

2016 – 2017



ANNUAL REPORT

10 YEARS of action

Défenseur des
enfants et de la jeunesse
du Nouveau-Brunswick



New Brunswick
Child & Youth
Advocate

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2016-2017 Annual Report

In this Annual Report, we will present the various fields of intervention of the Office of the Child and Youth Advocate (OCYA): individual requests, education, outreach and research, systemic advocacy, and advice to the government.

Our Vision

All children and youth have a right to reach their full potential and become active citizens. The New Brunswick Child and Youth Advocate believes that our province can be a place where the well-being of children comes first and where their rights and interests are protected. In short, we believe that New Brunswick can be a leader in upholding the rights of our young people.

Our Mission

The Child and Youth Advocate listens to all children and youth; engages with families, community organizations, and government partners, defends the rights of children and youth to ensure that their voices are heard and that their best interests are considered in all decisions that affect their lives.

The Child and Youth Advocate:

- ensures the rights and interests of children and youths are protected;
- ensures the views of children and youth are heard and considered where those views might not otherwise be advanced;
- ensures children and youth have access to approved services and that complaints about these services receive appropriate attention;
- provides information and advice to government, government agencies and communities about the availability, effectiveness, responsiveness and relevance of services to children and youth; and
- acts as an advocate for the rights and interests of children and youth in general.

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Office of the Child and Youth Advocate (OCYA)

Our Team

Norman J. Bossé, Q.C.	Advocate
Juliette Babineau Moore	Office Manager and Administrative Assistant
Tara Arnold	Receptionist
Annette Bourque	Clinical Director
Wendy Cartwright	Delegate
Nathalie Gagnon	Delegate
Robert Lafrenière	Delegate
Marcelle Woods*	Delegate
Christian Whalen	Deputy Advocate and Senior Legal Counsel
Sarah Dennene	Director of Research, Education and Outreach
Gavin Kotze	Director of Systemic Advocacy
Candice Pollock*	Law Student

*Part of the year

Financial Statement

2016-2017	Budget (\$)	Actual (\$)
Personal Services	748,500	812,717.05
Other Services	145,000	149,963.04
Material and Supplies	13,500	3,949.01
Property and Equipment	9,000	1,321.77
Contributions and Grants	0.0	(38,719.03)
Debt and Other Charges	0.0	27,00
TOTAL	916,000	929,258.84

Message from the Child and Youth Advocate



I am pleased to submit the 2016–2017 Annual Report of the Child and Youth Advocate pursuant to Section 25 (1) of the Child and Youth Advocate Act of New Brunswick. This year's Report titled *10 Years of Action* speaks to the decade long work of the Office of the Advocate and his staff in fulfilling its responsibilities.

In the first ten years of its mandate, much has been undertaken and accomplished. Some of the most significant reports from this office include:

- Connecting the Dots*, 2008 and *Staying Connected*, 2011 (youth mental health issues);
- The Ashley Smith Report*, 2008 and *More Care Less Court*, 2015 (administration of youth justice in New Brunswick);
- Hand in Hand*, 2010 (report dealing with the administration of child welfare in 1st Nations communities in New Brunswick);
- Broken Promises- Juli-Anna's Story*, 2008 (death of a young girl in protective care).

Personal case advocacy work done by the CYA delegates have grown their experience and expertise to a level second to none in any of the CYA offices in Canada and the Territories. Educational programs such as Child Rights Education Week (CREW), the Strategy for Prevention of Harm for Children and Youth in New Brunswick (2015), the CYA Annual State of the Child Report and the International Summer Course on the Rights of the Child have proven that the educational message brings about recognition of our CYA office and of its important function in the protection of children's rights.

All the work and the endeavours of the CYA Office are based on the premise of the independence of the Advocate in his role and functions. Stagnant budgets allocated to this Office by various provincial governments have resulted in more work for our staff, who are presently tasked beyond capacity, without relief. These factors can result in serious impediments as concerns the review or investigation of systemic failures causing harm to our children and youth in our province. I trust that in the next ten years these fiscal pressures, keenly felt by the New Brunswick Child and Youth Advocate's office, will be but a past phenomenon and that the Office will be funded to an adequate level which will allow this Office to best serve the children and youth of New Brunswick.

Nevertheless, a job well done in the first 10 years and with the continued commitment of our staff we look forward to becoming the best child and youth human rights protectors and defenders in Canada.

A handwritten signature in black ink, appearing to read 'Norman J. Bossé'. The signature is fluid and cursive, with a large loop at the end.

Norman J. Bossé, Q.C.
Child and Youth Advocate

Introduction

The Office of the New Brunswick Child and Youth Advocate was established in 2006. At that time, it was connected to the Office of the Ombudsman. The two offices were separated in 2010 to allow better ways for the Advocate to defend more specifically the rights of children. This year, we are celebrating 10 years since the establishment of the OCYA. Many projects were undertaken during this period and the Office continues to develop its outreach activities across the province to provide the best conditions for New Brunswick's children and youth and to ensure their rights are respected. A retrospective on the last 10 years can be seen here:

10 Years Already

OFFICE OF THE CHILD AND YOUTH ADVOCATE
2006-2016



We will defend your rights

We will defend your rights

<http://www.cyanb.ca/en>

Individual Case Advocacy Requests

Individual case advocacy delegates work on several of the duties and responsibilities identified in the Child and Youth Advocate Act. In any situation that comes to their attention, they ensure “that children and youths have access to services and that complaints that children and youths might have about those services receive appropriate attention” (Child and Youth Advocate Act, p. 3). In the past year, delegates reviewed and advocated for services in 498 requests brought to their attention. Tables showing the types of requests received and agencies involved will be presented below.

