

Message from the Advocate

I am always impressed and encouraged when I see young people stand up for their rights. It can be a pretty courageous thing to do. So I salute the students of Stephenville High who stood strong as advocates for student rights in February. You showed your commitment and determination to have your voices heard about issues of sexual violence and school safety. Like you, I too became involved in this issue. I publicly advocated that there needs to be greater clarity for school officials to act, and for them to have a broader range of options in considering the safety of all students. Changes are needed to modernize policy and legislation in this regard. As we see workplaces and governments modernizing their approaches, so too we must also make schools safer with progressive responses to harassment and sexual assault. Young people cannot be left behind.

At the Office of the Child and Youth Advocate, we are always advocating for the voices of young people to be included and considered in all kinds of discussions and decisions. I was very clear that youth need to be involved in discussions about these policy and legislative changes. As youth, you bring a perspective and experience to the discussion that adults may not fully appreciate. Your experiences are different from adults, and from their experiences when they were your age. So your involvement in identifying issues, speaking out, and participating in public policy discussions helps make those changes better.



Jackie Lake Kavanagh, Child and Youth Advocate

While the focus of this discussion was Stephenville High, this school and community are not unique in their struggles with this issue. Harassment and sexual violence is a very real (and old) problem in our communities. And schools are a part of our communities and may be good mirrors to reflect back what happens outside their school doors. All students have a right to their education. All students have a right to safety in school. And all of us need to work to ensure this is a reality. I will continue to follow this issue, and I am encouraged to see the commitment to amend the *Schools Act*.

What's New

CHILD AND YOUTH ADVOCATE ANNOUNCES REVIEW OF THE CHILD PROTECTION SYSTEM'S RESPONSE TO INUIT CHILDREN

The Office of the Child and Youth Advocate is launching a comprehensive, independent Review of the treatment, experiences and outcomes of Inuit children and youth in the Newfoundland and Labrador child protection system. The Review will identify deficiencies, explore promising and best practices, and make recommendations for improved outcomes within an appropriate cultural context. The Nunatsiavut Government approached Child and Youth Advocate Jackie Lake Kavanagh to request an independent Review.

The Review will look at a number of areas with respect to Inuit children receiving services from the Department of Children, Seniors and Social Development including protective intervention, in care, foster care, youth services, and other alternate placements. The Review will provide an opportunity for Inuit communities to be directly involved in discussing these issues and identifying potential changes. Young people, elders, families, foster families, community leaders, extended family

members, and service providers will be invited to share their experiences and their views for the future. Interpreting services will be provided when needed, and counselling and support services will also be available, given the sensitive nature of the discussions. Another component of the Review will include an extensive review of individual case files.

Indigenous children and youth are critically overrepresented in Canadian child welfare systems. The federal government recently stated that the overrepresentation of Indigenous children in child welfare systems has reached crisis proportions with First Nations, Inuit, and Métis children making up more than half of Canadian children in foster care. Provincially, 345 (34%) of the 1005 children and youth in care in Newfoundland and Labrador are Indigenous. Almost half of these children are Inuit.

We wish to recognize the Nunatsiavut Government's offer of assistance and support as we conduct this independent Review. In addition to ongoing consultation as needed, this support will be valuable in coordinating logistics, communications and plans within Inuit communities, and engaging with these communities in ways that are culturally respectful and appropriate.

Planning has commenced and the work will be concluded by March 31, 2019. A public report will be issued.



Nain, Newfoundland and Labrador

INDIGENOUS CHILD WELFARE

As Child and Youth Advocate, I am a member of the Canadian Council of Child and Youth Advocates (CCCYA). In January we participated in the emergency meeting on Indigenous child welfare in Ottawa, convened by Indigenous Services Minister Jane Philpott and Crown-Indigenous Relations and Northern Affairs Minister Carolyn Bennett.

Following that meeting, the CCCYA issued the following statement:

As independent child advocates from nine provinces and two territories, we are dedicated to promoting and fostering respect for the rights of all children and youth and, in particular, their fundamental rights to health, safety, education and well-being.

Federal Ministers and others have stated that the over-representation of Indigenous children and youth in care in Canada has reached “crisis” proportions. We acknowledge that it presents a significant challenge for our country, compounded by the legacy of colonization, residential schools, racism and extreme poverty.

