

ANNUAL REPORT



2014 - 2015

25th Anniversary of

The Convention on the Rights of the Child

Celebrate Your Rights!

educate ● participate ● protect

educate ● participate ● protect

Table of Contents

2014-2015 Annual Report	4
Our Vision.....	4
Our Mission	4
Our Mandate.....	4
Office of the Child and Youth Advocate	5
Our Team.....	5
Financial Statement.....	5
Message from the Advocate.....	6
Individual children’s rights advocacy requests: the year in review	7
Advocacy Requests Relating to a Government Department or Agency.....	8
Meeting children and young people	10
Education, Awareness, and Outreach	11
The cyber violence project	11
Training and Educating Professionals from around the Globe in New Brunswick: Third Edition of the International Summer Course on the Rights of the Child	12
Course Formula.....	12
Networking in the Francophonie and in the country	13
Activities of the Francophone Working Group.....	13
Sustainability of the course.....	13
Music camps for children with Dominique Dimey and Children’s Day at the World Acadian Congress.....	13
Annual Campaign for the Child Rights Education Week: Celebrating the 25th Anniversary of the <i>Convention on the Rights of the Child</i>	14
Partnership with education stakeholders	15
November 20 at the École Soleil Levant: a Rights Respecting School	16
Day of Peace	16
Project to promote the rights of the child in the Francophonie	17
Strategy for the Prevention of Harm to Children and Youth.....	18
ACCESS: champion of transformational research in adolescent mental health	19
ACCESS NB.....	19
Systemic advocacy and advice to government	21
Department of Justice	21
Department of Health.....	22

Department of Education and Early Childhood Development..... 23
Departement of Public Safety 24
Department of Social Development..... 24
Other systemic advocacy projects..... 24
2014 State of the Child Report: Right of the Child 25 years on 25
Conclusion 26

2014-2015 Annual Report

In this Annual Report, we propose to present the three areas of intervention of the Office of the Child and Youth Advocate, i.e., individual requests; education, outreach and research; and systemic advocacy and advice to government. These areas of intervention are complementary and interdependent.

Our Vision

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

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; and advocates on their behalf to ensure that their voices are heard and that their best interests are considered in all decisions affecting them.

Our Mandate

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.

E-mail: advocate-defenseur@qnb.ca

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

ISBN: 978-1-4605-1442-9



Office of the Child and Youth Advocate

Our Team

Norman J. Bossé	Child and Youth Advocate
Juliette Babineau Moore	Administrative Assistant
Kristine Shannon†	Receptionist
Annette Bourque	Director of Clinical Services
Jean-Marc Daigle†	Delegate
Wendy Cartwright†	Delegate
Matt DeCoursey†	Director of Communication, Education, and Outreach
Sarah Dennene	Director of Research, Education, and Outreach
Gavin Kotze	Director of Systemic Investigations
Robert Lafrenière	Delegate
Melanie Leblanc†	Delegate
Jessica Melanson	Articling Student/Harm Prevention Project Analyst
Denise Viel†	Receptionist
Christian Whalen	Deputy Advocate and Senior Legal Counsel
Marcelle Woods†	Delegate
Benoit Locast†	Harm Prevention Project Manager

† Part of the year

*Part time

Financial Statement

The 2014-2015 financial summary for the Office of the Child and Youth Advocate is as follows:

	Budget (\$)	Actual Expenses (\$)
Personal services	791,905	788,280
Other services	99,320	169,310
Materials and supplies	3,575	5,120
Property and equipment	7,200	6,828
Contributions and grants	0	(122,870)
Debt and other charges	0	27
Total	902,000	846,595

Message from the Advocate

I am pleased to present to the Legislative Assembly, pursuant to Section 25(1) of the Child and Youth Advocate Act, the 2014-15 Annual Report of the Child and Youth Advocate.

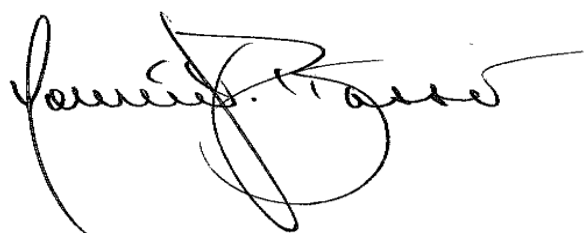
This year's report titled, "Educate, Participate and Protect", speaks to the mandate of the Advocate's Office. The education of, participation in and protection of our children and youth and their rights are some of the essential functions of the Child and Youth Advocate's Office.

As always, the Advocate's office has had a very busy and productive year. Many undertakings including the International Summer Course on the Rights of the Child endeavored to work with children and youth in fulfilling the educational, participatory and protective aspects and responsibilities of the Advocate's mission and mandate.

However, the perennial challenge has been the restricted financial budgets of this office. The continued lack of budgetary increases tends to affect the efficacy of the Advocate's work and at some point may in fact impinge on the independence of the office. The Advocate and all of his staff needs to respond to all of the challenges and demands it receives by way of personal and systemic advocacy without fear or concern of producing deficit budgets.

Nevertheless, in these times of fiscal restraints, the Office of the Child and Youth Advocate, in large measure because of its hard working and dedicated staff, has again met the challenge and in many instances and without reservation, worked persistently to protect and promote the rights of children and youth in New Brunswick.

To the staff and personnel of the Advocate's office, I offer my gratitude and congratulate them for a job well done.