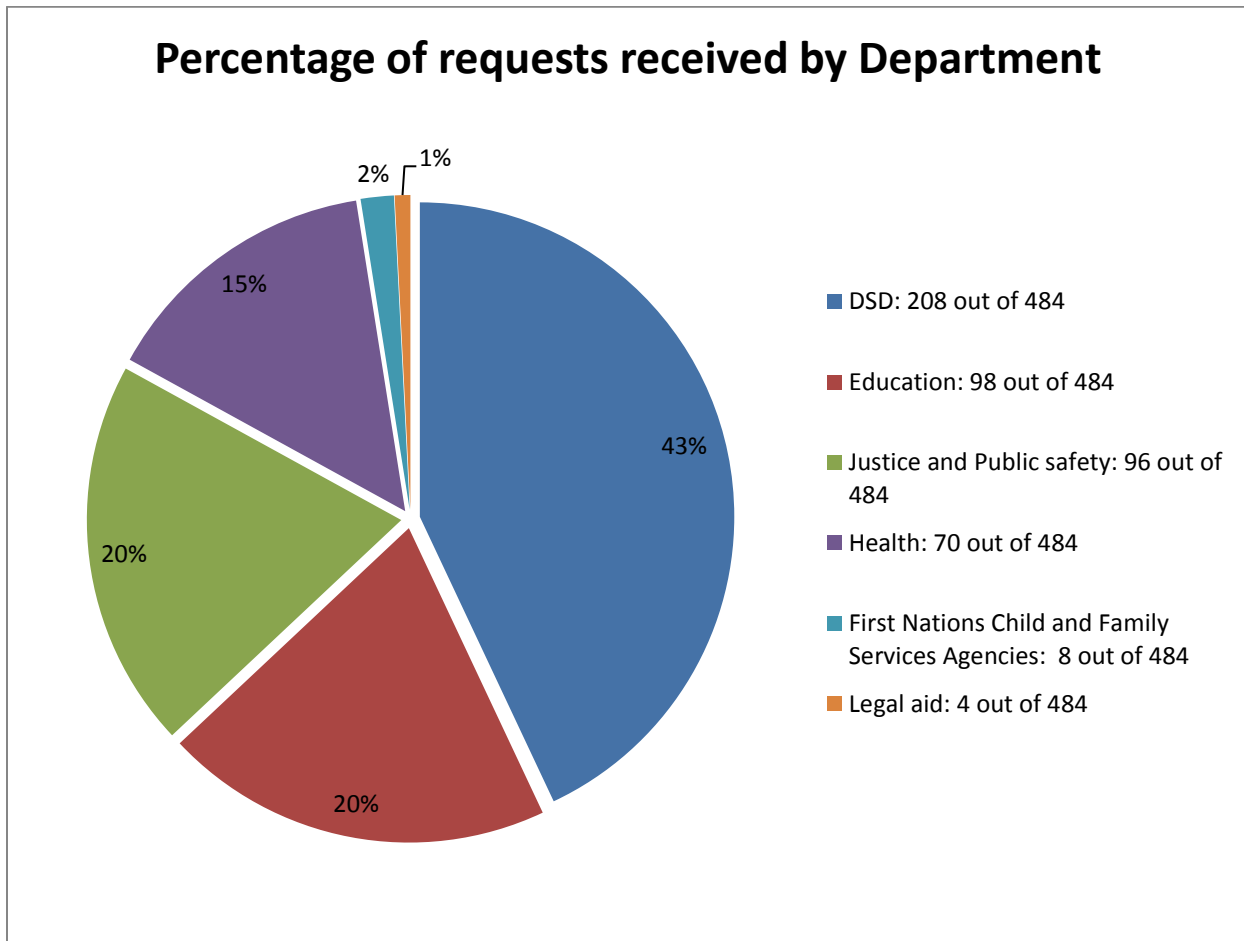
Individual case advocacy delegates are also involved in many other duties and responsibilities under the Child and Youth Advocate Act. Delegates provide information about children’s rights to children and youth as well as all adults they encounter; they ensure “that rights and interests of children and youth are protected” (CYA, p. 2) in the process and decisions made while reviewing requests. They also ensure “that the views of children and youths are heard and considered in appropriate forums where those views might not otherwise be advanced” (CYA, p. 2). Lastly, delegates provide “information and advice to government, government agencies and communities about the availability, effectiveness, responsiveness, and relevance of services to children and youths” (CYA, p. 3). While reviewing individual matters affecting a child or youth, delegates can provide feedback or request changes or exceptions to policies or practices that are violating a child or youth’s rights. When the matter being reviewed can impact several children, the delegate will inform the Director of systemic advocacy of the issue. The situation can then be reviewed in more depth and recommendations to government made.

From April 1, 2016, to March 31, 2017, 498 individual advocacy requests were brought to the attention of the Office. Fourteen (14) or 3% of requests received were not within the mandate of the Office and were directed to the appropriate federal agency or community resource.

To review a matter, a delegate will usually talk with or meet with a number of people involved; they review policy and practices in each of the agencies identified. They can participate in or call case conferences to get everyone involved to examine the violation of rights or services provided to try to mediate a solution; they may also need to review files from one or more agencies to understand the process and method used by agencies and enable the office to make recommendations in some cases.

Requests received by different Departments

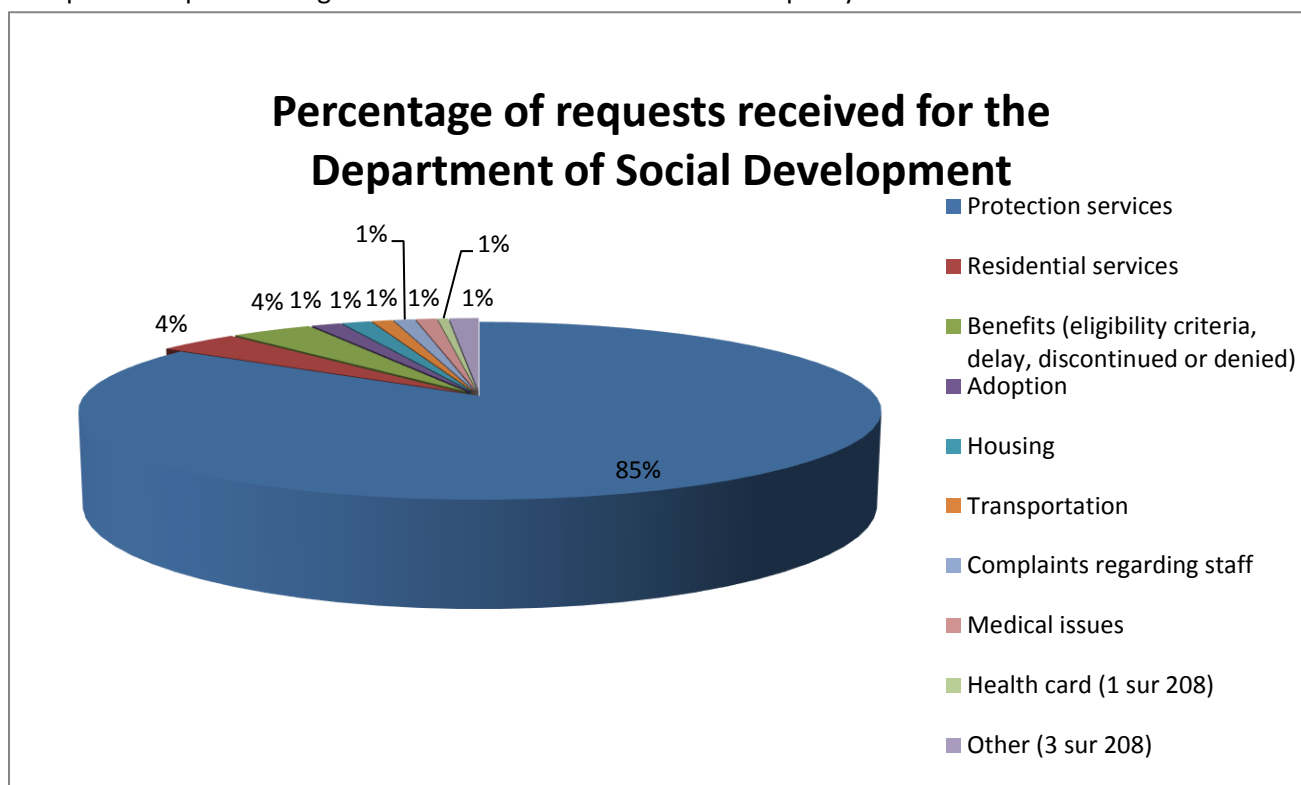
The table below reveals that most of the requests received by the Office in the past year involve the Departments of Social Development, Education and Early Childhood Development, Health, Justice and Public Safety. A lower proportion of calls were related to First Nations Child and Family Services agencies and Legal Aid.




