

Standing Committee on Legislative Offices

Report on the Review of the Office of the Child and Youth Advocate 2021-2022 Annual Report

February 2023



COMMITTEES
OF THE LEGISLATIVE ASSEMBLY

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STANDING COMMITTEE ON LEGISLATIVE OFFICES

February 2023

To the Honourable Nathan M. Cooper
Speaker of the Legislative Assembly
of the Province of Alberta

The Standing Committee on Legislative Offices has the honour to submit its report relating to the review of the Office of the Child and Youth Advocate 2021-22 Annual Report for consideration by the Legislative Assembly.

Sincerely,

Mark Smith, MLA
Chair, Standing Committee on Legislative Offices

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MEMBERS OF THE STANDING COMMITTEE ON LEGISLATIVE OFFICES
30th Legislature, Fourth Session

Mark W. Smith, MLA
Chair
Drayton Valley-Devon (UC)

Glenn van Dijken, MLA
Deputy Chair
Athabasca-Barrhead-Westlock (UC)

Hon. Joe Ceci, MLA
Calgary-Buffalo (NDP)

Hon. Prasad Panda, MLA
Calgary-Edgemont (UC)

Lorne Dach, MLA
Edmonton-McClung (NDP)

Pat Rehn, MLA
Lesser Slave Lake (UC)

Hon. Grant R. Hunter, MLA*
Taber-Warner (UC)

David Shepherd, MLA
Edmonton-City Centre (NDP)

Rod Loyola, MLA
Edmonton-Ellerslie (NDP)

Devinder Toor, MLA
Calgary-Falconridge (UC)

Hon. Ronald Orr, MLA
Lacombe-Ponoka (UC)

Substitutions Pursuant to Standing Order 56(2.1-2.4):

Jacqueline Lovely, MLA[†]
Camrose (UC)

Rakhi Pancholi, MLA[§]
Edmonton-Whitemud (NDP)

Hon. Ric McIver, MLA[‡]
Calgary-Hays (UC)

* Substitution for Glenn van Dijken (Deputy Chair) on February 16, 2023.

† Substitution for Pat Rehn on January 16, 2023, February 9, 2023, and February 16, 2023.

‡ Attended meeting on February 9, 2023 and served as substitution for Glenn van Dijken on February 16, 2023.

§ Substitution for Hon. Joe Ceci on January 16, 2023, February 9, 2023, and February 16, 2023.

1.0 INTRODUCTION

The Child and Youth Advocate (the “Advocate”) is appointed under the *Child and Youth Advocate Act*, S.A. 2011, c. C-11.5, (the “Act”) as an Officer of the Legislature. Pursuant to section 9(1) of the Act the Child and Youth Advocate’s role is “to represent the rights, interests and viewpoints of children.”

Section 21 of the Act provides that the Advocate must report annually to the Speaker of the Legislative Assembly with respect to the work of the Office of the Child and Youth Advocate. The reporting requirement includes the Office’s annual report and reports on any mandatory death reviews and systemic reviews following a serious injury or death of a child who was receiving a designated service under section 1(e) of the Act. Pursuant to section 21(1.1) the annual report must include information on the progress of the implementation of the Advocate’s recommendations.

In accordance with section 21(3) of the Act, once tabled, an annual report stands referred to the committee of the Legislative Assembly charged with review of the report. Pursuant to section 21(4) of the Act a committee undertaking the review “must report back to the Assembly within 90 days of the report being referred to it if it is then sitting or, if it is not sitting, within 15 days after the commencement of the next sitting.” On December 14, 2022, the Legislative Assembly passed Government Motion 18, referring the *2021-2022 Annual Report of the Office of the Child and Youth Advocate* to the Standing Committee on Legislative Offices for review.

This report is not a comprehensive record of the Committee’s proceedings. For a complete record of the Committee’s review, consult transcripts 30-4-2 (pp. LO-279 – LO-302), 30-4-3 (pp. LO-303 – LO-322), and 30-4-4 (pp. LO-323 – LO-330), available at assembly.ab.ca.