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

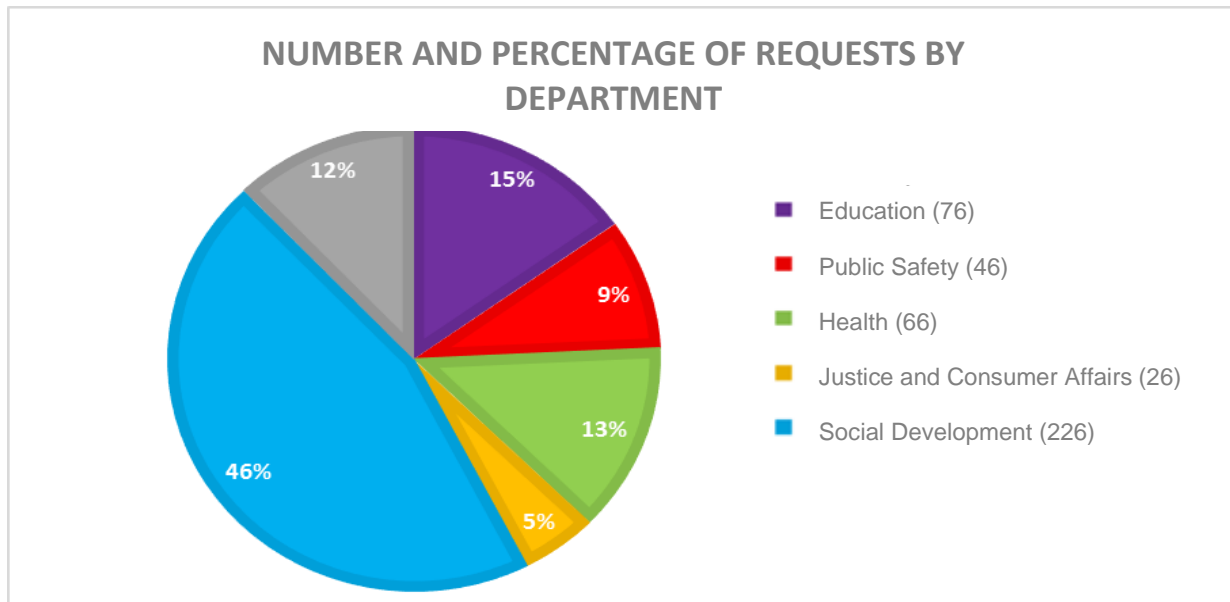


Individual children's rights advocacy requests: the year in review

Individual case advocacy request continues to be an important part of the Child and Youth's Advocate's work. One third of the office's human resources are involved in completing this part of the Office's mandate to hear complaints and advocate for effective, efficient and appropriate services in the best interest of the child.

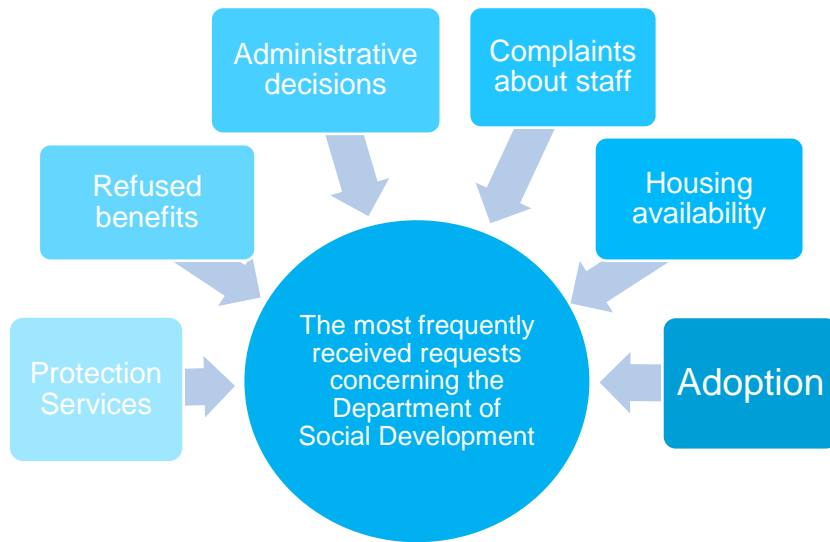
Delegates at the Office speak to, write to and or meet with youth and caregivers to understand their grievance, identify situations where children rights have not been upheld and prepare an advocacy plan to change this.

As in the past years, the number of requests received this year exceeds our five year average. As well, time spent in reviewing complex situations and developing an advocacy plan that involves multiple government or community agencies increases the workload for our small team. Five hundred individual case advocacy requests were addressed to the office in the past year. The table below presents the number and percentage of requests received for each Department listed.

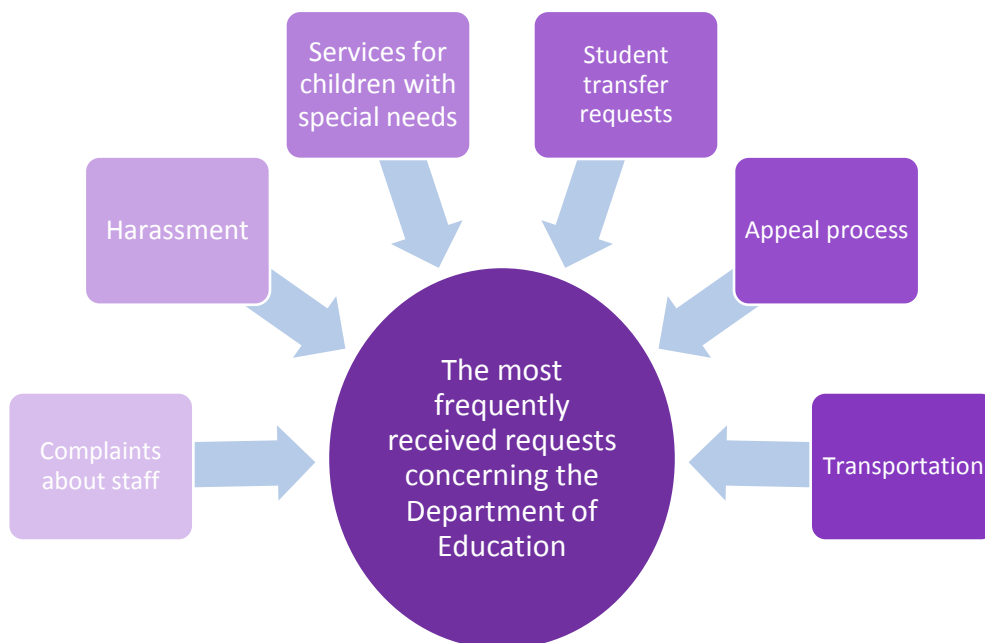


Advocacy Requests Relating to a Government Department or Agency

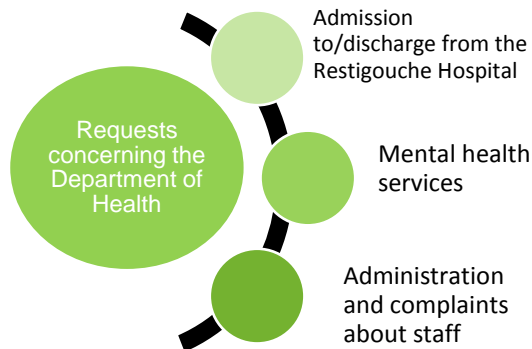
Similar to previous years, most of the requests received involved the Department of Social Development (45%). The next table shows the types of requests we most often receive about this provincial department.