Requests received for the Department of Social Development

Most of the requests for individual case advocacy directed to our office involve the Department of Social Development (208 requests or 41% of all requests received by the Office). The table below shows the types of requests we received in the past year pertaining to this department.

Examples of requests brought to the attention of the office in the past year:

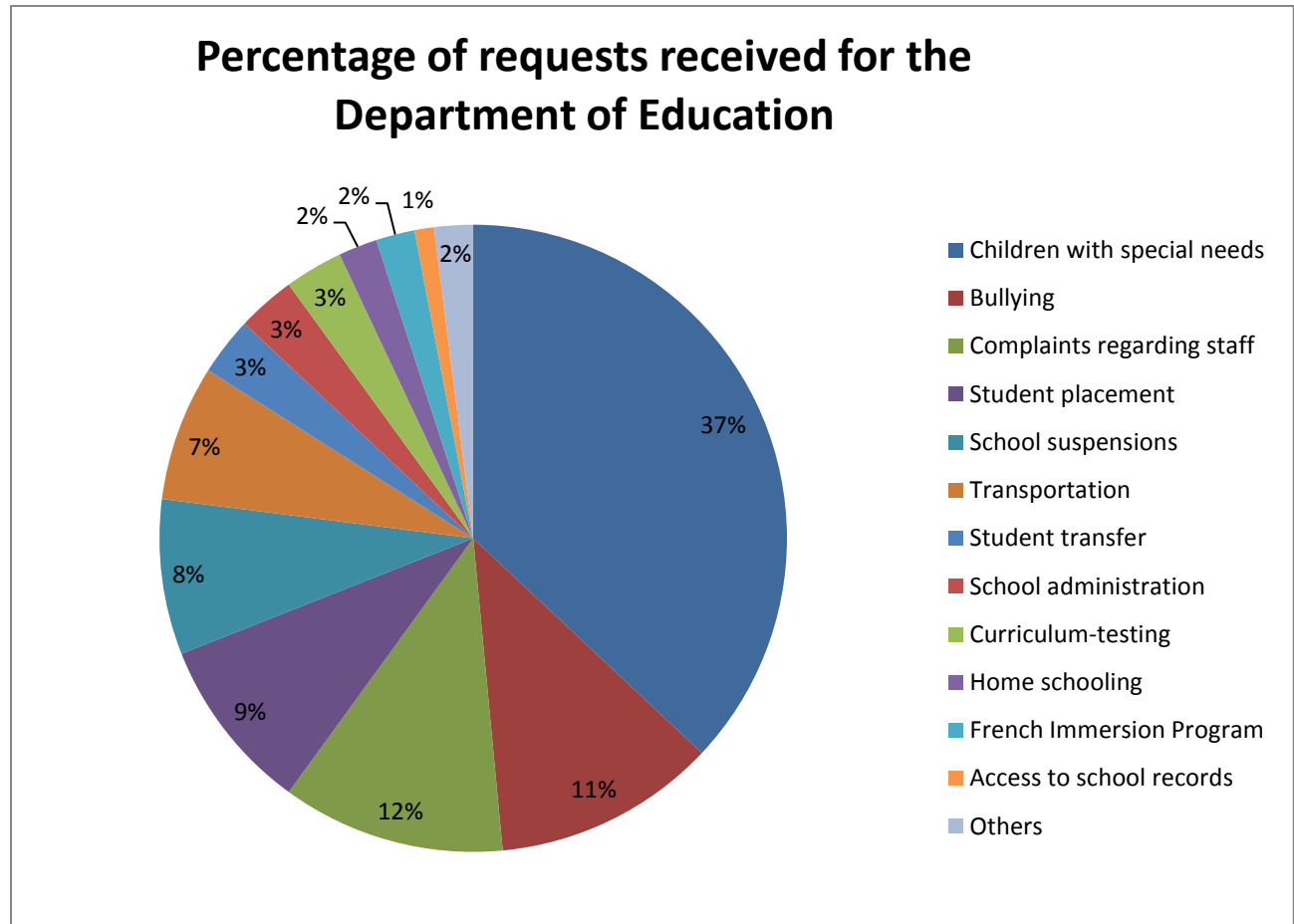


- a) Ellie is a teenager in the care of the Department of Social Development since she was a toddler and she is living in a group home. Ellie has difficulty regulating her emotions and finds that music helps her when she gets anxious or angry. She had access to a tablet at certain times a day but not necessarily when she felt she needed it. Ellie called our office and requested advocacy on this issue. She felt as though the group home staff and social worker did not listen to her when she expressed her concern. Conversations with the group home staff, her assigned social worker and our client, Ellie, brought to light that she was limited in her use of the tablet because she would use it to play games rather than listen to music or avoid taking a shower or doing homework. Together, the group decided that Ellie's request to have access to music when she is anxious and needs to self-regulate could better be managed with the purchase of an MP3 player with music she likes. Since the purchase of her MP3 player, group home staff and her social worker have noticed improvements in Ellie's moods and behaviours. Crises have decreased and Ellie is more cooperative when she is asked to do chores.

- 
- b) During a visit to a group home, a delegate realized that a young person with reduced mobility under the care of the Department of Social Development does not have adequate transportation to participate in social, recreational, or community activities. The group home is in a rural area that has no adapted transportation service. This young person is very social, she likes to go out, and she likes to meet people. Only her school is truly accessible, as the school bus can accommodate her wheelchair. Following many conversations, a partnership was struck between the department and the school district. The school bus is now used for social, recreational, or community outings so that this teenager can access her right to recreation and socialize, and participate in cultural and community events.
- c) Nadine is a 16-year-old youth in the care of the Department of Social Development. She enjoys going to school and is doing well. She is working on a part-time basis and getting to see family members. Nadine's request to our office was to help her advocate to have her primary worker at the group home changed. She has been trying to tell her social worker and staff at the group home that her relationship with the primary worker is not working for her but feels no one listens to her. She could tell us that her relationship with her previous primary worker was much better and she was also able to identify who from the current staff would be a better fit for her. Discussions with the social worker and with the group home coordinator resulted in Nadine's request being heard and everyone confirmed they had noticed the relationship was not working for Nadine or the group home. The primary worker was changed and Nadine's behaviours improved.


