



October 17, 2016

RE: Child and Youth Advocate Act Review

The following response to the questions posed is submitted by the Alberta School Boards Association.

1. There are services provided to different age groups under the Act. Are these age limits appropriate?

These age limits are appropriate provided there is a collaborative effort by other agencies, who touch the lives of these individuals, to provide ongoing support.

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.

Yes and yes. Schools are often the first to identify at-risk children and youth and it is important to coordinate efforts and to ensure that no child or youth falls through the cracks.

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.

A process which includes early intervention for at-risk children and youth is best followed. Do investigations suggest that such early intervention was absent and, if present, may have prevented death, injury or abuse? It is important to have communications with the school when a child in care is placed in a new environment, so that staff can support what the Advocate's recommendations.

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?

We believe so. The Advocate must have access to all information to make informed decisions and must be free from restrictions by other government ministries.

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

The legislation protects confidentiality, but often information is shared with other agencies and there is a need to ensure that these agencies also protect privacy and confidentiality. We have seen cases where a child in care in another province moves to Alberta and information has not been shared. The Advocate needs to work with Advocates in other provinces to establish information sharing agreements.

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.

If the Advocate determines, during an investigation of an individual child or youth, that siblings are also at risk, he/she should have the power to expand the investigation or refer the case to another government agency.

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.

A serious injury or untimely death of a child in care has far reaching implications for a number of public bodies, including schools and results of investigations should be shared (protecting confidentiality) in a general sense so that these agencies or boards can learn to identify at-risk behaviours at an early stage and work together to prevent critical incidents. In the case of our public schools, staff are often not well equipped to address the unique needs of children in care and can sometimes escalate the situation by not have complete information or the ability to intervene.

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.

Our common goal should be to prevent (not just investigate) serious injury or untimely deaths of children and youth. This is best served by a wrap-around approach to early intervention and support for children, youth and their families. If one were to ask “what have we learned from the Advocate’s investigation on an untimely death of a child or youth in care?”; the answer may be that those directly involved have learned a great deal, but those agencies who have also had contact with the individual or family have learned little because case studies are not shared broadly.