We recognize that addressing this over-representation is not the sole responsibility of the federal government or a single province, territory, Indigenous nation or organization. Finding solutions is a shared responsibility requiring comprehensive and coordinated attention and action across the country. It must involve community consultation and include the voices of children and youth who continue to be negatively impacted by these unresolved disparities.

In reply to the Ministers’ comments and the reasons for this meeting, we respond as privileged witnesses. In our jurisdictions, we hear daily from Indigenous children,

youth and their families about their experiences in the child welfare system. We stand with children and youth, and hope that their voices are heard directly. As members of the CCCYA, we agree to the following:

- 1. We recognize that coordinated solutions with both immediate and long-term actions are required to improve the living conditions and well-being of First Nations, Inuit, and Métis children and youth in Canada. We call for immediate and long-term action to address the social determinants of health for these children and youth, including adequate housing, elimination of poverty, improvements to infrastructure, and ensuring clean water and food security.*
- 2. We are committed to a process for change that will support reconciliation.*
- 3. We believe that the voices of children and youth are integral to any process designed to improve their lives.*
- 4. We believe that Indigenous peoples have the inherent right to self-determination, including the right to care for their children.*
- 5. As the CCCYA expressed through our Declaration of Reconciliation at the Truth and Reconciliation Commission’s closing events in June 2015, we call for the implementation of the TRC’s Calls to Action. We acknowledge the negative impact that colonization, residential schools, the ‘60s Scoop and the current child welfare system have had on First Nations, Inuit, and Métis children and youth.*
- 6. We believe that the United Nations Convention on the Rights of the Child is the cornerstone of all children’s rights and that its implementation must be informed by the United Nations Declaration on the Rights of Indigenous Peoples.*



Canadian Council of Child and Youth Advocates

MANDATORY REPORTING LAW OF DEATHS AND CRITICAL INJURIES HAS ARRIVED

In December 2017, the House of Assembly passed amendments to our legislation which now require the Department of Children, Seniors and Social Development and the Department of Justice and Public Safety to report critical injuries and deaths of children to our office. These changes are now in effect.

These amendments apply to children and youth in care, protective intervention, kinship, youth services, youth corrections, and children and youth at the Newfoundland and Labrador Youth Centre, or temporarily housed in correctional holding facilities. The new law involves any child or youth receiving these designated services or who has received them within the previous 12 months.

The existing *Child and Youth Advocate Act* has already enabled the Office of the Child and Youth Advocate to inquire, review, or investigate any matter related to children and youth. This authority has been enhanced because of the new mandatory reporting requirements. All reports of critical injuries or deaths will be examined by the office to determine if a further review or investigation is required. According to law, any investigation into child deaths can only occur once the Child Death Review Committee has completed its review.

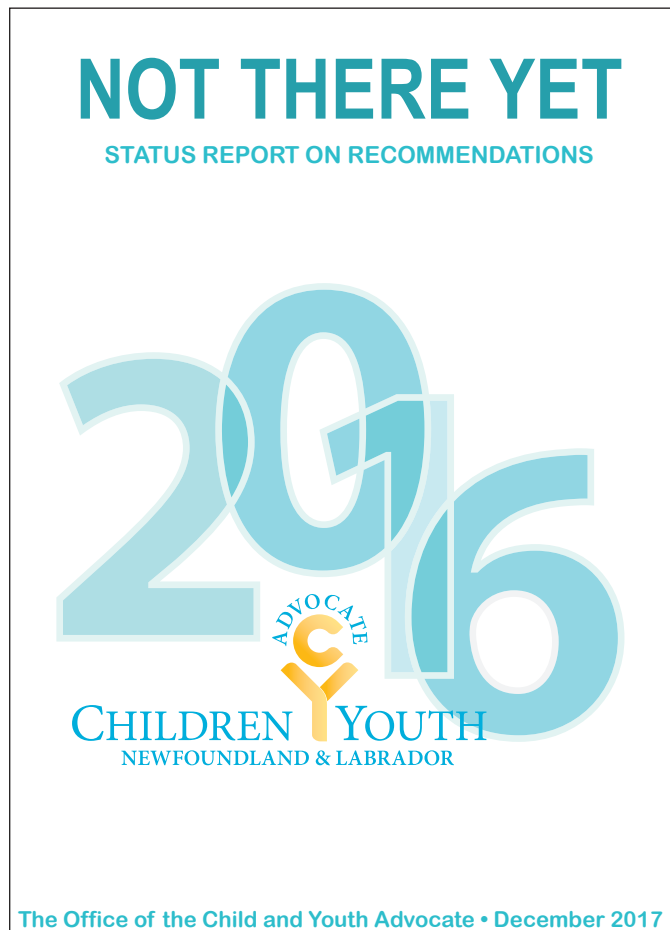
This legislative change has been a long time coming and since December 2017 we have worked collaboratively with senior representatives of the respective departments to finalize this process. The Child and Youth Advocate recognizes the collective effort of all involved in developing this important change in legislation and required reporting processes.