Requests received for the Department of Education

As shown in the table below, delegates continue to do a lot of work (98 requests for advocacy or 19.6% of all requests received) towards the right to education and access to services for children with special needs. Other issues include bullying, complaints regarding staff, student placement, school suspensions and transportation. A small number of requests focused on school administration, student transfer, curriculum-testing, home schooling, French Immersion Program, access to school records and others.



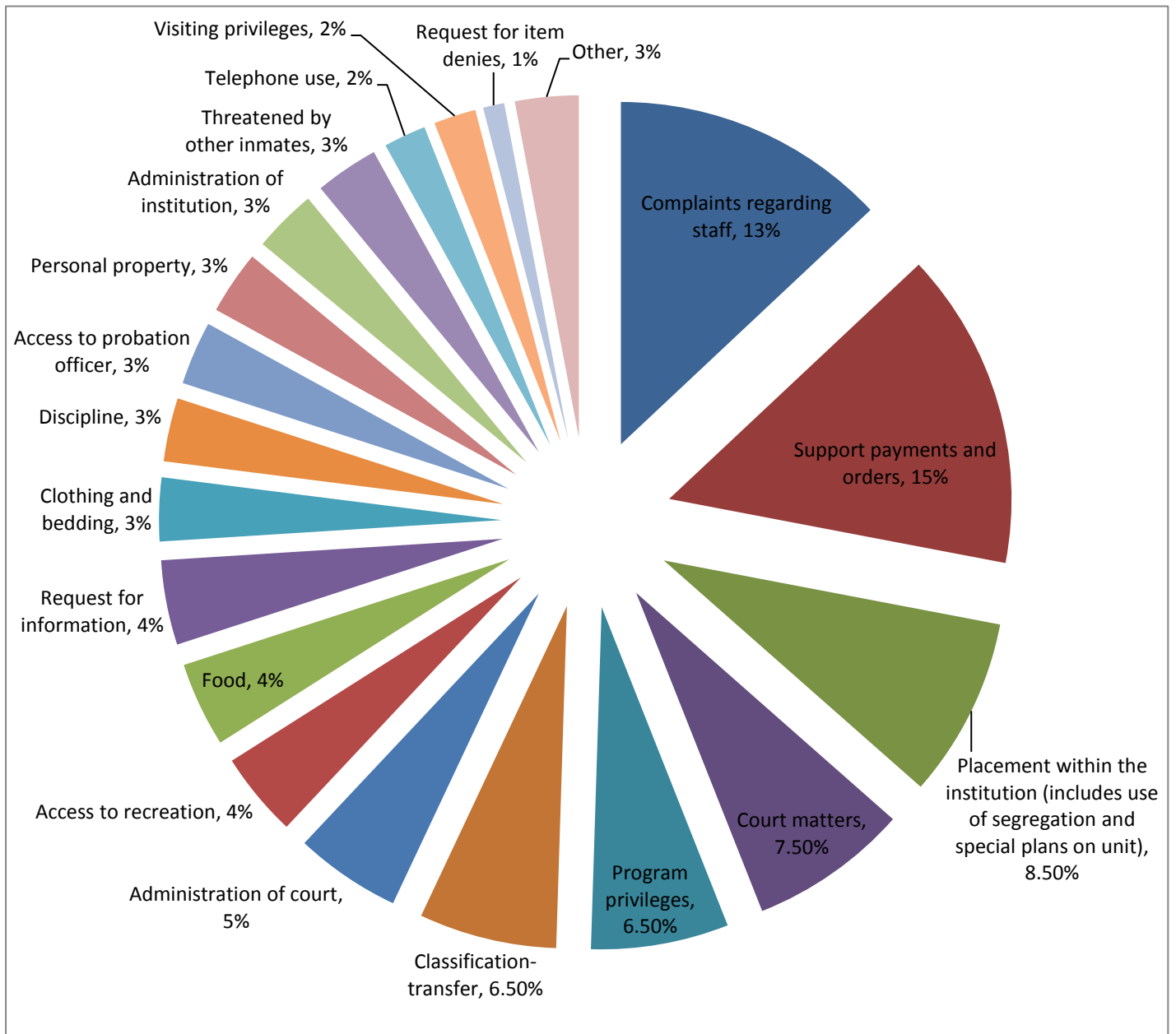
Advocacy from the office helped several youths attend school full days instead of only a few hours a day. Case conferences facilitated the creation of plans to address special needs, bullying, school suspensions, students transfer and improve communication between youth, their parents and school staff which is illustrated in the examples that follow:


- a) A 17-year-old with behaviour problems at her former school was having difficulty with her transfer at different school when the family moved in order for the parents gain employment in a different part of the province. The Office advocated for a meeting with all agencies involved: school, school district, Mental Health, Public Safety and Department of Social Development with the parents and the youth. A plan to address the right to education for this teenager was developed during a meeting and the plan included: one-on-one in-school tutoring sessions, access to vocational programs, consultations with a medical doctor and mental health counselor which included access to community activities with the support of a mentor. With this support in place, the youth made greater strides and was able to attend school on a full-time basis.
- b) Kayla, who has autism, recently moved to a new neighborhood with her father and her baby sister. She is no longer eligible to take the school bus because their residence is within walking distance to the school. Kayla struggles to understand the concept of safety. She will often run rather than walk and she runs away when her father is asking her to stop or to pay attention. Since he has the baby in a stroller, he is unable to run and catch up to Kayla. He called our office to ask if we could advocate getting Kayla back on the bus so she can arrive safely at school every day. The delegate from the office organized a meeting with the social worker from the Family Supports for Children with Disabilities program and a representative from the School District. Together, they agreed to the following plan: the family would receive services from the Department of Social Development (DSD) Family Enhancement program. This program could provide the support of a parent aid to walk with the father and the daughters to school, while using effective strategies with Kayla to keep her safe. While waiting for this referral to be processed and the parent aid to be identified, a babysitter paid by DSD was assigned to stay at home with the baby each morning and afternoon, which allowed the father more freedom to walk Kayla to and from school each day. At school, the resource teacher and the autism lead would develop a reward system where Kayla can do a preferred activity every time she successfully walks to school without running. They would also practice safety measures while crossing the street with Kayla. She is learning essential skills that will help her get to school and navigate to other destinations in a safe and appropriate manner because those two agencies agreed to coordinate their efforts and found creative ways to help Kayla and her family.

