

Standing Committee on Legislative Offices – Review of the *Child and Youth Advocate Act*

Introduction – Who we are

ALIGN Association of Community Services is a membership association of agencies providing services to children and families in Alberta. ALIGN (formerly Alberta Association for Services to Children and Families AASCF) has represented child welfare and family service providers in Alberta for close to 50 years. During that time we championed the development of standards dedicated to residential and community childcare services influenced social policy and legislation and advocated on behalf of service providers.

Currently ALIGN has several Regional Chapters throughout Alberta and are in the process of creating additional chapters to meet the changing needs of our members. The governing Board of Directors is made up of representatives from Regional Chapters, Aboriginal Community and Academia.

ALIGN Association of Community Services works to strengthen member agencies and promotes attitudes, practices and conditions that contribute to quality services for vulnerable children and families.

We achieve our mission by:

1. Creating a network of agencies for information sharing, social policy development and advocating on behalf of service providers
2. Developing professional practices for service excellence
3. Representing the interests of member agencies on regional and provincial committees.

Submission

Members of our Board of Directors met to complete this submission and our feedback is as follows:

1. There are services provided to different age groups under the Act. Are these age limits appropriate?
 - We felt the scope for Child Intervention should be 24 years of age. We recognize that the OCYA can work with youth to 24 if they have a Support and Financial Care Agreement but we do feel that young people who choose not to have an agreement may still require advocates to pursue their needs as they are in early adulthood. We also feel that there needs to be a highlight of the support aspect for young people. They may need advocates to support them as they navigate the systems in early adulthood.
 - It would be prudent to have the ability for the Advocate to support or concentrate on younger children. They have less voice; are less likely to have a lawyer; and we believe that more resources need to focus on these children. There is also a reluctance on the part of support workers to initiate a referral to the OCYA therefore it is often the older youth that calls the OCYA office once they are more able to be aware of the role, their rights and get the literature that is put out.
 - Is there a way that the OCYA could provide services to the children with special needs as per their developmental needs rather than their chronological needs? We can imagine a scenario where a young person is over 18 but requiring advocacy to transition to adult services (PDD) and because they are over 18 cannot have those services even though they may be developmentally functioning at a much younger age.

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 government services other than what is currently indicated within the Act? Please explain your answer and provide suggestions, if possible.

- We feel that children and their families who are receiving services under the Family Supports for Children with Disabilities (FSCD) may need advocacy from time to time. These children are often the most vulnerable and they are often placed in group care and may need support to ensure that their needs are met.
- There are some deficits and inconsistencies in FSCD service delivery system. It should be something that the Advocate could review should they see a need to. In saying this we recognize that in FSCD the family remains the guardian of the child but the delivery of services and how the family receives services should be eligible for review if and when needed.

3. What the Advocate can do is made possible 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? Please explain your answer and provide suggestions, if possible.

- We suggest that the Advocate be able to make recommendations and comments outside of their current mandate. Often times issues that arise also involve other government departments like the health or education system. We believe that solutions often lie in the cross ministry service delivery, or lack of, and that should be something that the Advocate can comment/make recommendations on.
- Currently the Advocates reports stem from conflict or tragedy most often. Are there ways that the advocate could report on promising practices, and strengths of the system/ delivery/ practices to help focus on practice directions that are emerging.
- It is felt that often there are many practices here in Alberta that are exemplary and are seen in other parts of the country as emerging and promising practice – i.e. Outcome based service delivery / collaborative service delivery; mentoring youth in care.
- There have been research projects and delivery models that are launched in Alberta and are rarely heard of. The Advocate could exemplify success, strength, balance and clarity of mandate when they see it.
- There are times when agencies should and could be looked at for either issues of concern or areas of emerging practice and research. In Alberta, the agencies provide the majority of services to the children and families. They should be part of the process of review, more than they currently seem to be.

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

- Yes

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

- Strongly protected

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? Please explain your answer and provide suggestions.

- More systemic issues and not always case directed (see above FSCD and jurisdictional/cross ministry discussion)

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? Please explain your answer and provide suggestions.

- Again we would like to see more reports on good, emerging and promising practice in Alberta, not just deficit based reports

8. 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 this discussion guide.

- If the Advocate is accountable to the Legislature as an independent body, and by virtue of that the general public, then how does the Legislature ensure recommendations are reviewed and acted on? The reports are made and the Minister accepts the recommendations (usually) but how does government as a whole take responsibility for the concerns raised as it relates to Alberta's children and youth. When the Advocate makes recommendations that relate to large system changes or cross ministry issues it makes sense that the Legislature could/should be involved in the resolve of those issues.
- We would like to applaud the Advocate for some of his reports as of late. The reports on suicide and aboriginal children receiving services are powerful. They highlight the issues and concerns for Alberta's children and youth. We feel though, that these are multi-ministry/jurisdictional areas of concerns and this is where the Legislature could offer support and direction to address these issues and not leave it to one Ministry.
- We are aware that the Advocates' office often uses talking circles, engages elders, and tries to accommodate people in their language. These are good practices that are respectful of the people they are serving. They also set a good example for everyone else when reviews and inquiries are completed.