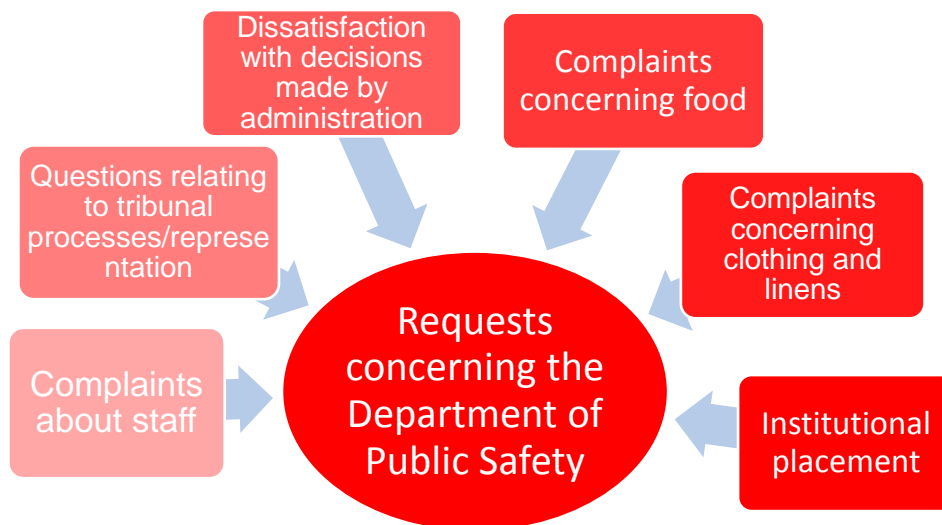
Education is the second provincial department we hear most about in the requests our Office receives. It accounts for 15% of all individual advocacy requests brought to the attention of our Office. The next table shows the issues most often brought to our attention.



The Department of Health accounts for 13% of the individual case advocacy requests our office looked at in the past year. As is evident in the next table, mental health services are major concerns.



Nine percent (9%) of requests received concern the Department of Public Safety. Issues most often elicited are presented in the table below.



The Department of Justice and Consumer Affairs has been the source of 5% of complaints directed to our office. Although our Office can't change court orders or act as counsel for a child, we have seen an increase in the number of calls about these issues and are concerned for the children involved in these family matters and also for youth involved with the criminal justice system. The table below identifies the issues we dealt with in the past year.



Meeting children and young people

Team members continue to be involved in site visits, case conferences and meetings with Departmental Officials. In the past year, delegates participated in 44 case conferences with youth, parents or guardians, government and community agencies; they partook in five site visits to NBYC to meet with youth and attended 3 Behavioral Management Review Board meetings while on site; they went to Portage Atlantic three times and to the Restigouche Hospital twice. Staff also visited youth at the Pierre Caissie Centre twice and attended the Official opening of the Moncton Youth Wellness Unit. A delegate also attended « Les États Généraux de la Jeunesse » held from May 29 to June 1st, 2014 in the Acadian peninsula. Delegates also attended the launch of the Youth in Care Day in Fredericton as well as events and training organized by the Office.

Presentation on the Office's mandate , on children's rights and on advocacy were offered to Provincial Patient Advocate's Office and to Professionals from the Bathurst, Caraquet and Tracadie Hospitals. Delegates also participate in regional committee meetings whenever possible such as Foetal Alcohol Community of Practice Network, the Youth First Network, Diversion committees for youth and presentation from the Adoption Network. Meetings with Departmental Officials also involved the Clinical Director and or delegates.

In order to demonstrate the importance of such meetings and ensuring young people's voices are heard, case summaries enclosed in boxes are highlighted throughout this annual report, thus illustrating the close ties between the different areas of intervention of the Office of the Child and Youth Advocate.

Right of a disabled child to live as others do

Barriers to health care - Jessica is an 8-year old girl with disabilities who is wheelchair bound; her chair is due to be replaced and the youth needs to travel several hours to the Stan Cassidy Centre in Fredericton where the assessment will take place. Her mother is calling our office because she can't find a way to get her wheelchair to follow them to Fredericton. Jessica and her mother will travel by ambulance. However, they need her current chair to be in Fredericton when they arrive to use during their stay. Even though DSD is agreeing to pay if she can find someone; the mother is very stressed as she has not been able to find anyone willing to make the trip and she doesn't want her daughter to miss this appointment as she really needs a new wheelchair.

Advocacy from our office involved discussion with DSD around this barrier to accessing health care for Jessica; DSD and HRD were able to work together and found a resource that could make the trip to Fredericton to make sure Jessica would be assessed and would receive her new chair as soon as possible.

Education, Awareness, and Outreach

Child advocacy also involves informing children, young people, professionals, and institutional stakeholders about children's rights. Networking provides important opportunities for sharing best practices. Direct collaboration with civil society organizations enriches the work of the OCYA by enabling it to access a range of perceptions, opinions, and information. The outreach and education efforts are thus in addition to those being made in terms of systemic investigations and individual complaints. Through its outreach efforts, the Office has also taken part each year in the implementation of major research projects on the rights and best interests of New Brunswick's children.

The cyber violence project



In order to raise awareness and address the problem of cyber violence, the New Brunswick Association of Social Workers, in partnership with the Muriel McQueen Fergusson Centre for Family Violence Research, and the Office of the Child and Youth Advocate, was granted funding by Status of Women Canada in 2014 to develop a project to prevent cyber violence against young women in New Brunswick over two years.

Our primary goal for the cyber violence project is to help build collaboration among community stakeholders to identify and respond to the specific needs of young women and girls related to cyber violence in New Brunswick. In order to achieve our goal, our project team is working closely with young people. Together, they are helping to identify the issues, expand their understanding of these issues, and help carry out strategies to prevent this form of gender-based violence.

With this project, we are exploring three aspects of cyber violence in New Brunswick. We are going to explore the types, the cause and the impacts of the cyber violence. Those three aspects will be considered in developing collaborative strategies to confront the issue of cyber violence against young women in New Brunswick.

