



Deputy Minister of Justice and
Deputy Solicitor General
Justice and Solicitor General
224 Bowker Building
9833 - 109 Street
Edmonton, Alberta, Canada T5K 2E8
Telephone: 780-427-5032

AR 21100

December 14, 2016

Standing Committee on Legislative Offices
c/o Committee Clerk
Legislative Assembly of Alberta
3rd Floor, 9820 - 107 Street NW
Edmonton AB T5K 1E7

Dear Committee Members:

Thank you for granting the opportunity for the ministry of Justice and Solicitor General to provide input into the Standing Committee on Legislative Offices' review of the *Child and Youth Advocate Act* (the Act). I have reached out across the department to obtain submissions on areas of the Act that could be considered in your review. The input we received, based on the questions provided in the *Understanding the Child and Youth Advocate Act Discussion Guide* (Discussion Guide), is provided below for your consideration.

In response to question two of the Discussion Guide – *Does the Act permit the Advocate to provide appropriate services to children and youth? Should the Advocate provide services to children and youth who are receiving government services other than what is currently indicated within the Act? Please explain your answer and provide suggestions, if possible.* – The following feedback was received:

- Given the mandate of the Justice and Solicitor General's Young Offender Branch (YOB), a protocol outlining the roles and responsibility of the Office of the Child and Youth Advocate (OCYA) with youth in custody and under supervision in the community would be appropriate. Alberta Justice and Solicitor General have such protocols in place with Alberta Human Services and Alberta Education, and would be interested in a similar protocol with the OCYA.
- YOB has the mandate and lead on processes involving reintegration conferences for youth in custody, and case conferences for youth under supervision in the community. These conferences, which bring together all supports for affected youth as opposed to hosting individual meetings with each support provider, demonstrate the value of collaboration in service delivery. The OCYA is an important contributor to these conferences.

.../2

- 2 -

It is suggested that individuals from the OCYA providing direct service to youth in custody or under supervision in the community work more closely with youth workers and probation officers in the context of reintegration and case conferences to ensure that youth receive the most appropriate services.

In response to question seven of the Discussion Guide – *What the Advocate can report after an investigation is set by the Act. Do these reports contain enough information? Should these reports contain the same, more or different information? Please explain your answer and provide suggestions:*

- Additional context and background information in the reporting provided by the Advocate may be beneficial. Specifically, when the Advocate provides recommendations for broader systemic change based off of the investigation of a single incident, the linkage between the specific incident and the broader systemic issue being addressed by the recommendation is not always clear. Additional information in the reporting provided may help to clarify the intent and rationale behind the Advocate's recommendations.

Finally, in response to question eight of the Discussion Guide – *Do you have any other suggestions or comments about the Child and Youth Advocate Act? Please comment on any topic related to the Act not addressed by the Discussion guide.* – The following feedback, specific to the legislation itself, was received:

- The federal *Youth Criminal Justice Act* governs the operation of the YOB with respect to youth in custody and under supervision in the community. It is suggested that any potential amendments to the *Child and Youth Advocate Act* (Act) take into consideration the operation of the *Youth Criminal Justice Act* and its impact on the mandate of the Advocate under the Act
- It was also suggested that a review of the Act be conducted to ensure that the intent, principles, and legislation of both the *Victims of Crime Act* (and Regulations), as well as the *Canadian Victim Bill of Rights*, are considered under the Act.

We appreciate the opportunity to participate in this review process and to have the chance to identify aspects of the Act that directly affect policy and program areas from across Justice and Solicitor General. Should you have any questions or concerns, please do not hesitate to contact my office.

Yours truly,



Philip Bryden, Q.C.
Deputy Minister of Justice and
Deputy Solicitor General