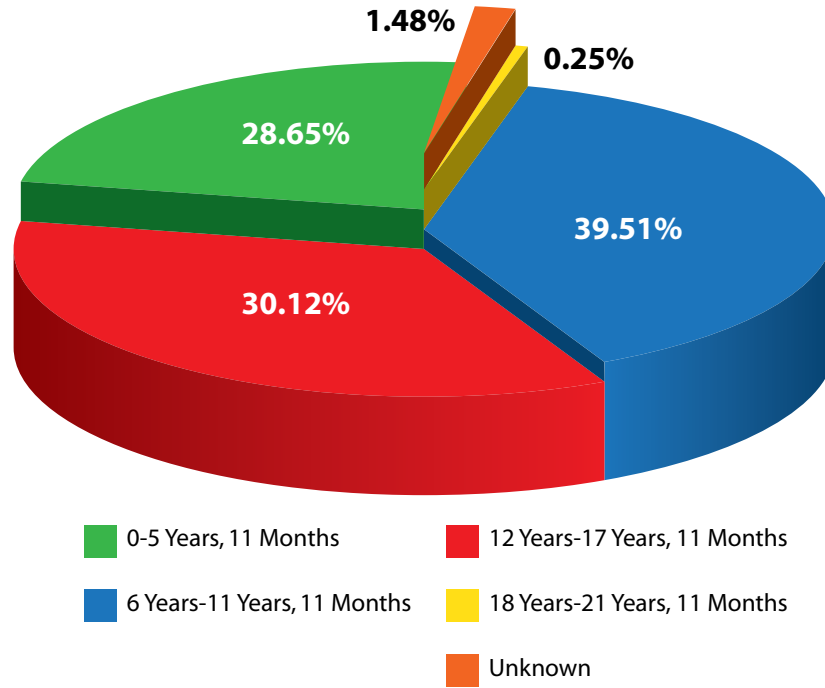
REGION IN WHICH CHILD RESIDES

Of the referrals received, 70.12% concerned children/youth residing in the Eastern Region of the province.



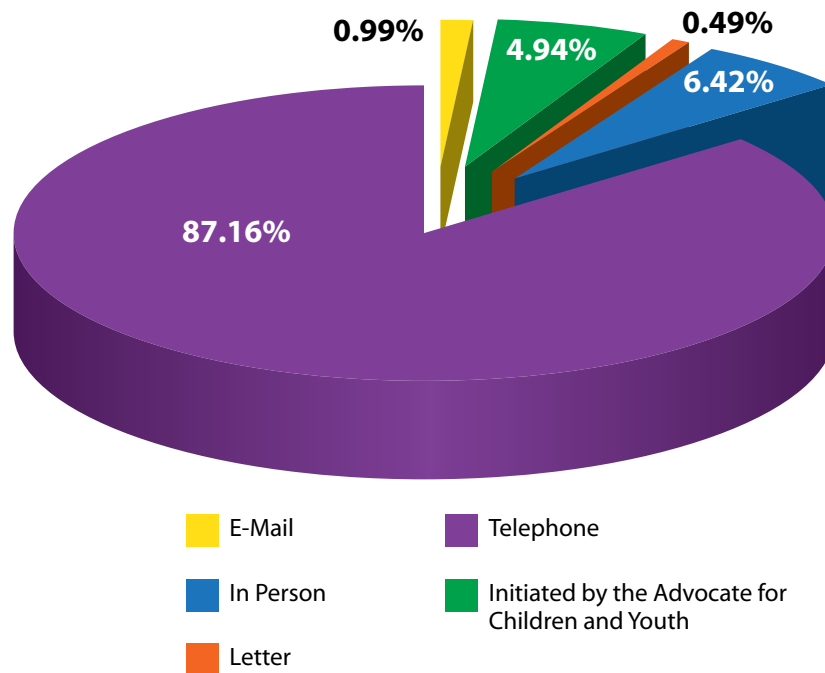
AGE OF CLIENT

Of the advocacy work completed by the office 69.63% was for children under the age of 12.