To organise, promote and get closer to the population, we held meetings, surveys and focus groups. During the year, two meetings with the Provincial youth advisory committee were held. An online survey was distributed in the province of New Brunswick, from those survey, we had 299 respondents, from among Francophone, Anglophone and First Nation youth. We also met youth by hosting six focus groups around the province with 16-19 year old young women. Two more focus groups are planned.



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

The third international summer school course on the rights of the child, organized by the Office of the Child and Youth Advocate, in collaboration with the Working Group on the Rights of the Child within the Francophonie, the Canadian Council of Child and Youth Advocates, and the Université de Moncton, and supported by the Province of New Brunswick and the Organisation internationale de la Francophonie (OIF) [International Organization of the Francophonie] was held from July 11 to 18, 2014.

The theme of this course was the right of children to freely express their views on any topic that interests them and to be heard in accordance with Article 12 of the *Convention on the Rights of the Child*.

This course brought together roughly 100 professionals who work with children, such as teachers, social workers, lawyers, students enrolled in graduate programs, researchers, and experts from New Brunswick and some 20 countries around the world. This bilingual course also provided workshops for Francophone and Anglophone learners.

Course Program

A number of guest speakers shared their expertise through roundtables, plenary lectures, and workshops of reflection and exchanges. Participants were given an opportunity to broaden their knowledge and benefit mutually from their work with children.

The formula enabled the participants to attend a pre-conference on the general principles of the Convention before moving on to more in-depth training on the content of Article 12. Topics included the Children's Rights and Well-being Framework for New Brunswick, Article 12 of the United Nations *Convention on the Rights of the Child*, the fundamental principles and philosophy with respect to the right of the child, hearing the child before judicial and administrative authorities, and youth engagement processes.



Among the forty speakers present were:

- Bernard Richard, former Child and Youth Advocate;
- Claire Brisset, former child advocate for France;
- Hélène Albert, Professor at the Université de Moncton's School of Social Work;
- Benoît Van Keirsbilck, Director of the Belgian section of Defence for Children – International;
- Marv Bernstein, Chief Policy Advisor – UNICEF Canada;
- Ramatoulaye Ndao Diouf, Coordinator of the Child Protection Support Unit, Senegal;
- Gerison Lansdown, Founding Director of the Children's Rights Alliance for England.

One of the program strengths is that the workshops, roundtables, and cultural outings provide many opportunities outside the lecture hall for discussions between experts and participants alike, adding to the appeal of this unique learning model. The goal of the program is to prepare professionals effectively with both theoretical and practical training. Another Program highlight was the youth panel presentation and participation.

Networking in the Francophonie and in the country

According to the participants, it was an unforgettable opportunity to network and to talk with people who are dedicated to the same mission of defending and promoting children's rights. These people also say that course motivated them to invest more in the cause of children and that the experience was very rewarding. It is clear that this international course helped to broaden the expertise of professionals from New Brunswick and other Canadian provinces.

Activities of the Francophone Working Group

The Francophone Working Group on the Rights of the Child was established under the leadership of the New Brunswick Office of the Child and Youth Advocate following the International Symposium on the Rights of the Child held in Moncton in October 2010. On that occasion, the participants, institutional stakeholders, and Francophone youth delegates adopted a resolution on the creation of a Working Group on the Rights of the Child within the Francophone space (Moncton Resolution). This Working Group (WG) stemmed from the need to develop work tools in response to the Advocate's 2009 Report on state of Child Rights in the Francophone space and its recommendations. On the margins of the fourth summer course, this working group held working sessions with the Réseau des Ombudsmans et Médiateurs de la Francophonie (network of Ombudsman and mediators of the Francophonie).

Sustainability of the course

Based on formal and informal participant feedback, we can see that this experience, which is unique in Canada, is a real success. It also highlights a significant need for training across the Francophonie and beyond in terms of children's rights.

Building on this success, the fourth edition of the course was held at the Université de Moncton from July 5 to 10, 2015, and focused on the theme of youth mental health. The fifth edition, which will be held in 2016 at the same university, will focus on the criminal justice system for adolescents, specifically Articles 37 and 40 of the *Convention on the Rights of the Child*, which respectively protect the right of the child to be protected from cruel and unusual treatment and arbitrary detention, and the child's right, if accused, to be treated fairly in a manner that respects the child's fundamental freedoms and takes into account the child's age and the need to facilitate reintegration into society.

Music camps for children with Dominique Dimey and children's day at the World Acadian Congress

As a complement to the summer course, there was a music camp with Dominique



Dimey, a Francophone artist who travels around the world to offer music camps to teach children, through singing and dancing, about children's rights. This is an artistic approach to make children and adults aware of children's rights here and elsewhere.

So, throughout the summer course, some 20 children from the Moncton area participated in Dominique Dimey's Master Class, which is five intense days of music and song to prepare and perform a concert for the public. The participants, parents and experts were treated to a colourful performance by Dominique Dimey and the children at the end of the summer course. It also gave children an opportunity to express themselves as part of a training course for professionals. Two other camps were held later on: at the Centre communautaire Sainte-Anne in Fredericton and during children's day at the World Acadian Conference in Edmundston in partnership with the OCYA.

Annual Campaign for the Child Rights Education Week: celebrating the 25th anniversary of the Convention on the Rights of the Child

The OCYA believes that community outreach and education efforts are critical, which is why it has once again organized the Child Rights Education Week dedicated, this year, to the celebration of the 25th anniversary of the *Convention*. This campaign ran from November 17 to 23, 2014, in the province and nationally. The highlight of the campaign was on November 20, which is Universal Children's Day. Each year, Canadians from coast to coast celebrate National Child Day to commemorate the adoption of the *Convention on the Rights of the Child* on November 20, 1989.

CREW
child rights
education week
November 17-23, 2014

SEDE
semaine d'éducation
aux droits de l'enfant
du 17 au 23 novembre 2014

The OCYA – in cooperation with various organizations dedicated to youth, including Right to Play, UNICEF Canada, and other child and youth advocates, and the Quebec Commission des droits de la personne et des droits de la jeunesse – set up a national website dedicated to the week. The site offers educational resources for teachers, educators, parents, and children for celebrating the rights of the child.