This new mandatory reporting requirement is strictly about departments reporting deaths and critical injuries of children to our office. It does not replace or change existing legislation that requires anyone with information that a child is or may be in need of protective intervention to report this information to child protection authorities within the Department of Children, Seniors and Social Development.

RECENT REPORTS

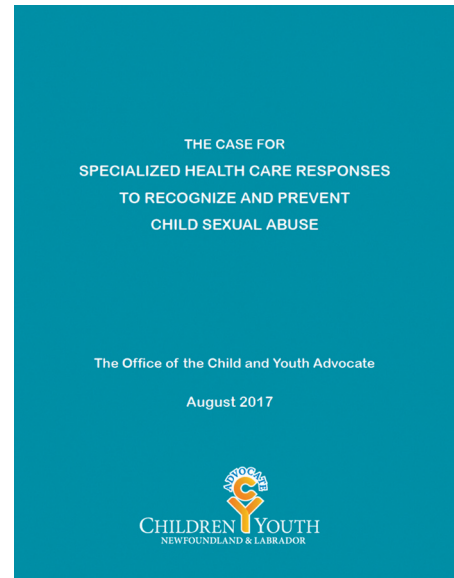
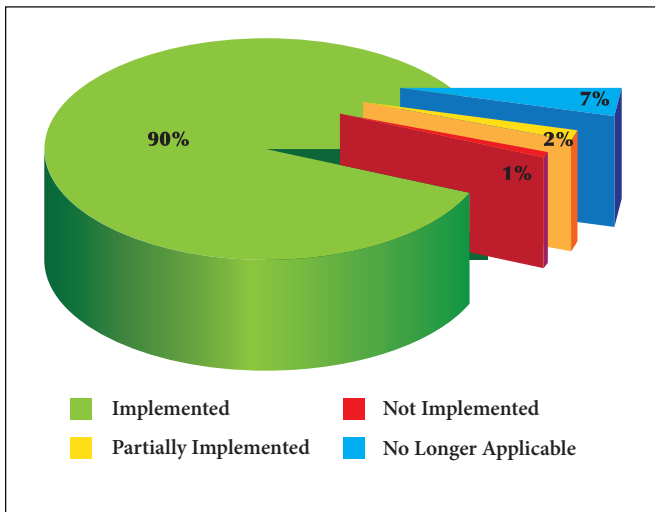
Not There Yet:

Status Report on Recommendations 2016



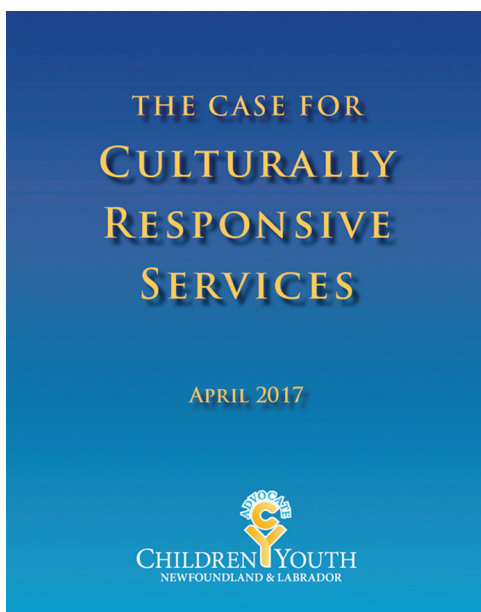
When we issue reports and make recommendations, we follow them until they are all addressed. In December 2017, the Advocate released *Not There Yet: Status Report on Recommendations 2016*. This type of a status report on recommendations is issued annually and reports progress and status on our recommendations. Government departments and agencies have made significant progress on the recommendations outlined in this report. And while there has been significant progress to December 31, 2016, three percent of the Office of the Child and Youth Advocate's recommendations remain outstanding.

