



Press Statement

Advocate for Children and Youth Releases Investigative Report

December 3, 2013

Good Morning:

I will be giving a prepared statement, after which I will be happy to take questions; however, at this time, it is important to remind you that I will not provide information which violates confidentiality.

In late 2011, I became aware of a tragic and fatal fire which resulted in the arrest of a 16-year-old male. On December 12, 2011, I called an investigation into the circumstances surrounding the services provided to this youth, with the purpose to determine whether the services provided by the Department of Child, Youth and Family Services, the Department of Justice; the Department of Health and Community Services and the Eastern Regional Integrated Health Authority met the needs of this youth and whether his right to services was upheld.

The investigative process undertaken in this case was comprehensive and involved the review of case files and documents provided by the four (4) previously- mentioned departments. There were a total of forty (40) interviews conducted which included the youth, his family members and the professionals involved in his life. Two (2) out-of-province psychiatrists were contracted to provide their expert opinion with respect to child and adolescent complex mental health needs. An intensive review of applicable policies, procedures and legislation was also completed.

“Sixteen” is the story of a young person crying for help. One who was removed from his mother’s care, by the Department of Child, Youth and Family Services several weeks before his sixteenth (16th) birthday. At the age of sixteen (16) he signed a youth services agreement and moved from a supervised residential setting into a shelter, and then another shelter, until ultimately moving into a bed sitting room where he lived for seven (7) months until the date of the fatal fire that prompted this investigation.

Due to deficiencies within the system, there were times when his voice was not heard, his rights were not respected and his right to services was not upheld. It is very evident throughout this investigation that this youth’s age had a direct impact on the services he received. This story illustrates the need for professionals to be able to balance providing

Press Statement

Advocate for Children and Youth Releases Investigative Report

December 3, 2013

opportunities for youth to participate in decisions about their health, safety and well-being, while at the same time determining whether or not they have the capacity to make life-altering decisions – such as opting out of care and providing informed consent. In addition, it reveals the harsh reality of the inadequate services that are provided to many youth who choose, at just sixteen (16) years of age, to live on their own.

Once again, there are issues identified in this investigation that I have brought forward in previous investigations and continue to address in the advocacy work of my Office every day. These issues include deficiencies in documentation and assessment by the Department of Child, Youth and Family Services. Throughout this investigation there was evidence of a profound lack of collaboration and sharing of relevant information by all departments and agencies involved.

Issues identified specific to each department and agency investigated are as follows:

□ **Department of Child, Youth and Family Services:**

- lack of collaboration with other departments and agencies;
- lack of opportunities for the voice of the child to be heard;
- non-adherence to documentation policies;
- lack of documentation policies at the management level;
- lack of a comprehensive assessment;
- inefficient on-call services;
- delayed transfer of files within different programs of the Department of Child, Youth and Family Services;
- lack of appropriate training for social workers assigned to work in areas beyond their everyday assignment;
- misinterpretation of policy at the front line and management level;
- lack of planning for transitioning out of temporary custody;
- lack of incorporation of informed consent in Youth Services Agreements;
- inadequate and inappropriate Supportive and Residential Services available through the Youth Services Program;
- disjointed service delivery relationship with Choices for Youth;
- inappropriate dual case assignment of one social worker to fulfill the role of both the Youth Services Worker and the Youth Corrections Worker; and
- incorrect use of a Youth Corrections assessment tool.

□ **Department of Justice/RNC:**

- lack of collaboration with other departments and agencies;
- non-adherence to RNC documentation policies; and
- non-adherence to RNC record keeping policies.

Press Statement

Advocate for Children and Youth Releases Investigative Report

December 3, 2013

□ Department of Health and Community Services/Eastern Health:

- lack of collaboration with other departments and agencies;
- lack of opportunities for the voice of the child to be heard;
- lack of proactive engagement with the client;
- inadequate assessment; and
- inadequate access to mental health services.

There are 30 recommendations resulting from the completion of this investigation; two of which are the joint responsibility of more than one department and agency.

Overall for:

- Department of Child, Youth and Family Services: 19 Recommendations
- Department of Justice – 5 recommendations, including 1 specific to RNC
- Department of Health and Community Services – 6 recommendations
- Eastern Health – 2 recommendations

In keeping with the public release of any report from this Office, my hope is that people will take the time to read this report and see for themselves just what went wrong. I hope it will also help people understand the responsibility we all have to ensure that our most vulnerable, our children and youth, are protected and receive the services they deserve.

I want to take this opportunity to acknowledge this youth and his family for their commitment to this investigation in the hope that it will influence necessary changes. I would also like to acknowledge the dedication of my staff in continuing to meet the daily challenges of ensuring that the rights of our children and youth are upheld and their voices heard.

I will be providing each of you present today with a copy of the report. As well, printed copies are available to the public upon request by contacting our office. The report can also be viewed on our website: www.childandyouthadvocate.nl.ca

Thank you for your time today and I welcome any general questions.

Carol A. Chafe
Advocate for Children and Youth