- 
- c) Eli recently suffered a great loss in his life, as a result he suffered from severe depression and anxiety. Eli got to the point he was only attending school one day a week. He called our office asking for advocacy to help attend school more often, while avoiding appearing “different from his peers.” A delegate met with a representative from the School District to assess the situation, and see what services Eli could access to attain success at school, and improve his mental health. The school made accommodations for Eli which included; in-home tutoring, online courses, more time to complete his coursework, and a plan for Eli to work towards full-time attendance, at a manageable pace. The psychologist and psychiatrist also agreed to work with the school on how best to support his mental health. Because of all the extra support offered, school staff began seeing improvement in Eli’s emotional state and his ability to stay focused to complete his schoolwork.

Requests received for the Department of Justice and Public Safety

Ninety-six (96) occurrences or 20% of all requests forwarded to our office involved the Department of Justice and Public Safety. The requests may include those from youth at New Brunswick Youth Centre (NBYC), youth in the community dealing with probation officers, court matters, support payments and orders and the administration of justice. As in previous years, delegates from the office conduct regular site visits to youth incarcerated at NBYC to inform them about their rights, to ensure they are treated well while incarcerated and to have a plan in place upon their return in the community (a place to live, access to education, health and mental health services, etc.). Requests for advocacy regarding the Department of Justice and Public Safety have included complaints regarding staff, support payment and orders, court matters, program privileges, administration of court, access to recreation, clothing and bedding, transfers from one unit to another, food, discipline, access to a probation officer, etc.



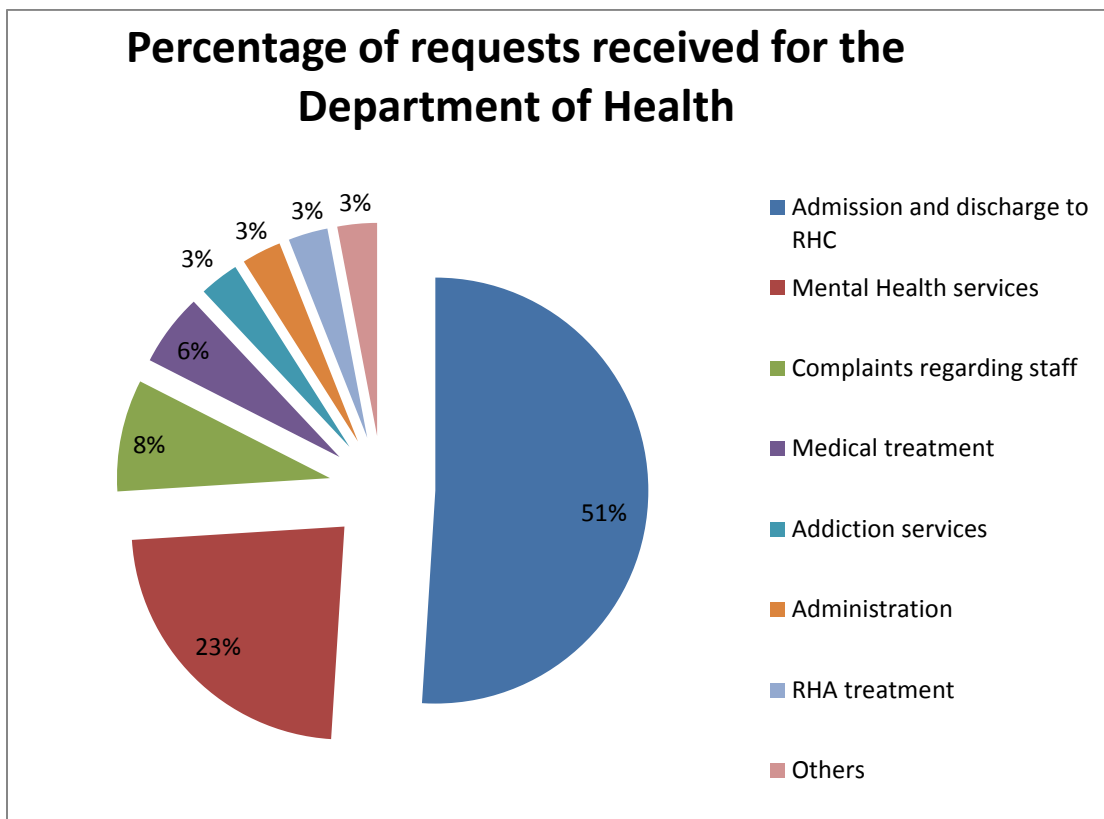


Examples of requests in the past year include:

- a) An incarcerated youth asked our office to help her contact her community probation officer as she had questions for her. She has been trying to reach her and left several messages but her calls were not returned. A delegate got in contact with the social workers at the institution and the probation officer as well. A meeting was set up between the youth and the probation officer and the youth got the answers to her questions.
- b) A youth refused to move from one unit to another as requested by the institution because he said renovations were not completed in the unit where they wanted to move him. A review of this matter revealed the youth was right because pest control had to be brought in, a dryer had to be fixed and moved out of the kitchen area and professional cleaners were called to clean the bathrooms. The youth was happy with the changes made and moved in the unit once everything was looked after.
- c) Several youths complained to our office about how long it takes to determine whether or not charges are going to be laid and how long they often held on remand at the Youth Centre while they wait for the court to proceed. Several youths have told our office they prefer to plead guilty in the early stages and get sentenced faster to avoid long periods of remand.

Requests received from the Department of Health

As for the Department of Health (70 requests or 14.5% of all requests received), most of our work focuses on youth being admitted to the Restigouche Hospital Centre for a forensic assessment or at the youth unit for treatment. The concerns of the office are twofold; a considerable number of youths are admitted for forensic assessment (some more than once a year) and a lower number of youths are admitted to the youth unit by community agencies through a complex case request. It has been difficult to get the community to organize or create the resources necessary to get youth who were admitted in the youth unit reintegrated into the community. Some youth have remained detained under the Mental Health Review Board for a year or more when they could have been able to return to the community if they had a family available to care for them or appropriate resources in place. The other major issue regarding access to health care remains access to Mental Health Services in a timely and effective manner. A small number of advocacy requests had to do with complaints regarding staff, medical treatment, addiction services, administration, RHA treatment, and others.



Examples of some of our work in the past year:

- a) Two young patients hospitalized in a youth treatment unit asked our office to advocate on their behalf with the care providers. Several other residents are often in a state of crisis or exhibiting inappropriate behaviour. During such times, the care providers ask all the residents to return to their respective rooms until the crisis is managed. These two youths were unable to take part in the activities intended for them and they did not like to spend too much time in their room.

Our Office spoke with the clinical consultants and managers of this unit to understand what was going on. We asked them to explore the most promising practices for crisis management for teenagers with mental health issues, while ensuring that the other young people were not restricted to their rooms during all of those occurrences. They complied and established another crisis management protocol. In addition, the youths who were doing well were allowed to leave the unit more frequently and carry out their daily activities. The two youths who had contacted our Office said they were very satisfied with the changes and were much happier.

