



**Office of the Child and Youth Advocate**  
PROVINCE OF NEWFOUNDLAND AND LABRADOR

## **BUSINESS PLAN**

**FISCAL YEAR ENDING MARCH 31, 2008**



## **Office of the Child and Youth Advocate** **PROVINCE OF NEWFOUNDLAND AND LABRADOR**

### *Message from the Child and Youth Advocate*

I am pleased to present the first Office of the Child and Youth Advocate Business Plan for 2007/08. It reflects the Office's values, missions and goals for the planning cycle. Pursuant to the provisions of the *Transparency and Accountability Act*, the office has been categorized as a Category Two entity. The office will comply with the typical three year planning cycle as outlined in the legislation at the expiration of this plan.

This Business Plan has been prepared in accordance with the *Transparency and Accountability Act* provisions for a Category 2 entity. As Child and Youth Advocate, I recognize my obligation under the Act and I am accountable for the preparation of this plan and for the achievement of the specific goals contained therein.

*Darlene Neville*

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Darlene Neville  
Child and Youth Advocate

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# 1.0 OVERVIEW

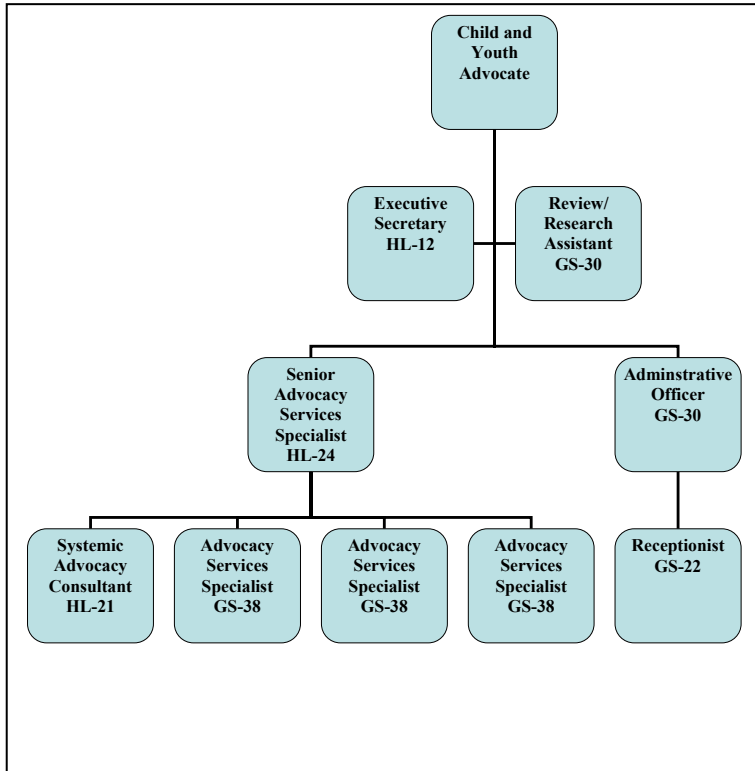
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The Office of the Child and Youth Advocate opened on November 18, 2002. The Office was established by statute, *The Child and Youth Advocate Act*, which was proclaimed on May 12, 2002.

The current Child and Youth Advocate, Darlene Neville, was appointed to the position of Child and Youth Advocate on August 1, 2005, and her appointment was confirmed by resolution of the House of Assembly on November 29, 2005.

The Advocate is an Independent Officer of the House of Assembly and reports directly to the Legislature through the Speaker of the House. The staff of the Office of the Child and Youth Advocate are members of the Public Service, Government of Newfoundland and Labrador.

Advocacy services are provided to children and youth through a central office located in St. John's with outreach to all areas of the province. Services can be accessed through office visits, advocacy clinics held by staff throughout the province, use of a toll-free number and the website.



The Office has a total of 10 staff including: the Child and Youth Advocate; one Executive Secretary; one Review/Research Assistant; one Senior Advocacy Services Specialist; one Administrative Officer; one Systemic Advocacy Consultant; three Advocacy Services Specialists; and a Receptionist.

The Commission of Internal Economy approved a budget of \$781,900 for the Office of the Child and Youth Advocate for Fiscal Year 2006-2007. The details are noted below:

Salaries	\$498,600
Employee Benefits	2,500
Transportation and Communications	100,000
Supplies	25,000
Professional Services	75,000
Purchased Services	75,800
Property, Furnishings and Equipment	5,000
TOTAL	\$781,900

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## 2.0 MANDATE

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The Office of the Child and Youth Advocate was established by statute which may be cited as the *Child and Youth Advocate Act*, SNL. 2001 cC-12.01.