CREW

child rights
education week
November 17-23, 2014

25th anniversaire de la
Convention relative aux droits de l'enfant
25th Anniversary of
The Convention on the Rights of the Child

SEDE

semaine d'éducation
aux droits de l'enfant
du 17 au 23 novembre 2014

Create a WIX site!

HOME / PAGE D'ACCUEIL
English
Français

Qu'est-ce que la semaine d'éducation aux droits de l'enfant?

Quelques défenseurs des enfants et des jeunes canadiens en partenariat avec des organisations non gouvernementales organisent chaque année, durant la troisième semaine du mois de novembre, la Semaine d'éducation aux droits de l'enfant afin d'encourager les enfants, les jeunes, les organisations communautaires, les familles à promouvoir et à protéger les droits des enfants. Cette semaine vise à rappeler l'adoption de la Convention relative aux droits de l'enfant le 20 novembre 1989, le premier traité international reconnaissant que tous les enfants et jeunes non majeurs sont des titulaires de droits qu'il faut respecter. En tant qu'organisme ou individu membre d'une collectivité, chacun peut faire de la Semaine d'éducation aux droits des enfants un succès. Dans ce cadre, nous vous invitons à participer aux multiples activités organisées partout au Canada. C'est en agissant tous ensemble que nous pouvons mieux faire connaître les droits des enfants et des jeunes.

What is Child rights education week ?

Canadian Child and Youth Advocates, in partnership with leading Canadian non-governmental organizations, are proud to present Child Rights Education Week in Canada. Building upon the success of the previous two years, the national campaign will engage community organizations, children and families in the celebration of children's rights across the country in the promotion and protection of children's rights. CREW recalled the anniversary of adoption of the Convention on the Rights of the Child on November 20th, 1989. The Convention is the first international human rights treaty that recognized the child as a rights holder whose rights should be protected. As part of our week-long celebration, we encourage everyone to participate in all range of activities planned, to create and plan your own unique events and activities that promote and highlight the way that we can work together with, and on behalf of, children.




This site was created using WIX.com. Create your own for FREE >>

Provincially, the role of the Office was to foster leadership within the communities with respect to the rights of children and youth. The OCYA supported these activities through various means, i.e., promotion of events using a calendar of events on its website, modest financial contributions, in-kind contributions such as printing services and staff availability for conferences, and the distribution of promotional or educational materials.

With respect to activities, the OCYA released its seventh annual State of the Child Report as part of a launch that was held on Tuesday, November 18 at the Crowne Plaza Hotel in Fredericton (see section 2014 State of the Child Report below). This report, which included the new edition of the *Child and Youth Rights and Well-being Snapshot*, was produced in cooperation with the New Brunswick Health Council to support government decisions concerning children and youth. On the same day, the Advocate inaugurated the first roundtable of the Strategy for the Prevention of Harm to Children and Youth, which constituted the first day of dialogue in a series of four. The Strategy was coordinated jointly by the OCYA and the Executive Council Office. It is designed to provide provincial coordination, involving actors at all levels, to implement the right of children to be protected against all forms of violence, in accordance with Article 19 of the *Convention on the Rights of the Child*.

Partnership with education stakeholders

To mark the anniversary of the *Convention on the Rights of the Child*, the OCYA gave each school in the province a large poster of the UNICEF Convention, using language adapted for children and youth. The OCYA also made available a newsletter for teachers to establish the link between bullying and the relevant articles of the Convention as part of Anti-Bullying Week. We also met with children and youth. In fact, Mr. Bossé visited the Polyvalente Thomas-Albert during Anti-Bullying Week and granted an interview to the students of that school. Also as part of Child Rights Education Week, the Deputy Advocate and Director of Education and Outreach met with students of Faculty of Law of the Université de Moncton and spoke with them on the theme "Rights of the Child 25 years on: a look at New Brunswick." It should be

noted that a number of students actively participated in this multi-faceted presentation on the historical context of the rights of the child, the mandate of the OCYA of the Child and Youth Advocate as well as the initiatives of the Office and the Province to promote and defend the rights of the child. Using this method, the OCYA educated these students and piqued their interest in the problems and professions related to the rights of the child. Many other stakeholders accepted the OCYA's invitation to make this anniversary.

November 20 at the École Soleil Levant: a Rights Respecting School

This year, to mark the International Day of the Child and the 25th anniversary of the *Convention on the Rights of the Child*, the Deputy Advocate and the Director of Education and Outreach visited the École Soleil Levant in the Francophone Sud school district, the second school to participate in the Rights Respecting Schools initiative.

The school's educational staff organized a number of activities on that day. A roundtable was also organized to educate participants on the rights and responsibilities with respect to the Convention. Participants included students from the school, the principal, one teacher, and two members of the OCYA team. With the positive mobilization of teachers with respect to the rights of the child, the roundtable was an excellent opportunity to hear what the young people had to say and give them the opportunity to ask their questions to the members of the OCYA team.



Rights Respecting Schools are designed to transform the whole school environment through the adoption of a rights respecting approach. The UNICEF Canada initiative Rights Respecting Schools is based on the *Convention on the Rights of the Child*. Its objective is to develop an inclusive and respectful school culture that promotes an increased participation of students in a learning environment in which students and adults feel respected and act responsibly. Along with our partners, we want to continue to support the implementation of the Rights Respecting Schools initiative in New Brunswick. The initiative is related to our mandate of raising the awareness of students and educating them about having a school environment that is respectful of their rights and promote their wellbeing.

Day of Peace

In 1981, the General Assembly of the United Nations, under Resolution 36/67 of its Charter, decided that an International Day of Peace would be celebrated on September 21 of each year. The OCYA worked with the East and Central Africa Association for Indigenous Rights (ECAAIR) to organize the Day of Peace in Fredericton, an event that brought together young people, families, and various civil society organizations. The Advocate issued a statement, which read in part as follows:

According to the Convention, all children are equal and they all need peace. Violence violates fundamental rights. Hence, it is in peace that children can grow, play, express themselves, or learn and it is in peace that they can be loved by their parents since they have the right to grow up with them.