TYPE OF INITIAL CONTACT

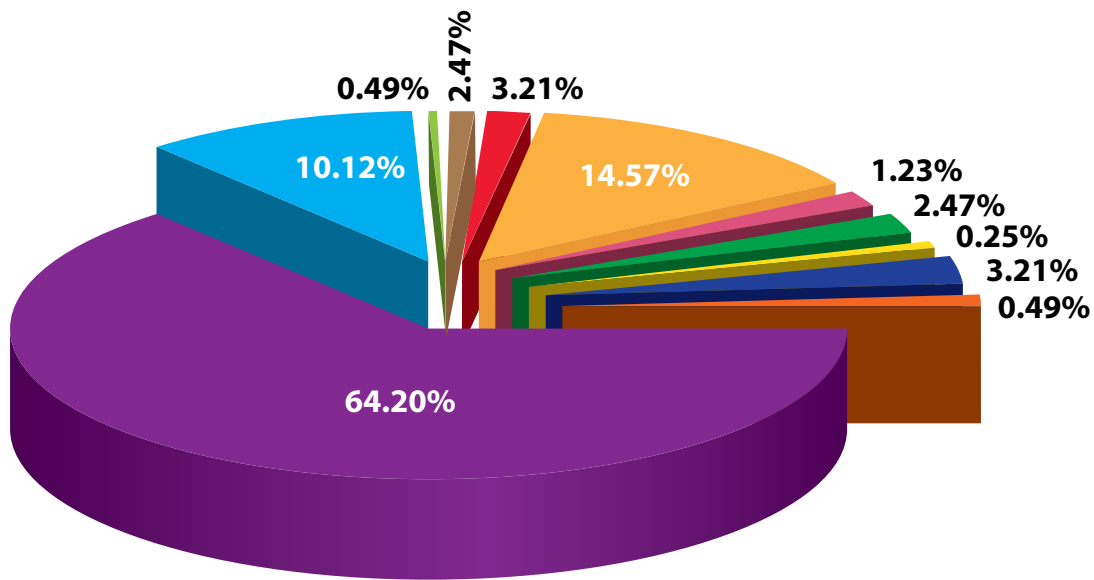
The most common type of initial contact was by telephone at 87.16%





REFERRAL SOURCE

The most frequent referral source was the parent of the child/youth at 64.20% and the child/youth's extended family at 14.57%



- | | |
|---|--|
| ■ Child/Youth (Self) | ■ MHA |
| ■ Extended Family | ■ Other (Please Specify) |
| ■ Family Friend | ■ Paraprofessional |
| ■ Foster Parents/Caregiver | ■ Parent |
| ■ Legal Guardian | ■ Unknown |
| ■ Professional | |



CONNECTING

Meetings & Presentations with Child and Youth Serving Agencies

- Choices for Youth
- Youth Justice Day Camp – PLIAN (Public Legal Information Association of NL)
- Waypoints (Gravity Group Home)
- Waypoints (Sirona Group Home)

Speaking Events

- On May 31, 2012, the Advocate brought greetings at the Opening Ceremonies of the 2012 Canadian Foster Family Association Conference “Joining Hands across Canada – Walking with Children and Youth”. This was a national conference and was hosted in St. John’s by the Foster Families Association of NL. The opening ceremonies were attended primarily by foster parents and social workers from across the country.
- On October 12, 2012, the Advocate gave a presentation to Memorial University’s School of Nursing entitled “Advocacy: What is Your Role?” The presentation highlighted the importance of the nurses’ role in being an advocate.

Awareness Building

Advocate and Staff Participate in McHappy Day!

- On May 2nd, 2012, the Advocate and staff participated in McHappy Day at McDonald’s on Kenmount Road, St. John’s by serving customers at the drive through and restaurant counter as well as by selling balloons and other items. The event marked the 19th McHappy Day in the history



The Advocate for Children and Youth and staff participate in McHappy Day event.

of McDonald's Canada and one dollar from the sale of every Big Mac, Happy Meal and hot beverage in the Province was donated in support of Ronald McDonald House, Newfoundland and Labrador. The Advocate and staff were delighted to have the opportunity to participate in such a worthwhile event.