The mandate of the Office is contained in Section 3 of the Act, which states:

3. The Office of the Child and Youth Advocate is established
  - (a) to ensure that the rights and interests of children and youth are protected and advanced and their views are heard and considered;
  - (b) to ensure that children and youth have access to services and that their complaints relating to the provision of those services receive appropriate attention;
  - (c) to provide information and advice to the government, agencies of the government and to communities about the availability, effectiveness, responsiveness and relevance of services to children and youth; and
  - (d) generally, to act as an advocate of the rights and interests of children and youth.

The powers and duties of the Child and Youth Advocate are contained in Section 15 of the Act, which states:

15. (1) In carrying out the duties of his or her office, the advocate may
    - (a) receive and review a matter relating to a child or youth or a group of them, whether or not a request or complaint is made to the advocate;
    - (b) advocate or mediate or use another dispute resolution process behalf of a child, youth or a group of them, whether or not a request or complaint is made to the advocate;
- on

reviews,  
made

- (c) where advocacy or mediation or another dispute resolution process has not resulted in an outcome the advocate believes is satisfactory, conduct an investigation on behalf of the child or youth or a group of them, whether or not a request or complaint is made to the advocate;
  - (d) initiate and participate in, or assist children and youth to initiate and participate in, case conferences, administrative mediations, or other processes in which decisions are about the provision of services;
  - (e) meet with and interview children and youth;
  - (f) inform the public about the needs and rights of children and youth including about the office of the advocate; and
  - (g) make recommendations to the government, an agency of the government or communities about legislation, policies and practices respecting services to or the rights of children and youth.
- (2) The advocate may not act as legal counsel.

## **3.0 LINES OF BUSINESS**

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The *Child and Youth Advocate Act* mandates the Advocate to provide advocacy services on behalf of children and youth in four main capacities:

- Individual/Group Advocacy
- Emerging Issues/ Systemic Advocacy
- Reviews and Investigations
- Public Education

### **Individual Advocacy**

Individual Advocacy includes the provision of information, self-advocacy, basic and comprehensive advocacy services. Individual Advocacy differs depending upon the type of intervention provided.

- Information - involves the provision of information and/or referral to another government department, board, or agency.
- Self-Advocacy Assistance - involves the provision of information regarding programs, services, appeal procedures, options, and strategies, and may include coaching.
- Basic Advocacy Intervention - involves the provision of advocacy services requiring consultation and/or referral to other agencies and is usually completed within a short time frame. Advocacy staff engage in problem-solving strategies; make initial calls to service providers; and provide self-advocacy assistance.
- Comprehensive Advocacy Intervention - involves the provision of intensive advocacy intervention when basic advocacy intervention and/or self-advocacy assistance is not sufficient. Comprehensive Advocacy Intervention may involve in-depth self-advocacy coaching; meetings with multiple service providers; meetings with the child/youth and/or his or her natural advocate; attending/arranging case conferences/meetings; and engaging in alternate dispute resolution processes.



## Emerging Issues

Emerging issue files relate to issues that appear to be impacting a group(s) of children/youth, but require further research to determine if the issues are systemic. Often, individual files highlight emerging issues which require further advocacy work. If an emerging issue is determined to be systemic, the emerging issues file is closed, and a systemic file is opened.

## Systemic Advocacy

Systemic issue files are opened when issues presented to the Office of the Child and Youth Advocate impact a group(s) of children/youth and, therefore, require advocacy from a systemic perspective.

## Reviews/Investigations

Reviews and investigations are carried out pursuant to Section 15 (1) and (c) of the Child and Youth Advocate Act. The Child and Youth Advocate may review or investigate a matter on behalf of a child or youth, or group of them, whether or not a complaint has been made and may conduct an investigation if advocacy, mediation, or another dispute resolution process has not resulted in an outcome satisfactory to the Advocate.

## Public Education

Section 3 of the *Act* requires the Advocate to “protect and advance the rights of children and youth.” In fulfillment of this mandate, advocacy staff engage children and youth, child and youth serving agencies, government departments, and the general public in discussions and consultations regarding issues affecting children and youth in Newfoundland and Labrador. Also, staff provide presentations to such groups regarding children/youth rights.

Section 2 (c) of the Act defines a child

“child” means a person under the age of 16 years.