- b) Marie is 17 years old and was sent for a forensic assessment at the Restigouche Hospital Centre. She hopes the assessment will help determine what is wrong with her and would like our office to help her find a place to live because she was homeless for the past months. Advocacy from our office resulted in this youth being released to the care of the Department of Social Development when she returned to court. Services to help her deal with addiction, anxiety and education were gathered through case conferences and have all been offered.

- c) A 17-year-old youth contacted our office while he was hospitalized. Doctors wanted to perform an invasive procedure and the youth wanted our office to advocate against it because he was afraid of needles and surgery. The youth was informed that the Child and Youth Advocate's Office cannot oppose a medical doctor's recommendations but that the office could help support the youth by getting all the information about the risks and benefits of this procedure or those associated with not going ahead with the procedure. The delegate also told the youth he had a right to be heard on this topic and share his fears with the medical team. The delegate contacted the medical staff and asked if they could meet with the delegate and the youth to discuss this situation and the recommended treatment. Following those conversations, the youth chose to have the surgery because he understood his situation was life threatening and he felt the medical staff understood his fears and they would reassure him when he needed support.

Education, Awareness and Outreach

Child advocacy also involves informing children, young people, professionals, and institutional stakeholders about children's rights. In exercising its mandate, the Office of the Child and Youth Advocate encourages concerted and collaborative actions to provide settings that are respectful of fundamental rights and therefore conducive to the healthy development of children and youth. We do so to prevent the violation of rights. This mission of the OCYA complements another mission that falls under individual complaints and systemic advocacy. Over the years, the OCYA has acquired expertise in large-scale research projects.

Training and Educating Professionals from around the Globe in New Brunswick: Fifth Edition of the International Summer Course on the Rights of the Child

Since 2012, the International Summer Course on the Rights of the Child is offered every year at the Université de Moncton. Each year, a specific article from the *Convention on the Rights of the Child* is chosen as a theme. The Course is available to anyone interested in the rights of the child, as well as professionals working with children from all disciplines. It helps to strengthen links between experts and practitioners working with children.



Thanks to the diversity of the experiences shared by the guest speakers and participants, the course provides high-quality professional development opportunities and constitutes as an essential platform for networking ideas and best practice.

2016 Summer Course

The 2016 Summer Course was based on Articles 37 and 40 of the *Convention* as a framework while placing a special emphasis on the usefulness of interdisciplinary perspectives in the prevention of juvenile crime and ways to better secure young people with their family and in their community while considering their behaviour.

The Course covered alternatives to the traditional approach to criminal prosecution. It led to a deeper reflection on the causes and consequences of the use of the deprivation of liberty of a child, not only in prison, but also in hospitals and schools. The idea was to produce an initial status report in Canada and around the world.



Ultimately, the obligation of the state, as provided in Articles 37 and 40, is to use detention as a measure of last resort and for the shortest possible period. This principle that is still seldom respected around the world.

The Course followed the path of a young man who navigated through the intricacies of the criminal law system. It promoted cooperation among professionals to ensure that their rights are respected.

East Coast Shaking the Movers: environment and climate change through a child rights approach

Objective of the project

The *Shaking the Movers* event is held in Canada since 2007. It is coordinated by the Landon Pearson Centre to provide children with a place to speak. For the first time this year in the Atlantic provinces, the OCYA supported the organisation of this conference know as *East Coast Shaking the Movers*. The forum was held in Fredericton.

This is a youth-driven and youth-led event, supported by professionals, designed to give young people an opportunity to present their opinions and comments and make specific recommendations. Adult professionals are on hand throughout the weekend to provide the young participants with support and to guarantee safe conditions for their speaking engagements.

A theme is chosen for each year. The theme for the 2016 event, which took place from October 21, to October 23, was climate change and the right to a clean environment.



How the project played out

The young facilitators, who were also members of the Children's International Summer Village (CISV), an organization dedicated to the friendship between children, offered many activities for the participants. The overall work provided by the nine facilitators and the OCYA team was essentially to inform the participants about their rights and to ask them about their needs so they can thrive in a healthy environment. The work of the young facilitators led to develop activities required a general think tank or more targeted thoughts about subjects such as food waste, rising sea levels, foreign mining activities, etc. Most of the participants were newcomers. The multicultural aspect of the event allowed everyone to participate and share the dynamics of the East Coast Shaking the Movers experience.



A meeting with the decision makers

As a follow-up to the event and the Child Rights Education Week, the young facilitators had the opportunity to participate in a meeting at the Legislative Assembly of New Brunswick. The meeting took place on November 20, 2016, and the young participants met:

- David COON - Member of the Legislative Assembly of New Brunswick
- Matt DECOURCEY - Member of Parliament for the riding of Fredericton
- Norman Bossé, Q.C. - Child and Youth Advocate

This interactive meeting allowed young facilitators to present a descriptive account of the event they led and to share their insight with the decision makers. Each young participant was given a chance to voice the message they wanted to share with those decision makers.

Several participants stressed the urgency to change how things are done to respect the environment. They put emphasis on sustainable development and on the fact, that “their generation” will be the first one to be affected by the current decisions that pertains to the environment. They all asked for the right to be heard to suggest solutions to an issue with an impact locally, nationally, and internationally.



“We are very grateful for the opportunity to become involved in our community in such a significant way. We had a lot of fun all along this amazing journey filled with learning and discoveries.”

Quote from a young participant

Child Rights Education Week (CREW)

The OCYA believes that community education efforts are vital to better protect the rights of children and youth, which is why the Research, Education and Outreach department has once again coordinated the Child Rights Education Week (CREW) in Canada. The CREW week is designed to mark Universal Children’s Day held on November 20.



Video Gallery

A message from the Child and Youth Advocate, Norman Bossé



Within this framework, the OCYA worked with other Canadian Child and Youth Advocates and NGOs to encourage the organization of a variety of activities and events across the country with an aim to promote the rights of Children under the *Convention*. The theme of the *November 2016 Child Rights Education Week* was the right of the child to be heard under Article 12 of the *Convention*.

The Right to be Heard

Article 12 - UN Convention on the Rights of the Child

Messages from the East Coast Shaking the movers participants



The national campaign

To celebrate CREW in November 2016, the opportunity for dialogue among children, young people, and professionals was encouraged. Up until November 20, videos were published on CREW’s national website to promote the rights of children and youth.

Interview with the former senator, Landon Pearson



The idea was to build links and mobilize the various stakeholders collectively. Everyone was able to share a project, message, or vision by video: “*What are you doing to protect and share children’s rights? What do you wish for children and young people worldwide?*” The voices of young people resonated throughout this project. We received videos in which children and young people shared their points of view.