We have seen progress in some of our more recent recommendations and would like to recognize these departments and agencies for their work to make important improvements to benefit young people in Newfoundland and Labrador.



REVIEWS AND INVESTIGATIONS

In 2017 two investigative reports were released. In *The Case for Culturally Responsive Services (2017)*, the Advocate recommended government conduct cultural competency, diversity and inclusion training for designated frontline staff. We were very pleased to receive the Department of Advanced Education, Skills and Labour’s invitation at the launch of this multi-departmental training. The training program is designed for professionals working with culturally diverse individuals and families. Some of our staff participated over two separate days of training and they thought this initial session was very worthwhile.



In *The Case For Specialized Health Care Responses To Recognize and Prevent Child Sexual Abuse (2017)*, the Advocate recommended that Memorial University’s Faculties of Medicine and Nursing collaboratively address the professional education topics of child protection legislation and reporting requirements, legal age of consent for sexual activity, medical consent for minors, and how to recognize warning signs of sexual coercion, abuse and exploitation of minors. So we were very pleased to be invited to Memorial University’s Centre for Collaborative Health Professional Education (CCHPE) on March 16, 2018 in which we presented and facilitated a discussion on these issues. The CCHPE is a partnership of many of MUN’s schools, departments and faculties designed to enhance student skills in collaboration and interprofessional communication.

We are currently working on more than a dozen investigations and reviews. In November 2017, the Advocate announced two new investigations and one review pursuant to Section 15 of the *Child and Youth Advocate Act*. One investigation involves the Department of Children, Seniors and Social Development’s management of contract compliance for contracted residential services. The other new investigation examines the Newfoundland and Labrador English School District’s actions related to teacher conduct and student safety in an individual case. We are also concluding reviews into two systemic areas of concern: recovery of child support payments from Income Support benefits, as well as chronic absenteeism.

SOCIAL WORK STUDENT PLACEMENT

We are pleased to offer quality social work placements in helping students prepare for their careers. We believe advocacy is at the heart of social work practice, and this is a great place to learn about it. In Winter semester 2018, we were very fortunate to have Nicole Withers, one half of our 2017 summer outreach “Dynamic Duo”, return to us to complete her final BSW placement before graduation. We are excited to announce that Nicole has been accepted to McGill University’s Master of Social Work program and will begin her studies in Fall 2018. We wish her all the best in her exciting future! Here is Nicole’s reflection on her placement:

During my time at the Office of the Child and Youth Advocate, I was involved in a variety of different opportunities. I assisted with intake calls, responding to the needs of individual children and youth in the province, and ensured their rights were upheld. I also connected with youth in the community to hear their lived experiences through three focus groups. I was involved in staff development, visited organizations that serve children and young people, and attended outreach events to connect with youth. I have been in a

unique position to return to the office in a different role than from my experiences in Summer 2017. The different roles have allowed me to see the scope of work the office engages in, and the staff dedication and commitment to the children and youth of Newfoundland

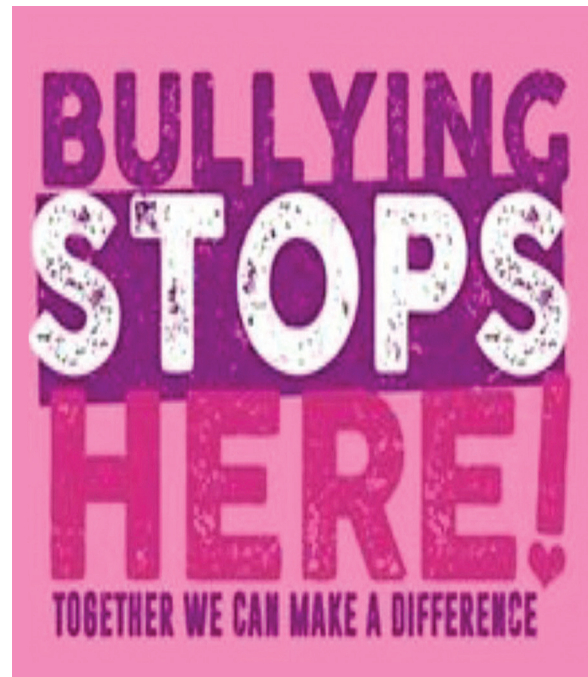


-Nicole Withers, BSW student

and Labrador. I have had countless opportunities to refine and shape professional and personal goals. Through my experiences with the office, I have been so fortunate to be surrounded by folks who want to help me succeed, and allowed me the space and time to grow into a competent professional. Being involved in various roles at the office has piqued my interest to advance my education and continue to pursue social justice, working specifically with children and families.