Section 2 (g) of the Act defines youth

“youth” means a person who is 16 years of age, but under 19 years of age and includes youth

- (i.) in care or custody under the *Child, Youth and Family Services Act*,
- (ii.) on remand under the *Criminal Code* or the *Young Offenders Act (Canada)*,
- (iii.) subject to a sentence under the *Criminal Code*, or
- (iv.) subject to a disposition under the *Young Offenders Act (Canada)*, who is under 21 years of age.

Section 2(f) of the Act defines service

“service” means a service provided by a department or agency of the government to children and youth the principal objective of which is to benefit children and youth.

Section 2(b) of the Act defines agency of the government

“agency of the government” means a board, commission, association, or other body of persons, whether incorporated or unincorporated, included in the Schedule.

Section 2(e) of the Act defines department

“department” means a department created under the *Executive Council Act* or a branch of the executive government of the province

## 4.0 VALUES

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The values expressed in this plan are intended to reflect values for the operation of the Office of the Child and Youth Advocate and the conduct of its staff.

- ❑ All staff will respect the dignity and rights of children and youth.
- ❑ All staff will work together to maintain a respectful and cooperative work environment which contributes to the development a strong, effective team required to “protect and advance” the rights of children and youth.

## 5.0 PRIMARY CLIENTS

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Children (under 16 years of age) and youth (16 years of age, but under 19 years of age and, in the case of extended care or a custodial sentence, up to age 21) are the primary clients of the Office of the Child and Youth Advocate.

Sections 3 and 15 of the *Child and Youth Advocate Act* mandate/authorize the Office of the Child and Youth Advocate to provide recommendations to government regarding the overall effectiveness of services for children and youth, including recommendations regarding changes to existing legislation, policy and service delivery.

Also, pursuant to Section 28 of the *Act*, the Advocate must report annually to the House of Assembly through the Speaker on the exercise and performance of her functions and duties under this *Act*. Both requirements reflect the government as a primary client of the Office.

## 6.0 VISION

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The vision of the Office of the Child and Youth Advocate is a province where the rights and interests of every child and youth are protected and respected and each child and youth has access to all the government services they require.

## 7.0 MISSION

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The mission statement identifies the priority focus areas of the Child and Youth Advocate over the next two planning cycles. It represents the key longer-term result that the Office of the Child and Youth Advocate will be working towards as it implements its Business Plan.

### **Mission Statement:**

By 2011, the Office of the Child and Youth Advocate will have contributed to the protection and advancement of the rights and interests of children and youth within the province.

### **Measure:**

Contributions to the protection and advancement of the rights and interests of children and youth

**Indicators:**

- Number of advocacy clinics conducted
- Number of public presentations regarding the rights and interests of children and youth, and the government programs and services available to children and youth provided by the Office of the Child and Youth Advocate
- Number of individuals who attended these public presentations
- Number of presentations regarding the rights and interests of children and youth, and the government programs and services available to children and youth provided by the Office of the Child and Youth Advocate to students (K-12)
- Number of students who attended these presentations
- number of formal reports completed and presented to government
- number of Office of the Child and Youth Advocate brochures, reports and advocacy calendars distributed.

## 8.0 ISSUES

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**Issue 1:**

Awareness by children and youth of their rights and the existence of government programs and services available for them

**Goal:**

By April 1, 2008 the Office of the Child and Youth Advocate will have increased the number of its presentations to students (K-12) regarding the rights of children and youth and the existence of government programs and services available to them.

**Measure:**

Increased number of presentations

**Indicators:**

- Number of presentations provided to students (K-12)

**Issue 2:**

Regional presence of the Office of the Child and Youth Advocate

**Goal:**

By April 1, 2008 the Office of the Child and Youth Advocate will have increased the number of advocacy clinics held throughout the province.

**Measure:**

Increased number of advocacy clinics

**Indicators:**

- Number of advocacy clinics conducted
- Number of regional visits by advocacy staff

**Issue 3:**

Recommendations to government regarding issues of a systemic nature affecting children and youth within the province

**Goal:**

By April 1, 2008 the Office of the Child and Youth Advocate will have increased its number of formal reports to government regarding issues of a systemic nature affecting children and youth within the province.

**Measure:**

increased number of formal reports

**Indicators:**

- Number of formal reports provided to government regarding systemic issues affecting children and youth

**Issue 4:**

Reviews pursuant to Section 15(1)(a) of the *Act*

**Goal:**

By April 1, 2008 the Office of the Child and Youth Advocate will have completed the four Reviews of government programs and services currently being conducted by the Office.

**Measure:**

completed Reviews

**Indicators:**

- Reviews completed, provided to government and released publicly