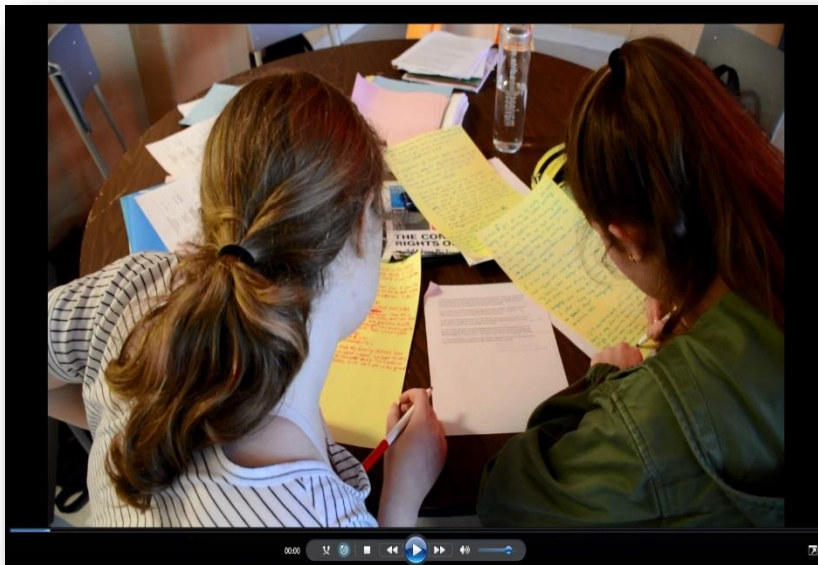
The British Columbia Representative for Children and Youth, the “Fondation du Docteur Julien”, Équitas, the “Fédération des jeunes francophones du Nouveau-Brunswick”, schools, community organizations, MLAs, MPs, etc. - all responded strongly to this call to protect the rights of the child. CREW also made it possible to promote many projects that highlight the rights of the child.

The provincial campaign

The OCYA invited different community organizations and individuals to participate in the success of New Brunswick's Child Rights Education Week. As part of the week-long celebrations, everyone was invited to organize an activity – or contribute to an activity – to promote children's rights. A Child Rights Education Week (CREW) website was accessible online. The website highlighted the different activities and conveyed the views of the various stakeholders on how to ensure greater respect for the rights of the child.

The OCYA partnered with the Battle of the Arts. This is a youth-led project in which shows from amateur artists are organized the Maritimes which emphasises cultural diversity and inclusion. Its aim is to bring communities together and create an interest for young participants, whether it be in the performing arts, literary arts, music, dance, crafts, or media arts.

“Child Rights Academic Network”: a meeting to present the first edition of East Coast Shaking the Movers.



Child Rights Academic Network (CRAN) is a broad network of scholars, child rights advocates, and experts from across Canada, the United States, and the United Kingdom. All of the members participate in teaching, research, and the defence of the rights of the child. CRAN was established in 2008 by the Landon Pearson Centre with the support of the Muttart Foundation, youth, and the community.

The members of the CRAN met in Ottawa, on January 27 and 28, 2017. During this meeting, the various organizations who participated in coordinating a “Shaking the Movers” event could present their projects. During this meeting, OCYA produced a video clip presenting the project. The video was screened during the meeting to let the young participant of this event take the floor.

Participation in Fair Day: “Resources available to young people and their families” - Polyvalente W.-A.-Losier

The Polyvalente W.-A.-Losier and the Wellness and Diversity Committee organized an activity to introduce all of the resources available for young people and/or their families. The activity held resembled a fair day with a rally to ensure that each booth was seen. The school’s principal invited the OCYA to present the activities of the Office to the students. More than 300 students stopped by the OCYA booth, which for many, was their first introduction our work.

Participation in the forum Équinoxe organized by the Fédération des jeunes francophones du Nouveau-Brunswick

This event offers students from 22 Francophone schools in New Brunswick the chance to gain information and share by holding workshops for young people about annual themes that are important to the members.

At the request of several young members of the FJFNB, the OCYA was asked to organize a workshop which focused on the rights of the child to give the young participants keys to understand and raise awareness about this topic.



OCYA presentation at the Polyvalente Louis Mailloux in Caraquet

On Tuesday, November 15, 2016, the OCYA payed a visit to the students of the polyvalente Louis Mailloux in Caraquet to present the Office and discuss the rights of the child. Two classes were able to benefit from the presentations. Several students who attended the presentations participated in the production of a video clip as part of the Child Rights Education Week. In the video, they were able to share their opinions and reactions following the presentation from the OCYA.

We had the opportunity to meet members of the school’s student council. The meeting offered a possibility to get to know the members of the council, see their projects and to discuss possible partnerships with the OCYA.

Rights of the child tool kit: in support of the Canadian Bar Association (CBA)

The OCYA partnered with the Canadian Bar Association to develop a child rights tool kit. The tool kit was a result of the need to improve children's access to justice in Canada. It aims to equip professionals in making legal and administrative decisions to implement a rights-based approach.

The tool kit is the product of a collaboration between 13 CBA chapters led by the subcommittee of the United Nations *Convention on the Rights of the Child* of the Committee on the Rights of the Child and was funded by the CBA's *Law for the Future Fund* and stems from the need to improve access to justice for children.

The IOF Forum International Jeunesse et Emplois Verts (IJEV) (international forum on youth and green jobs): A presentation in Moncton on corporate responsibility with respect to the rights of the child

The Forum international jeunesse et emplois verts is organized by the International Organisation of the La Francophonie (IOF). This forum targets young people from 18 to 34-year-old to highlight their plans to create a green business or generate green jobs. The FIJEF was held in Moncton for the first time on June 20 to 24, 2016. On this occasion, the OCYA was invited to provide a presentation on corporate responsibility for children's rights. Sarah Dennene had the opportunity to discuss the specific role that companies can play when it comes to the rights of the child and the *Convention on the Rights of the Child*.



The Réseau petite enfance francophone Sud est (southeast Francophone early childhood network): A presentation of the New Brunswick State of the Child Report

The OCYA was invited by the Réseau de la petite enfance du district francophone sud du Nouveau-Brunswick for the launch of the State of the Child Report. The mandate of the Réseau de la petite enfance francophone Sud-est is “to be a leader in early childhood development, from 0 to 8 years old; to promote and raise awareness about the importance of early childhood and to promote and educate people on the healthy development of the child.”¹ Members of the OCYA were available to raise awareness about the *Convention on the Rights of the Child* and its mission among the members of this network. It should be noted that this event also brought together more than 50 professionals working with children and youth.

Setting up the Centre Boreal: the support centre for child victims of sexual violence

On March 24, 2016, for the first time in the province, a Memorandum of Understanding was signed to establish a location for delivering services to children and youth victims of sexual assault in southeast New Brunswick.