WELCOME TO STAFF

We are delighted to welcome new and returning staff to the Office of the Child and Youth Advocate. Trish LeGresley joined us as Systemic Advocacy Consultant, Wilma MacInnis as Director of Strategic Services and Outreach, Louise Mercer as an Individual Advocacy Specialist, and Stephanie Walsh, Systemic Advocacy Consultant has returned from maternity leave. We were also pleased to have Ellen Oliver, Marie Duffett, and Shawn Donovan join us for short-term investigations. We are privileged to have such a dynamic team with diverse backgrounds, and we thank all of you for all the work you do.



PINK SHIRT DAY

We participated in Pink Shirt Day on February 28. We proudly wore pink in support of anti-bullying efforts. We stand with young people on this day and every day in our support to end bullying and all forms of violence. Pink Shirt Day challenges people to have conversations about bullying and the importance of kindness and respect. A wave of pink spread throughout the community and we were happy to join in sharing Pink Shirt Day’s important message.

Out and About

WHEN WE ARE OUT AND ABOUT, WE ALWAYS ARE LEARNING FROM YOU

Fall and Winter has been a busy time as we continue to connect with children, youth and others as together we work to advance the issues and views of young people. A sincere thanks to the following people who shared your time with us. Your insight, thoughts, discussion and interest in our office and the rights of children and youth is much appreciated!

OUTREACH

Building on visits to Labrador, Central and Western earlier in 2017, we continued outreach with visits to schools and community organizations in Sheshatshiu, Baccalieu Collegiate in Old Perlican, Crescent Collegiate in South Dildo, the Splash Centre in Harbour Grace, Woodland Elementary in Dildo, and Cabot Academy in Western Bay. We also spent some time on the Southern Shore and Irish Loop as we visited the Ferryland Family Resource and Childcare Centre, Mobile Central High School Student Council and

Social Justice Group, Stella Maris Academy Student Leadership Group in Trepassey, Dunne Memorial Academy Student Leadership Group in St. Marys, St. Catherine's Academy Student Leadership Group, and CSSD staff in Ferryland. We were also delighted to meet with the Qalipu Youth Group in Corner Brook. And just recently we also had the privilege of visiting the Stepping Stones Family Resource Centre and Community Youth Network in Placentia as well as the Youthtube Community Youth Network and Neighbourhood of Friends Family Resource Centre in Clarenville.

We have been making some great connection with young people through our visits to Waypoints group homes, PFLAG youth and group facilitators/adult mentors and Boys and Girls Club at Buckmaster's Circle. Our focus groups at Choices For Youth were enlightening. We have also held a number of workshops with students at Mount Pearl Senior High (Career Education Classes) as well as presentations to students and staff at District School.

In the fall we also launched our onsite outreach program at Thrive, Choices for Youth, and NL Youth Centre in Whitbourne. We visit these agencies on



Student Council Mobile Central High School



Student Leadership Group St. Catherine's Academy

a regular basis to ensure young people have access to our services and can learn more about what we do. We have been so very pleased to host Thrive's Velocity Groups on four occasions so far in 2018.

A big thank you to all who spent time with us. It is so important for us to connect with and hear from you. Your stories are important to us because it helps us understand how we can help you, and also helps us know the issues and concerns in a bigger and better way.