- The office set up an information booth at Confederation Building as part of a Public Expo held during Public Service Week.
- The office set up a display table at the Choices for Youth, Momma Moments Retreat, which was held on November 21, 2012 at the Delta Hotel, St. John's.

Networking & Educational Opportunities

Staff participated in the following :

- **“Lunch and Learn”** hosted by Thrive Community Youth Network. The topic was “Self-Care: How Do We Make It A Priority?” Discussion focussed on the importance of self-care as well as some of the strategies currently used by those in attendance.
- **Choices for Youth Annual General Meeting** (June 20, 2012).
- **Child Welfare League of Canada Webinars** (June 7, 13 and 27, 2012) – Introduction to the UN Guidelines for the Alternate Care of Children, the Impact of the Guidelines on Health Outcomes, the Applications of Guidelines for Aboriginal People in Canada.
- **Child Welfare League of Canada Webinar** (September 19, 2012) – Evidence-Based Practice in Child and Youth Mental Health.
- **School of Child and Youth Care, Ryerson University Webinar** (January 24, 2013) – Follow Up: United Nations' Review of Canada's Implementation of the UN Convention on the Rights of the Child.
- **Department of Justice Canada (Youth Justice and Strategic Initiatives Section) Webinar** (February 8, 2013) – Young Women in Custody with Mental Health Needs.
- **Child Welfare League of Canada Webinar** (March 28, 2013) – Child and Youth Mental Health Knowledge.



From left to right: Lisa Chidley, Maria Penney, John Barry, Nicole Rogers, & Adam Cole

Collaboration & Consultation

- In 2012 the office began a re-branding initiative to generate greater public awareness and a better understanding of the services we provide. The office partnered with the 2012 Graphic Design class of the College of the North Atlantic (CNA) and launched a logo contest. The students



From left to right: Carol Chafe, & Nicole Rogers

submitted logo design concepts and the winner, Nicole Rogers, went on to do a work-term with us during which she designed new promotional and educational materials for the office, which were unveiled in the fall of 2012.

- On May 30, 2012, the Advocate and staff held an event at our office to celebrate the contribution made by the Graphic Design Students and to thank them and their instructor, John Barry. During the celebration, the Advocate presented Nicole Rogers (contest winner) and Maria Penney (second place winner) with a prize. Two other students, Lisa Chidley and Adam Cole, accepted a certificate of appreciation on behalf of their class. We were

very pleased to have had the opportunity to partner with this class in our re-branding efforts.

- On May 8, 2012, the Director of Individual and Systemic Advocacy attended a discussion forum sponsored by the Jimmy Pratt Foundation on the Early Years Study 3. The objective of the discussion forum was to assemble a group of stakeholders within the province's early childhood education and care sector to discuss findings of the Early Years Study 3. This group also examined how the study's Early Childhood Education Index 2011 could be used as an indicator and facilitator of ongoing developments in Early Childhood Education in this province.

- On August 14, 2012, a Systemic Advocacy Consultant attended a roundtable discussion organized by the Federal Department of Justice. The purpose of this roundtable was to allow participants to engage in a discussion with the Federal Minister of Justice about criminal justice issues.



Conferences & Workshops

“Child and Youth Health Matters”

Conference, Vancouver, May 8, 2012

The Advocate attended one day of this three-day conference, while in the city to attend CCCYA meetings. The conference was hosted by the University of British Columbia and the overall focus was a discussion of policies regarding the support of mothers and fathers diagnosed with mental illness.

Canadian Foster Family Association Conference “Joining Hands Across Canada – Walking with Children and Youth”, St. John’s

From May 30 to June 2, 2012, a Systemic Advocacy Consultant attended the 2012 Canadian Foster Family Association Conference “Joining Hands across Canada – Walking with Children and Youth”, which was held in St. John’s and hosted by the Foster Families Association of NL. In addition, our office set up a display booth during the conference, which provided an opportunity for our staff to network with service providers and foster parents from across the country.



Staff Development Days

- We participated in two days of staff development training on February 12 and 13, 2013. We explored diversity, had a presentation from the Native Friendship Centre and explored ways of managing stress.

