



Standing Committee on Legislative Offices  
% Committee Clerk  
3rd Floor, 9820 - 107 Street  
Edmonton, AB T5K 1E7

**RE: UNDERSTANDING THE CHILD AND YOUTH ADVOCATE ACT**

To Whom it May Concern:

The following feedback is based on the Discussion guide questions. I have included the question as well as the feedback provided. Please let me know if you require any further feedback or clarification on any of the feedback given.

1. Are these age limits appropriate?

- Are the age limits provided by the Child and Youth Advocate Act consistent with those provided in the criminal code? Could the age limitations be challenged under the Criminal Code
- How do the age limits work for children and youth with disabilities and Mental Health needs are they the same?

2. 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 other government services?

- How does this impact children and youth with disabilities? Will they have an advocate who completely understands their needs?
- If there is a child or youth receiving AISH, will they be provided an advocate as well, or is this a one OR the other type of situation?

3. What the Advocate can do is made possibly by the *Child and Youth Advocate Act*. In your opinion, should the role of the Advocate stay the same? Is the Advocate able to do enough, or should the Advocate be able to do more?

- Does the Advocate have the power to launch an investigation prior to a serious injury or death of a child, in order to protect the safety of the child. Particularly in the case of disclosure?
- While the section reads nicely, can we / how do we ensure that there is time on the Advocate's caseload to ensure that all of these things are done?
- Part of the role of the Advocate should be assisting parents to navigate the system. Currently, unless a parent asks for a specific the Advocate is not suggestion other options (ie. No, your child doesn't qualify for specialized services, BUT they do qualify for...)



4. Does that Act provide the Advocate with sufficient powers to conduct the roles and functions as stated in the Act? Are other powers necessary?

- Based on our feedback, Advocates do have sufficient powers.

5. Is the information provided by a child to an Advocate sufficiently protected? Is the information provided for an investigation sufficiently protected?

- In our opinion, there are sufficient protections in place.

6. What the Advocate can investigate is made possible by the Act. Should the Advocate be able to investigate the same, more, less or different issues? Do you agree with how the Act enables the Advocate to conduct investigations?

- Our feedback for this question is the same as how we responded to the question about the role of the advocate... Does the Advocate have the power to launch an investigation prior to a serious injury or death of a child, in order to protect the safety of the child. Particularly in the case of disclosure?

7. 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?

- In the act it reads "the Advocate must make a report containing recommendations for any public body or other person the Advocate considers appropriate." Is there a minimum standard as to whom the report should be shared with? What if there is a case where the Advocate doesn't feel the person is relevant to share the report with, but there is a need to share it with them?
- The act also reads "The report cannot contain any findings of legal responsibility or any conclusions of law (s.15(2))." There was discussion about whether this statement means that the that the Advocate themselves can not make legal findings OR if a judge has made the findings it can't be put in the report. Perhaps some clarification around this clause would be beneficial.

8. Do you have any other suggestions or comments about the Child and Youth Advocate Act?

- Points to consider may be how often an advocate is communicating with stakeholders. Is there a minimum standard to be maintained? As well, should there be a time frame that decisions need to be made and carried out?

Sincerely,



Kevin Booth, MALA  
Assistant Superintendent