2.0 SUMMARY OF COMMITTEE RECOMMENDATIONS

On February 16, 2023, the Standing Committee on Legislative Offices made one recommendation, that the Office of the Child and Youth Advocate work together with relevant ministries to improve outcomes for children and youth in care in Alberta based on recommendations provided in the Child and Youth Advocate’s Annual Report 2021-2022.

3.0 COMMITTEE ACTIVITIES

The Committee met on January 16, 2023, February 9, 2023, and February 16, 2023, to review the Child and Youth Advocate’s Annual Report 2021-2022.

At the January 16, 2023, meeting Terri Pelton, the Child and Youth Advocate, made a presentation to the Committee on the Advocate’s Annual Report. The report lists eight new recommendations for the 2021-2022 year in addition to providing an update of their evaluation of a further 24 outstanding recommendations. Of the outstanding recommendations the Annual Report indicated that three were met, nine were closed, two were not met, and 10 are ongoing.

Following the presentation by the Advocate, the Committee made a series of motions to better understand how Ministries are responding to recommendations put forward by the Advocate. The Committee requested officials from the Ministry of Children’s Services to appear before the Committee to provide an oral briefing on the Ministry’s response to the recommendations of the Advocate:

That the Standing Committee on Legislative Offices invite officials from the Ministry of Children’s Services to provide a briefing on the ministry’s response to the recommendations in the office of the Child and Youth Advocate 2021-22 annual report at an upcoming meeting of the committee.

The Committee also invited the Ministries of Health, Education, and Justice to provide written reports regarding recommendations made by the Annual Report that are relevant to those Ministries:

That the Standing Committee on Legislative Offices request officials from the ministries of Health, Education and Justice provide a written report to the committee with respect to the recommendations made to ministries in the review of the Child and Youth Advocate 2021-2022 annual report by the office of the Child and Youth Advocate on or before February 6, 2023.

In addition, the Committee invited officials from the Ministries of Mental Health and Addiction, Indigenous Relations, and Seniors, Community and Social Services to present on their Ministries' response to the recommendations or issues raised by the Advocate pertaining to that Ministry's mandate or in the Annual Report:

That the Standing Committee on Legislative Offices invite officials from the ministries of Mental Health and Addiction, Indigenous Relations, and Seniors, Community and Social Services to each provide a briefing on the ministry's response to the issues raised or recommendations made pertaining to the mandate of that ministry and the office of the Child and Youth Advocate 2021- 2022 annual report at an upcoming meeting of the committee.

The Committee received written responses from Hon. Jason Copping, Minister of Health; Hon. Adriana LaGrange, Minister of Education; and Hon. Tyler Shandro, KC, Minister of Justice; on February 6, 2023. The Ministries provided updates regarding the pertinent recommendations. In addition, the Advocate provided a written response to questions raised at the January 16 meeting.

On February 9, 2023, the Committee heard oral presentations from Ms Leann Wagner, Assistant Deputy Minister, Child Intervention, Ministry of Children's Services; Mr. Shaun Peddie, Assistant Deputy Minister, Strategic Services, Ministry of Seniors, Community and Social Services; Ms Coreen Everington, Acting Assistant Deputy Minister, Ministry of Mental Health and Addiction; and Mr. Don Kwas, Assistant Deputy Minister, First Nations and Metis Relations, Ministry of Indigenous Relations.

On February 16, 2023, the Committee convened to deliberate on the Child and Youth Advocate *Annual Report 2021-2022*. The Committee made one recommendation with respect to the *Annual Report*.

4.0 RECOMMENDATIONS OF THE STANDING COMMITTEE ON LEGISLATIVE OFFICES

At its meeting on February 16, 2023, the Committee made the following recommendation with respect to the Annual Report 2021-2022 of the Child and Youth Advocate:

That the Standing Committee on Legislative Offices recommend that the office of the Child and Youth Advocate and relevant ministries work together to identify ways to improve the outcomes for children and youth in care in Alberta.

The Committee expressed its desire that Ministries work collaboratively with the Advocate to ensure the well-being of children and youth in Alberta.