Media

- On September 26, 2012, the Advocate issued a Press Statement outlining her concerns regarding solvent abuse in Natuashish and did a number of media interviews with local and national media outlets regarding this issue.
- January 2013 - interviews with local media outlets regarding the issue of youth being held in adult holding facilities.
- February 2013 – interviews with local and national media outlets regarding the release of the 2011-2012 Annual Report and the office’s re-designed website.
- On March 4, 2013, the Advocate held a Press Conference to announce the release of three investigative Reports: ‘The Child Upstairs... ‘Joey’s’ Story; Turning a Blind Eye; and Out of Focus. The Advocate also discussed the release of these reports on NTV’s Issues and Answers.





Summer Course

- In August 2012, a Systemic Advocacy Consultant with the ACY had the opportunity to attend the first annual International Summer Course on the Rights of the Child. The ten-day course was hosted by the Working Group on the Rights of the Child within the Francophonie, in collaboration with the Canadian Council of Child and Youth Advocates and l'Université de Moncton. The course explored historical and philosophical underpinnings of children's rights as outlined in the UNCRC. The theme of the Summer 2012 course was **Article 31: The right of the child to rest, leisure, to engage in play** and recreational activities, and to participate freely in cultural life and the arts. The course outline was consistent in balancing fundamental principles, theory and practice, and the thematic focus each day. Attending the summer course provided a great opportunity to network with other professionals working within similar offices and share ideas.

"The course was an excellent opportunity to network with other professionals working in similar offices and share ideas about the work we are doing on children's rights. Article 31 of the UNCRC "The right to play" is often described as the forgotten right. In the midst of so many issues impacting our children today, it is helpful for adults to be reminded of the importance of play."
- Systemic Advocacy Consultant



Canadian Council of Child and Youth Advocates

The Canadian Council of Child and Youth Advocates (CCCYA) is a national alliance of ten Child and Youth Advocates. Each Advocate is legally appointed by their own province or territory with similar mandates to promote and protect children's rights.

The Council meets three to four times a year. During this Fiscal Year, the Advocate attended Council meetings in May, August and December 2012.

The Advocate also attended a meeting with the United Nations Committee on the Rights of the Child Representative in December 2012 in Toronto.

The CCCYA invited Marta Maurás of Chile to visit Canada to observe this country's implementation of the UN Convention on the Rights of the Child. Ms. Maurás is a member and Vice-President of the United Nations Committee on the Rights of the Child and is the committee's country representative for Canada. Her visit included stops in Ottawa, Toronto, New Brunswick and Quebec.





Members of the Canadian Council of Child and Youth Advocates (CCCYA)

The Advocate for Children and Youth to be appointed as President of the Canadian Council of Child and Youth Advocates (CCCYA)

Carol A. Chafe, Advocate for Children and Youth, will be appointed as President of the Canadian Council of Child and Youth Advocates (CCCYA) in September, 2013. The CCCYA is an alliance of the ten children's advocates from across Canada who have mandates to support the rights of children and youth. Although the legislative mandates of the ten offices differ, the Advocates are all independent officers of the legislature in their respective jurisdictions. Through the Council, areas of mutual concern are identified and the Advocates work together to develop ways to address issues for children and youth throughout Canada. Ms. Chafe looks forward to continuing to work closely with her colleagues across Canada to further advance the rights of all our children and youth. For more information on the CCCYA visit <http://www.cccya.ca>



BUSINESS HIGHLIGHTS

Budget:

The House of Assembly Management Commission approved a budget of \$1,319,600.00 for the Advocate for Children and Youth for Fiscal Year 2012-2013. The details are noted below:

Salaries	\$991,300
Employee Benefits	\$5,000
Transportation and Communications	\$75,000
Supplies	\$10,000
Professional Services	\$30,000
Purchased Services	\$203,300
Property, Furnishings and Equipment	\$5,000
TOTAL	\$1,319,600

*please note for detailed expenditure and revenue figures please refer to The Advocate for Children and Youth's 2012-2013 Annual Performance Report available on our website at <http://www.childandyouthadvocate.nf.ca/annualperformancereports.htm>