Project to promote the rights of the child in the Francophonie

The New Brunswick Office of the Child and Youth Advocate, along with the Association des Ombudsmans et Médiateurs de la Francophonie (AOMF), participated in the project of promoting the rights of the child within the AOMF's Comité droits de l'enfant (child rights committee). Several short French videos entitled, "Découvre tes droits" (discover your rights) were filmed. These videos were produced to provide young people with tools to better understand their rights. Five videos were shot during this project. The first video is entitled, "Introduction à la Convention relative aux droits de l'enfant" (introduction to the Convention on the Rights of the Child), the second video is about the right to be a whole person, "exprime-toi, c'est ton droit!" (express yourself, it's your right!). The third video is called, "Le droit au développement : ton bien-être avant tout!" (the right to development: your well-being above all!). The fourth video on "Le droit d'être traité comme un enfant et d'être protégé" (the right to be treated as a child and to be protected) explains the 12 main rights of children, which are subdivided into categories, and the fifth video presents the role of Advocates and Ombudsmen. For this project, the assistance of the Maison des jeunes L'acAdo at the Centre communautaire Sainte-Anne in Fredericton was solicited. The New Brunswick contribution to this international project was filmed by young people (adoc de l'acado committee) with young people. In line with this project, bookmarks and booklets were also produced. These tools will be adapted by the Office in English.



Source 1 AOMF Website

Strategy for the Prevention of Harm to Children and Youth

Human rights are not easily fulfilled. It takes time and great effort. But even with all of the obstacles we see, we believe that New Brunswick is heading on the right road.

-Norman J. Bossé-

In keeping with last year's State of the Child Report, the OCYA launched a project to prevent harm caused to children. Working with the government and civil society, the OCYA will develop

My right to equality

The YES program: The YES program is dedicated to serve the 16-19 years old who are not in the care of their parents or the Minister but who require financial assistance and the support of DSD to complete schooling or work related training, and develop life skills necessary for future independent living.

Stella is incarcerated at the New Brunswick Youth Centre and was told she didn't meet the criteria for the YES program because she didn't have a permanent address to provide as to where she would live. She will be leaving NBYC soon and also doesn't even have winter clothes to leave the Centre and has no family support. Teaming up with the clinical staff at the New Brunswick Youth Centre and staff from DSD; DSD reviewed its position, provided Stella with winter clothing, spoke with her while at NBYC, organized a meeting with her on the day she was released from NBYC and accepted her in the YES program, therefore, helping her find suitable and more permanent lodging and supporting her financially and emotionally through this transition back to the community.

Our office reviewed the draft version of the protocols and guidelines for this program and made several recommendations to DSD on how to eliminate barriers for youth to access this program.

a provincial strategy to ensure that we can better meet our obligations with respect to children under article 19 of the *UN Convention on the Rights of the Child*. Article 19 states that children have the right to be protected from all forms of violence. This project seeks to draw on the recommendations made by the UN Committee on the Rights of the Child to develop a concerted and provincial strategy that respects the rights of the child and relies on evidence-based data. The strategy will coordinate current efforts and facilitate cooperation between all sectors of society. The purpose of the strategy will be to tangibly reduce the harm done to children in New Brunswick in the longer term. A working group mandated to develop the strategy was formed. It is co-chaired by the Executive Council and the OCYA with members from several Departments and civil society.

The purpose of the strategy is to coordinate a comprehensive and cohesive plan to present the initiatives undertaken by the government and civil society. This plan will present the actions taken by New Brunswick to protect our children, fill in gaps, and take steps to improve the situation of children and youth. The harm done to children and youth is a problem that concerns all of us, and we must work together to prevent it.

My right to say what I think and be heard

Youth often ask our office legal questions such as: "I want to change my plea but don't know how I am supposed to do that"; "what do I need to do to have my own lawyer to represent me when I go to court and for sentencing". They are guided and directed to legal aid offices.

ACCESS: champion of transformational research in adolescent mental health

ACCESS NB

ACCESS NB is a branch of a national project on transformational change in adolescent and young adult mental health. ACCESS stands for Adolescent/young adult Connections to Community-driven, Early, Strengths-based and Stigma-free services. It is a multidisciplinary network of stakeholder groups across six provinces and one territory in Canada. With youth at the centre, ACCESS stakeholders are families/carers, community organizations, service providers, researchers, policy and decision makers and First Nations communities. ACCESS' goal is to implement, evaluate and elaborate a transformation in the way youth access and use mental health services in the various Canadian contexts.

ACCESS is funded through a \$25 million grant over five years, co-funded by the Graham Boeckh Foundation and the Canadian Institute for Health Research. The network is active in 12

My right to live in a family

Providing services to youths with mental illness - A concerned mother makes an advocacy request on behalf of her son who has mental health issues and because of suicide threats can no longer live at home and is residing in a group home. The parent is concerned with the lack of services for youths with mental health issues. Several conversations and other forms of communication occurred between our office and DSD. One of the issues that transpired was the lack of involvement from Mental Health. Efforts, from both the social worker and physician, resulted in a consultation/assessment by a psychiatrist who made some recommendations and a psychologist was assigned to do therapy. Some progress was made, suicidal attempts diminished and the youth started to have sleepovers at home in preparation for reunification with her family. The intervention plan included a Family Group Conference in order to provide support to the family once the youth returns home.

sites across the country, with New Brunswick as the single provincial demonstration site. ACCESS' main objectives are to improve youth engagement with and awareness of mental health issues, in accordance with their right to participation under article 12 of the Convention on the Rights of the Child, as well as to provide timely access to evidence-informed, youth-friendly mental healthcare for the entire range of severity of mental health problems. The core principles of this transformation are; (1) early case identification, (2) open referral and rapid access, (3) transitions based on needs, and (4) evidence-based and experience-informed care.

Since the grant process was completed, the New Brunswick team, especially the Office of the Child and Youth Advocate, have been actively engaged in next steps. A governance structure has been established over the past year, with representatives from the Advocate's Office on both the Executive and Oversight Committees. Further sub-committees have been established in order to ensure that the voice of the community, families, First Nations, and especially young people, are included in the transformation of mental health service delivery throughout the province.

ACCESS NB has worked to develop its theory of change over the past year, which essentially is a breakdown of the steps that the team in New Brunswick will take in order to achieve the desired transformation in adolescent mental health. The vision is to improve the outcomes for young people suffering from mental health problems through resilience-building and service transformation so that all children and youth of New Brunswick can develop to their maximum potential. As such, ACCESS NB has been focused on alignment with existing mental health initiatives within the province in order to ensure that the transformation is organized, efficient and entirely successful.