We have been on the move, and you might see us anywhere. Here are more of the places we have been in recent months:

- **City of St. John's Move It Family Fun Day at the Power Plex**
- **Naomi Centre's 30th Anniversary Open House**
- **Daybreak Parent Child Centre**
- **St. John's Native Friendship Centre**
- **Easter Seals NL**
- **Association for New Canadians**
- **Community Education Network and Associates AGM**
- **Proclamation signings for Social Work Week in March 2018**

- **Pancake Breakfast for Homelessness**
- **Thrive staff meeting**
- **NAVNET networking session at the Newfoundland and Labrador Housing and Homelessness Network**
- **Sharing our Cultures event at the Rooms**
- **Southwestern Coalition to End Violence in Stephenville**



Student Leadership Group Dunne Memorial Academy

NATIONAL CHILD DAY 2017

On November 20, 2017, we marked the United Nations International Day of the Child acknowledging that every child and youth in Canada has fundamental rights which are identified in the *United Nations Convention on the Rights of the Child*.

In recognition of the special day, the OCYA hosted and participated in many activities throughout the week. We started the week by participating in radio programming through Memorial University's radio station CHMR, where we discussed young people's rights and their experiences. We coordinated the participation of several youth in radio programming. This was part of a national day of broadcast of community radio stations in Canada. We also visited schools and community organizations in Sheshatshiu, Mobile, Trepassey, Kilbride, Cape Broyle, St. Catherine's, Bay Bulls, Ferryland, Mount Pearl and St. John's. We tweeted daily in promoting specific rights from the *Convention on the Rights of the Child*, delivered a Young Advocate's message, and profiled the work of young artists. The week's activities concluded as we participated in the *Get Moving Family Event* at the Power Plex in St. John's.

We truly had a great time and we are already putting together an "ideas" list for this year's event. Please share your ideas with us.



Qalipu Youth Group In Corner Brook

QALIPU YOUTH GROUP IN CORNER BROOK

As Child and Youth Advocate, I was honoured to meet with Qalipu Chief Brendan Mitchell and the Qalipu Youth Group and their leaders in November in Corner Brook. We talked about children's rights and the importance of culture. We talked about how a strong sense of culture can make you feel powerful and proud. I felt very privileged when they invited me to participate in a smudging ceremony, and taught me how to drum and sing traditional songs. (In fact, I brought back the words to one of the Christmas songs and sang it to staff at my office). Many thanks for a visit that has made a lasting impression. JLK



Debbie Gillard & Wilma MacInnis, Stepping Stones Family Resource Centre, Clarenville



Ferryland FRC Playgroup



(L-R) Dr. Julia Temple Newhook, Jackie-Lake Kavanagh, Tj Jones

TRANS YOUTH – DISPELLING MYTHS AND EMBRACING DIVERSITY

We were privileged recently to meet with Dr. Julia Temple Newhook of Memorial's Janeway Pediatric Research Unit, and Tj Jones, Lead Youth Facilitator. They joined us to talk about the work of Trans Support NL, and to help us better understand the issues facing trans youth. They did an amazing presentation, and we thought we would share some of the highlights and insights:

- Transgender is a broad term to describe a person whose gender identity differs from their gender assigned at birth
- Many cultures have more than two gender possibilities and this has been the case throughout history
- Being trans does not mean you have a psychiatric disorder

- The American Academy of Pediatrics states that most children have a stable sense of their gender identity by age four
- Ontario study showed that support from parents reduces trans youth suicide rates by 93%
- NL study showed that 13% of NL trans youth describe their parents as fully supportive
- Trans youth want to be called by their own name and pronouns (don't be afraid to ask), and they want to be respected for who they are and not who society may expect them to be

Here are some resources that Tj and Julia shared with us:

<http://www.the519.org/education-training/training-resources/trans-inclusion-matters>
Gender Identity and Gender Expression Toolkit to Support the Implementation of Institutional and Social Change

<https://www.rainbowhealthontario.ca/TransHealthGuide/> Rainbow Health Ontario

Also, if you would like our posters or stickers promoting diversity, please get in touch. We are happy to share. They have been extremely popular.



PROFESSIONAL DEVELOPMENT

Continuing education is a vital piece of our advocacy role. Since our last newsletter, various staff have participated in the following professional development sessions and webinars:

- Non-Violent Crisis Intervention Training
- Mental Health First Aid for Adults who Interact with Youth
- Food for Thought: A Youth Perspective on Recovery-Oriented Practice
- Navigating the Landscape of the Opioid Crisis in NL
- Addressing Youth Sexting
- Emergency First Aid Training
- Intercultural Competency Training
- Conflict Resolution Skills
- Claiming Full Citizenship for Persons with Disabilities
- safeTALK workshop
- Complementary Approaches to Youth Mental Health webinar
- Before Cannabis Becomes Legal webinar
- New Brunswick's Integrated Service Delivery Model - NLESD and EECD