Status of Goals and Objectives 2012-2013

BUSINESS GOAL	OBJECTIVE	RESULT
<p>1 By March 31, 2014, the Advocate for Children and Youth will have improved the structure and processes to provide and support services.</p>	<p>By March 31, 2013 the Advocate for Children and Youth will have established a process to develop and implement an administrative policy and procedures manual.</p>	<p>The completion of the Administrative Policies and Procedures manual occurred in the fiscal year 2011-2012, one year ahead of the timeframes outlined in objective 2. A focus was placed on working on this goal in 2011-2012 as it was important to establish the foundation of internal office operations in order to progress with all other goals identified in the 2011-2014 business plan.</p> <p>This manual has provided overall structure and guidance to the day-to-day operations of the office. There is a requirement that each policy will be reviewed every two (2) years and revisions made as necessary. Staff will participate in the review process and provide input into potential policy and/or procedure revisions.</p>
<p>2 By March 31, 2014 the Advocate for Children and Youth will have enhanced investigation/review protocol and processes.</p>	<p>By March 31, 2013 the investigative protocol and process will be refined and enhanced.</p>	<p>A significant amount of work went into refining the investigative process throughout 2012-2013 and a standard process for compiling all investigative information was developed in June 2012. This process outlines how information is requested from government departments/organizations in relation to an investigation and how that information is collected and catalogued. It also includes how the interview process is conducted and how all information gathered is compiled into an investigative report that is thorough, accurately represents the facts and tells the story of each child impacted.</p> <p>The standard investigative report format includes the following sections: Introduction, Methodology, Mandates of pertinent Service Providers, Background of Family (Families), Summary of Facts, Findings and Analysis, Summary of Recommendations, Conclusion.</p>

Status of Goals and Objectives 2012-2013

BUSINESS GOAL	OBJECTIVE	RESULT
<p>3 By March 31, 2014 the Advocate for Children and Youth will have further enhanced overall systemic advocacy.</p>	<p>By March 31, 2013 the Advocate for Children and Youth will have researched initiatives to address systemic issues proactively.</p>	<p>Due to increased demands of advocacy and ongoing investigations as well as a decrease in resources, a dedicated focus in the area of proactive advocacy was limited in the past two (2) fiscal years.</p> <p>However, specific topics of research are identified by the Advocate and assigned to each of the systemic advocacy consultants for completion. In 2012-2013 potential topics of research were identified with full recognition of the importance of the need to do more proactive advocacy for children and youth.</p>
<p>4 By March 31, 2014 the Advocate for Children and Youth will have expanded public education and promotion and enhanced communication.</p>	<p>By March 31, 2013 the Advocate for Children and Youth will have established and implemented various communication initiatives.</p>	<p>Significant progress was made in terms of communication initiatives during 2012-2013. An Editorial Committee was established to oversee all publications and various staff provided leadership roles in the development of a redesigned website which launched in February, 2013. Two (2) new educational booklets and four (4) new educational pamphlets were made available to the public in February 2013.</p> <p>The Public Annual Report was released in January 2013 and the quarterly newsletter, the <i>Advocator</i>, was designed, including name of the newsletter, layout and content of first issue by March 2013, however the release of the first issue was delayed until April 2013. New educational games/tools were developed for use during outreach in October 2012. These publications and new tools provide a greater awareness of the office through enhanced communication.</p>

Please note for detailed information regarding achievement of goals and objectives for 2012-2013 please refer to the Advocate for Children and Youth's 2012-2013 Annual Performance report available on our website at <http://www.childandyouthadvocate.nf.ca/annualperformancereports.htm>

“Thank you. I sincerely hope that the challenges we have faced serve to make some improvements in the system so that the road for other families is a little easier.

Again, I appreciate the time and effort you and your office provided during this difficult time”.

-Client





WHAT'S NEW?