My right to an adequate standard of living

"I need a place to live and some money for food, clothes and personal items"

John just turned 16; is no longer in the care of First Nations Child and Family Services and is being denied admission to the new Youth Engagement Program from Social Development for youth 16-18 years of age since he recently lived with family for a short period while criteria states he has to be out of parental home or care for three months.

In John's case, a case conference was organized by his probation officer and representatives from DSD, Child and Family Services as well as a consultant from the Department on this program participated to clarify the situation and come up with a solution. It was decided that First Nations Child and Family Services would continue to serve this youth even though he was living off reserve given that they had just recently terminated a custody agreement and the youth wanted to continue being served by the same social worker he had had for years. John didn't want to be in the care of the Child and Family Services agency anymore but wanted their support.

In addition, ACCESS NB has been involved in multiple youth engagement opportunities. Representatives from the ACCESS NB Youth Transformation Subcommittee made a powerful presentation on their lived experiences and their hopes for the future of the mental health system at the Child and Youth Advocate's annual International Summer Course on the Rights of the Child. They also presented at the Prince Edward Island Mental Health Forum, as a means of getting other maritime provinces involved in the adolescent/ young adult mental health conversation. The ACCESS NB youth, with the support of the Child and Youth Advocate, have been acting as the catalyst for a paradigm shift in youth engagement in the province, and will continue to do so over the next few years of the project.

Systemic advocacy and advice to government

In the 2014-2015 fiscal year, the systemic advocacy and advice to government branch of the Child and Youth Advocate engaged in several matters, including the following examples. The 2014 New Brunswick State of the Child report was released in November. The report provided information on issues relating to children's protection, provision and participation rights. Children face many hardships in our Province, and abuse, neglect, bullying, injury, teen pregnancy, 'parentification', homelessness, lack of access to education, drug and alcohol use, child Internet exploitation, prostitution, incarceration, lack of mental health treatment, lack of accommodation for disabilities, food insecurity and other poverty-related problems, obesity, diabetes rates, lack of opportunity for physical activity, sleep deprivation, loss of First Nations language and culture, and access to social services are only some of them.

Department of Justice

The CYA provided an advice to government letter to the Department of Justice's Sheriff Services branch with recommendations regarding a number of issues including: appropriate means of transportation of youth with serious mental health conditions; the sharing of information in the best interests of the child between hospital staff and Sheriffs on risk of self-harm and suicidal behaviors; the transportation of youths and adults in the same vehicle; ending the practice of shackling and handcuffing youths with mental health disorders when transporting them from hospital to court; ending the practice of deleting video recordings of incidents involving youths in holding cells before review can be made by the Child and Youth Advocate and others; and training of Sheriffs in children's rights and child/adolescent mental health. The CYA has engaged in discussions with the Department of Justice as follow-up to our advice.

Following a decision by Justice Baird, then of the Court of Queen’s Bench, in a child protection case recommending that the Department of Social Development engage in discussion with the Child and Youth Advocate, we met with the Department. The CYA has engaged in an iterative process with the Department in our advice to government function, concerning the many systemic issues identified in that court case.

My right to health

Communicating Changes made to the Preschool Autism Program - A

concerned parent made contact with our office after learning of upcoming changes to the delivery of autism services in the Preschool Autism Program. Information communicated to parents was that a child could risk having services terminated if the child missed 5% of their therapy sessions in any quarter of the year. This proposed change was very troubling for parents and for our office as it is obvious that children with a developmental disability can encounter challenges that would prevent them from attending some therapy sessions. Several discussions took place between our office and the Department of Education and Early Childhood to find out that miscommunication occurred when the proposed changes were shared with the parents. The Department decided to postpone these changes until further consultation with parents and stakeholders could take place.

Department of Health

The CYA provided advice to government on a discriminatory practice in Medicare provision. As a result of our advocacy, the Department of Health determined that its policy needed to be changed in order to accord with the law. The matter concerned children born here of parents who are in New Brunswick on student visas. We argued that these children born in New Brunswick, as Canadian citizens, should be beneficiaries of Medicare even though their parents were not. The Department of Health agreed with our assessment that the policy was being operationalized in a way that misapplied the relevant legislation and regulations. The policy was changed.

The Child and Youth Advocate responded to media requests on certain systemic issues by writing opinion-editorial (op-ed) pieces. One op-ed on the family justice system called on government to address the current inefficient, dysfunctional adversarial system that is unaffordable to parents and harmful to children. We see better processes occurring in parts of Canada and the US. Another op-ed addressed the issue of Youth homelessness, with these youths throughout our province facing risks such as developing or deepening mental health problems, turning to the desolate cul-de-sac of drug addiction, causing harm to themselves, becoming victims of predators, and victimizing others by engaging in crime. To see the extent of the problem we need to address the invisibility of homeless youth: we called for a comprehensive study to be undertaken to hear from homeless youths as the first step in a long-term preventative strategy that targets factors leading to youth homelessness.

Department of Education and Early Childhood Development

The Child and Youth Advocate undertook a review of the Violent Threat Risk Assessment process being used in schools across the Province, as concerns arose regarding the consistency and efficacy of these processes. The CYA will conclude this review in the spring of 2015, providing recommendations to the Department of Education and Early Childhood Development.

Parents called our office when supports payments are not being paid by the other parent even though this issue has been dealt with in court. They are complaining the court process takes too long and is too costly.

The CYA engaged in advice to government with the Department of Education and Early Childhood Development over concerns that many school playgrounds across the province remain inaccessible to a significant degree for students with physical and/or cognitive disabilities. While playground accessibility for children with disabilities is a very complex challenge that requires ongoing advocacy, the Department accepted our advice of one initial measure to address this challenge: to institute a requirement that consideration has to be made to accessibility in the initial design and planning of new school playgrounds, and in any adaptations of existing school playgrounds through the revision of the relevant Departmental policy, Universal design principles have shown that accommodating persons with disabilities need not entail additional costs when building playgrounds to cater to the broad spectrum of child needs from the start. In the opinion of my office, play is learning, and play is essential for the maximum development of all children.