*Jillian Roberts and Louise Mercer,
Sharing Our Cultures at the Rooms*

IN HOUSE

It is always great to have presenters come in to our office. While we learn lots from you, we also take the opportunity to share more about what we do and how we advocate for young people. So thanks to the following:

- Cheryl Coleman (THRIVE), Blue Door Program
- Amelia O'Dea and Susan Smart, Ruah Counselling Centre
- Dr. Julia Temple Newhook and Tj Jones, TransNL
- Stephanie LeGresley and Cheyenne Ryan, MUN RADHOC Youth Leadership Group
- Stacey Pratt, Office of the Information and Privacy Commissioner Privacy
- Department of Children, Seniors and Social Development, New Structured Decision Making Model
- Public Legal Information of Newfoundland and Labrador and Newfoundland and Labrador Sexual Assault Crisis and Prevention Centre, Journey Project



LEARNING OPPORTUNITIES - FROM COAST TO COAST TO COAST

As a very specialized area of practice and mandate, we are always looking for innovative ways to share and understand best practices and knowledge. As a member of the network of the Canadian Council of Child and Youth Advocates (CCCYA), we have become engaged in a new initiative focused on sharing of information/knowledge amongst Advocates' offices throughout the country. Through CCCYA, we now participate in monthly webinars where we all learn from each other about new and emerging practices, approaches and issues.



YOUNG ARTIST WALL OF FAME

Are you a young artist under the age of 21? If so, we would love to showcase your artwork on our website, social media, newsletters, reports and other resource materials about children's rights. We even used a youth art submission for our 2017 Christmas card. We are interested in drawings, paintings, pictures and even your poetry. If you are a youth over the age of 16, you may provide your own consent. If you are under 16, then we need your parent or guardian to give their consent. Check out our website to learn more. We award a prize pack with lots of cool items to everyone who submits. Don't delay!

<http://www.childandyouthadvocate.nf.ca/YoungArtistProgram.htm>



COLDEST NIGHT OF THE YEAR 2018

On February 24, 2018, our team joined 300+ walkers in the *Coldest Night of the Year* walk through downtown St. John's. The OCYA team raised \$700.00 towards the walk which raised approximately **\$40,000** for Choices for Youth, in support of Choice's Outreach and Youth Engagement Centre. We were delighted to be part of the walk with others who share our belief in supporting young people in our community.



OCYA team members (L-R) Andrew Mallam, Jillian Roberts, Jackie Lake-Kavanagh, Louise Mercer, Patricia LeGresley, Stephanie LeGresley, missing from photo: Bonnie Poole.

NAME OUR BEAR!

We are on a mission! Our bear needs a name. If you are a young person and have a great name in mind, let us know. Call us with your idea at [753-3888](tel:753-3888), or email us at office@ocy.nl.ca If we pick the name you suggest, you will get a special prize bag filled with lots of cool items. Make sure you leave us a phone number or email address to get back to you if you are the winner. Get your thinking caps on!!!



The “Rights” Stuff

Article 12: Children and Youth have a Right to be Heard

The United Nations Convention on the Rights of the Child

EVERY CHILD’S RIGHT TO BE HEARD

We believe it is important for you to be heard as a young person. In fact, according to the *United Nations Convention on the Rights of the Child*, it is your right. You are a unique person with unique experiences. Adults may not understand your perspectives, needs and concerns without carefully listening to you. We work to help people understand how important it is to have you, as a young person, included in decisions that affect you and society. We want your voice heard and your opinions strongly considered.