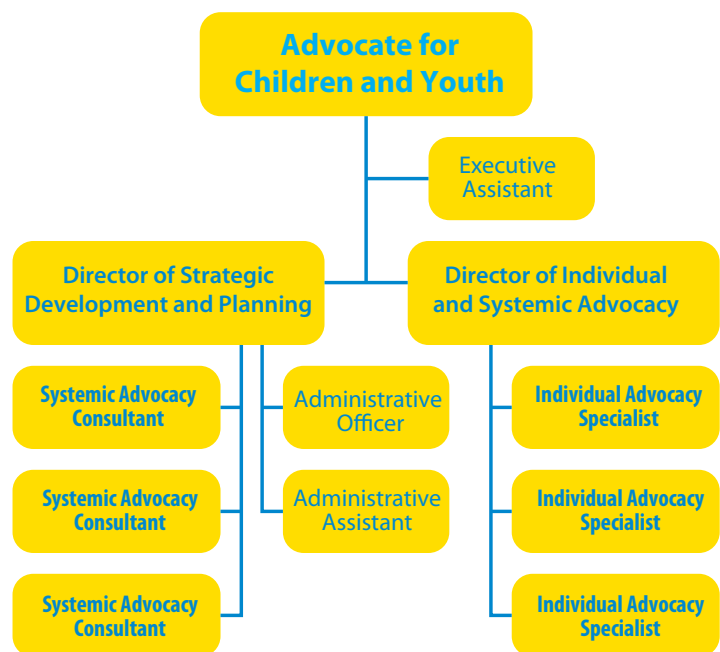
New Organizational Structure

In March 2013, in order to increase the ability of the office to engage in more proactive systemic advocacy and other research initiatives, the Advocate sought, and was granted approval by the Management Commission, for the conversion of one (1) permanent Individual Advocacy Specialist position into one (1) permanent Systemic Advocacy Consultant position which changed the structure of four (4) Individual Advocacy Specialist and two (2) Systemic Advocacy Consultant positions to three (3) and three (3) respectively.

In addition, in March 2013, as a result of government budget reductions, one director position was eliminated. This resulted in a reduction of three (3) directors to two (2) directors with a realignment of responsibilities.

DID YOU KNOW ?

The ACY publishes a quarterly newsletter. Contact us if you would like to be added to the distribution list.