The CYA provided advice to the Department of Education and Early Childhood Development relating to proposed changes to the Preschool Autism Program; these changes were postponed but we are concerned they might be reinstated. When government institutes changes that can have significant impacts upon the health and development of children, especially children with disabilities, our office feels that a higher level of due diligence, transparency and consultation is required than what occurred in this matter. There had been extremely short notice given to agencies contracted to provide services. Those agencies had little time to digest comprehend and act upon the changes. Moreover, the Department's apparent changes in decisions and late discussions with Agencies appeared to reflect flawed planning and lack of focus on potential negative impacts on children. If the Department had undertaken a type of Child Rights Impact Assessment before instituting these changes, we believe that deleterious impacts could have been mitigated and the process itself would not have been so problematic.

The CYA began research into access to education issues in the Province. A recurring question needed to be addressed: when children are out of school for extended periods with no home schooling or alternative arrangement for education, at what point should that constitute neglect sufficient to warrant a supervisory order under the Family Services Act? Our office has seen cases wherein children were withheld from school for nearly a year by parents engaged in

divorce and child custody proceedings. The CYA engaged in discussions with the Department of Education and Early Childhood Development and the Department of Social Development. We have requested statistics and have engaged in a collaborative process with the Department of Education and Early Childhood Development to determine root causes of chronic school absenteeism and drop-outs.

Incarcerated youth made several requests to our office when they believed they had been secured in their cell for too long or staff used too much force when restraining them. Our office ensures these situations are reviewed according to protocol and decision shared with the youth.

Youth also requested our office review the food and milk portions they were given each day; extra milk portions were added and night snack became more substantial.

Youth also called our office about being cold in one of the cottages at NBYC; extra bedding and clothing was provided to the youth on the unit until the problem could be fixed.

Department of Public Safety

We provided the Department of Public Safety with advice to government in relation to changes to the open custody regime that were of great concern to our office. We were very concerned that moving youth sentenced to open custody to a retrofitted space at the New Brunswick Youth Centre (the secure custody facility) would provide problems in regard to: difficulties with reintegration of youths back into their home communities; supportive connections with families, peers and mentors; stretching existing resources at NBYC leading to less rehabilitative services for youths in secure custody; and many other issues relating to violations of youths' human rights.

Department of Social Development

We began to look into potential systemic issues related to referrals from teachers to the Department of Social Development in cases of suspected neglect or abuse, as well as issues related to the identification of teachers in court affidavits in such cases; a review will be completed in the upcoming fiscal year.

The CYA completed the process of obtaining government feedback to its More Care Less Court report on the youth criminal justice system in New Brunswick. This report will be released in the spring of this year.

The CYA continues to work with the New Brunswick Health Council to improve the development of the Child Rights and Wellbeing Snapshot, a repository of data indicators that reflect the challenges New Brunswick children face, and a means of measuring progress.

Other systemic advocacy projects

In the 2014-2015 fiscal year the systemic advocacy and advice to government branch of the

CYA continued to participate in government's Child Rights Impact Assessment working group. It engaged with District Education Councils regarding support for the national Joint Statement on Physical Punishment of Children, to help raise awareness to end corporal punishment. It supported the work of the Provincial Harm Prevention Strategy for Children and Youth, a project initiated by the CYA in its 2014 State of the Child Report. It provided outreach on children's rights to stakeholders in health, education, corrections, social services, the practicing bar, and community organizations. It provided advice to the New Brunswick Children's Environmental Health Collaborative in the development of a draft Bill of Rights to Protect Children's Health from Environmental Hazards. And it engaged with many government Departments and community organizations in addressing systemic issues negatively affecting children.

2014 State of the Child Report: Right of the Child 25 years on

On November 18, 2014, as part of the second Child Rights Education Week, the OCYA published its sixth annual State of the Child Report and updated, jointly with the New Brunswick Health Council, the *Child and Youth Rights and Well-being Snapshot*, which is a statistical analysis to support the decisions made by government that impact the rights of the child. The State of the Child Report is designed to help the Province achieve our collective goal of making New Brunswick a better place for our children. We have prepared this report for public service policy makers and government legislators to use as a resource tool in their work. It therefore aims to help all the stakeholders concerned to defend the rights of the child, i.e., non-profit organizations, the university and research communities, lawyers, the extended family, and young people themselves. The report also provided an update on the situation of children in New Brunswick, 25 years after the adoption of the *Convention on the Rights of the Child*.

Conclusion

Educate, participate and protect. That was the slogan used to celebrate the 25th anniversary of the *Convention on the Rights of the Child*. They were also the watchwords that guided the efforts of the OCYA during fiscal 2014-2015. The words also call for the respect of the four guiding principles of the Convention. They are addressed to the children and youth and to all of the stakeholders who have obligations toward them. The OCYA continues to be a leader in protecting the rights of children by developing and coordinating joint initiatives such as the Strategy for the Prevention of Harm to Children and Youth and the Transformational Research in Adolescent Mental Health (TRAM). Developing and supporting initiatives that are consistent with the Convention by drawing on the strengths of our communities is part of our mission. Stakeholders from other provinces and other countries applaud our efforts, attend our courses, answer our calls for cooperation in favour of a beneficial change for all children and young people without distinction.

However, we can and we must do better. If the roadmap is impressive, our province still has much to learn in terms of best practices in many areas in order to ensure that we have environments that are respectful of rights. For example, a number of our recommendations

included in this report remain unanswered, recommendations whose implementation would have a significant impact on the well-being of children and youth. All the cases described in this report demonstrate that situations where the rights of children and youth are violated occur on a daily basis and that our team is constantly sought. We still see a great ignorance of rights and we receive calls on a daily basis to the help our young people, be they in school, in a detention center, or in the care of other institutions. We respond by going to meet with these youths, we respond systemically when the rights of a group of children or young people are trampled, in terms of prevention by sensitizing all stakeholders to children's rights in a context, it should be remembered, of a status quo budget, which limits our ability to act.

The mission that drives the OCYA is crucial to the well-being of New Brunswick's children, it is clear that these efforts do not result solely from ideas raised by members of the OCYA; these ideas stem from the Executive Council Office, which supported the development of the Strategy for the Prevention of Harm to Children and Youth, and are found in responses to recommendations concerning the system, in the follow-up feedback on case studies, in our schools and in our communities. The OCYA team and others are more mobilized than ever to proclaim the call for the protection and promotion of the right of children and youth be truly **equal, protected, and participating.**