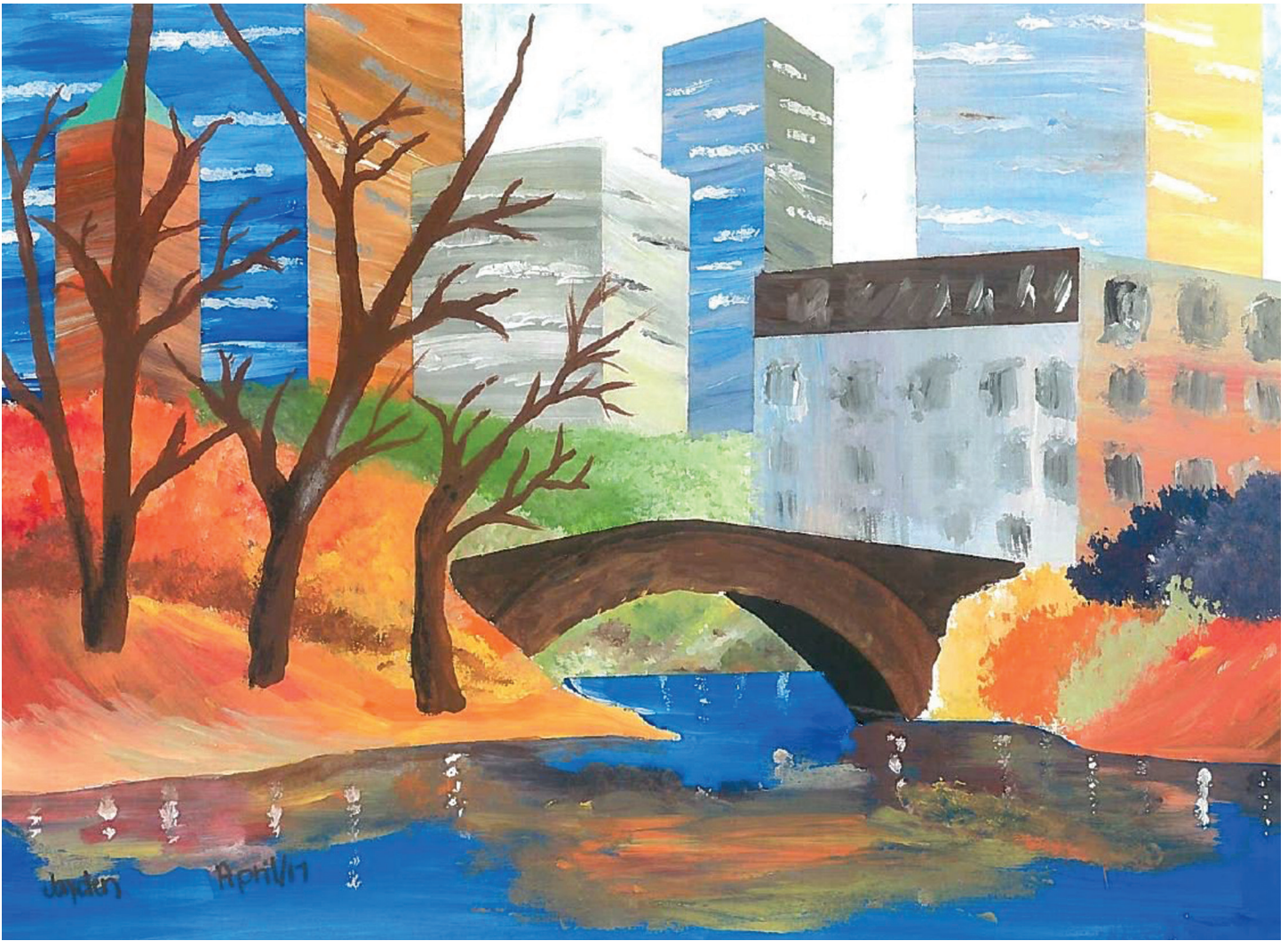


If you are a young person with a problem involving a foster home, group home, mental health service, justice system, or other government services, we are here to listen and help. We can:

- Help you get heard
- Help you learn about your rights
- Speak up for you
- Find someone who can help you
- Contact others involved
- Help you identify your options



“You should listen to even the smallest voice; someday it could be the one that makes a difference.” ~ Crystal Marcos



Young Artist - Jayden Byrne



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@OCYANL**

To ensure we reach children and youth and the public, please contact us to add your name or organization to our distribution list and we will send copies as requested. We publish twice a year.

Contact the Office of the Child and Youth Advocate if you or someone you know needs our help:

Phone: (709) 753-3888 • Toll Free: 1-877-753-3888
TTY: (709) 753-4366 • Fax: (709) 753-3988 • Email: office@ocy.nl.ca
WebSite: www.childandyouthadvocate.nl.ca

Or drop by and speak with someone in our office:

193 LeMarchant Road, St. John's, NL • A1C 2H5 • Mon-Fri 8:30 am - 4:30 pm