The OCYA entered into a Memorandum of Understanding with:

- the Kent Centre for the Prevention of Family Violence
- the Department of Social Development
- the Department of Justice and Public Safety
- the SANE program
- the Royal Canadian Mounted Police
- the Francophone Sud School District

The aim is to offer the best possible support for young victims. The Centre Boreal opened in October 2017. Its objective is to “coordinate all essential services for victims and their families, i.e., medical services, therapy services, child protection services, legal services, and victim rights advocacy services.”² During the whole process, the Clinical Director and the Research, Education, and Outreach Branch served as members of the Advisory Committee to develop this project.

We are convinced that the implementation of this protocol is a definite step forward for the conditions of care for child victims of sexual violence and therefore represents an improvement with respect to the rights of the child.

¹ The Réseau de la petite enfance francophone Sud
<http://francophonesud.nbed.nb.ca/a-propos/reseau/>

² Page 3 – Memorandum of Understanding – Support centre for children and youth victims of sexual assault

Other research activities

As in previous years, the Office of the Advocate continued its efforts to develop networks and research programs in children's rights. The Office helped to establish and recruit the Director of the GRISMEJ - le Groupe de recherche interdisciplinaire en santé mentale des enfants et des jeunes (interdisciplinary research group on the mental health of children and youth) at the Université de Moncton.

The Office continued to offer its support and leadership to the ACCESS Open Minds research project, which opened three mental health services access centres in New Brunswick, i.e., in Saint John, on the Acadian Peninsula, and in Elsipogtog.

It also co-chaired the launch of GlobalChild at a conference in Calgary in partnership with Dr. Ziba Vaghri, researcher at the University of Victoria. This is a five-year research program aimed at setting up a global reference standard for monitoring data and indicators for the implementation of the International Convention on the Rights of the Child.

The Office of the Advocate supported the development of a new community social pediatric centre in the Memramcook area under the direction of Dr. Elaine Deschenes in collaboration with the *Fondation du Dr. Julien* in Montreal.

During the summer of 2016, it launched the first edition of a collection of children's rights, which was published online with *Érudit* in collaboration with the *Revue de l'Université de Moncton*. *Droits et Santé mentale des enfants et des jeunes* (rights and mental health of children and youth) was the title of Volume 46 of the *Revue de l'Université de Moncton*. The collection includes a good number of speeches and articles developed by speakers at the 2015 edition of the Summer Course.

Systemic Advocacy and Advice to the Government

For our office, systemic child rights advocacy focuses on representing the rights, interests and viewpoints of all those under age nineteen in the province. When multiple children or youth are affected by an issue, that issue is systemic. Through systemic advocacy we seek to influence laws, policies, and practices to ensure the protection and promotion of human rights. We do this by:


- **amplifying the opinions of children and youth about the systems that affect their lives;**
- **providing advice and recommendations to government in confidential processes;**
- **making official submissions and recommendations to government;**
- **collaborating with community organizations; and**
- **informing the public about matters affecting groups of children.**

Systemic child rights advocacy involves identifying and addressing problems by analyzing their root causes and recommending corrective action that will benefit a significant number of children or youth. The Child and Youth Advocate's systemic advocacy is informed by individual cases that come to our office. It is also informed by youth voice through outreach.

The office undertook systemic advocacy on many matters, involving the education system, the child welfare system, the youth criminal justice system, the health system, and the interactions of all of these systems. For example, within the youth criminal justice system we advocated on matters involving: the open custody system within youth criminal justice; secure isolation practices in closed custody; and the process of transfer to adult facilities from youth corrections

The largest proportion of systemic advocacy is undertaken through informal meetings with government Departments. However, at times the Office of the Child and Youth Advocate is asked to or undertakes to provide advice in a more formal manner. Some examples from this fiscal year include submissions to: Service New Brunswick on changes to the *Vital Statistics Act* and *Change of Name Act*; the Department of Post-Secondary Education, Training and Labour on changes to the *Employment Standards Act*; and the Department of Education and Early Childhood Development on suggested legislated protections for the prevention of physical punishment to children.

In terms of public reporting, the State of the Child report released in November 2016, provided an overview of issues affecting the rights of children and youth in the province. The report included the Child and Youth Rights and Wellbeing Framework, a statistical framework of data indicators reflecting essential aspects of children's lives.



Systemic advocacy necessitates broad support from a diverse array of stakeholders as well as from the public in general. As such, the systemic advocacy branch of the Office met with and made presentations to many groups including the following: Crown prosecutors; Legal Aid criminal defence lawyers; University of New Brunswick Law School and Sociology department; Saint Thomas University Human Rights classes; the New Brunswick Children’s Environmental Health Collaborative; the Canadian Law and Society Association; youth (in school settings, in detention and secure custody, in group homes, and elsewhere); First Nations Child and family Services agencies; the Atlantic Human Rights Centre; the Canadian Bar Association – New Brunswick branch; the Urban Aboriginal Knowledge Network; Aboriginal Library Services; Members of the Legislative Assembly; the New Brunswick Institute for Research, Data and Training; the Public Legal Education and Information Society; and Indigenous and Northern Affairs Canada.

Collaborative initiatives are another means of promoting systemic advocacy. Examples from this fiscal year included: a Youth Access to Justice and Outreach Project with the Fredericton Legal Advice Clinic and the UNB Law School; and UNB Law School’s newly created Clinical Course.

Conclusion

The Office of the Child and Youth Advocate accumulated ten years of defending and promoting children's rights, of advocacy, and advice to the government. Ten years ago, with the establishment of the Office of the Child and Youth Advocate, the province showed leadership in addressing the unique needs of children and youth. The Office has initiated many major projects that have set New Brunswick at the forefront of child advocacy: child rights impact assessments, the International Summer Course on the Rights of the Child, and a statistical portrait for evidence-based decisions on behalf of children.

In addition, looking back over the last ten years, there have been many success stories and a significant improvement in services for children in the province. For example, it should be noted that the number of young people detained at the Miramichi Youth Centre is in a constant decline. New initiatives such as ACCESS Open Minds have emerged to strengthen the capacity of helping youth with mental health issues.

However, much remains to be done to foster a better understanding of issues related to children and respect for the rights of children and youth in our communities. As this Report and our previous reports demonstrate, the number of complaints filed on behalf of children and youth is increasing constantly. There are still many children and young people who are bullied, without resources, or shuffling from home to home in the Child Protection system.

For 10 years now, we have been working with civil society to do more and to do better for children and youth. For 10 years, we have found that our financial resources are insufficient to meet this task. We hope, that within the next decade, our Office will receive a much more funds which in turn is a significant investment in the promotion and defence of children's rights to finally put in place the necessary conditions to see their rights fully respected.