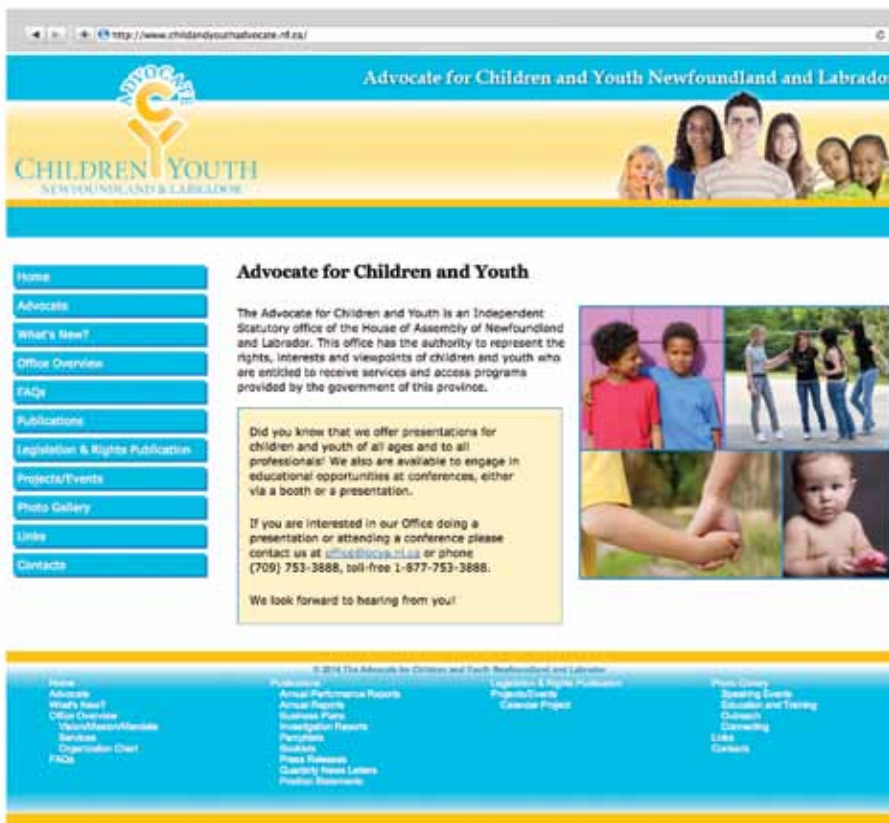


Release of Investigative Reports

Three (3) outstanding investigation reports were publicly released in March 2013 with a combined total of 34 recommendations.

Launch of Website & Newsletter, The Advocate

As part of the office's mandate to educate children and youth and the public about who we are and what we do, in 2012-2013 we launched a redesigned and informative website which can be viewed at www.childandyouthadvocate.nf.ca We also launched a new initiative, our first quarterly newsletter, The Advocate. If you would like to receive copies of our newsletter, please contact us to have your name added to our distribution list.





Rebranding

The office celebrated a ten-year anniversary in 2012 and the Advocate determined that it would be an appropriate time to revisit the brand and to generate a greater public awareness of the office and a better understanding of the services we provide. The office partnered with the Graphic Design class of 2012 at the College of the North Atlantic (CNA) and launched a logo contest. The students submitted logo design concepts and the winner completed a work-term with us and helped design new promotional and educational materials for the office.

Among our new educational materials are booklets and pamphlets designed to educate children and youth regarding their rights and legal entitlements under various circumstances. Existing pamphlets were also revised and written in age-appropriate language for young children, youth and adults. In addition to these materials, the office has a new website, new public annual report, new promotional materials and rights-based educational games for presentation purposes during outreach visits.

For copies of any of our booklets and pamphlets, please visit our website at www.childandyouthadvocate.nl.ca



Organizational Liaison and Outreach Program

The Organizational Liaison Program was introduced in 2012-2013, with a total of seventeen (17) group homes, two (2) open custody facilities and one (1) closed custody facility identified under the organizational liaison program. Seventeen (17) initial meetings with a Director and the ACY staff person assigned to each facility took place in 2012-2013.

The Outreach Program was re-introduced with five (5) multi-day regional outreach visits occurring throughout the fiscal year to all regions of the province, including one to Central Newfoundland, Western Newfoundland, Labrador Region and two (2) in Eastern Newfoundland. Meetings took place with several different professionals during these visits, including RCMP, Health Authorities, CYFS, School Boards, local schools, and family resource centers. All outreach visits proved to be very educational and information gathered from these trips continues to be compiled to identify any common issues and/or trends across regions of the province.



THINGS TO COME

Biennial Conference of Provincial Child and Youth Advocates – 2015

The Advocate for Children and Youth will host the 2015 conference in St. John's, Newfoundland and Labrador. Discussions and planning have commenced and we look forward to working on this initiative and welcoming our colleagues to the province.

Quarterly Newsletter

Stay tuned for our Quarterly Newsletters throughout the year for regular updates regarding our office. If you would like to receive a copy or to be added to our mailing list, please contact us by phone at (709) 753-3888 or email us at office@ocya.nl.ca

Biennial Staff Training Conference

In September 2013 the Advocate and a group of her staff will travel to Victoria, British Columbia to participate in the Biennial Staff Training Conference hosted by British Columbia's Representative for Children and Youth for Canadian Council of Child and Youth Advocates (CCCYA) offices. Staff are looking forward to a great opportunity to connect with our national counterparts and discuss similar issues and strategies for advocacy.





**Contact the Advocate
for Children & Youth
if you or someone you know
is in need of help:**

Phone: (709) 753-3888

Toll Free: 1-877-753-3888

TTY: (709) 753-4366

Fax: (709) 753-3988

Email: office@ocya.nl.ca

Website: www.childandyouthadvocate.nl.ca

**Or drop by and speak with
someone in our office:**

193 LeMarchant Road

St. John's, NL A1C 2H5

MONDAY- FRIDAY 8:30 am - 4:30 pm