



Legislative Assembly of Alberta

The 29th Legislature  
Second Session

Standing Committee  
on  
Legislative Offices

Child and Youth Advocate Act Review

Tuesday, January 17, 2017  
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**Legislative Assembly of Alberta  
The 29th Legislature  
Second Session**

**Standing Committee on Legislative Offices**

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## Standing Committee on Legislative Offices

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**8:45 a.m.****Tuesday, January 17, 2017**

[Mr. Shepherd in the chair]

**The Chair:** All right. I'd like to welcome the members, staff, and our guests this morning to this meeting of the Standing Committee on Legislative Offices. Of course, I'm David Shepherd, MLA for Edmonton-Centre, chair of this committee.

To begin, as per usual, I'd like to just ask that members and those joining the committee at the table introduce themselves for the record, and then we'll hear from those on the phones. I'll start to my right.

**Mr. Malkinson:** Thank you very much. Brian Malkinson, MLA for Calgary-Currie, deputy chair.

**Mr. van Dijken:** Glenn van Dijken, MLA, Barrhead-Morinville-Westlock.

**Mr. Nixon:** Jason Nixon, MLA, Rimbey-Rocky Mountain House-Sundre.

**Mr. Ellis:** Mike Ellis, MLA, Calgary-West.

**Mr. Whitford:** Cliff Whitford, counsellor, Boyle Street Education Centre.

**Ms Broomfield:** Catherine Broomfield, executive director, iHuman Youth Society.

**Mr. Gibbons:** Jim Gibbons, senior education adviser, Alberta School Boards Association.

**Ms McCullagh:** Karen McCullagh with the Boys & Girls Clubs of Canada in the western region.

**Mrs. Littlewood:** Good morning. Jessica Littlewood, MLA for Fort Saskatchewan-Vegreville.

**Ms Woollard:** Denise Woollard, MLA, Edmonton-Mill Creek.

**Drever:** Deborah Drever, MLA for Calgary-Bow.

**Mr. Horne:** Trevor Horne, MLA for Spruce Grove-St. Albert.

**Mr. Kleinsteuber:** Good morning. Jamie Kleinsteuber, the MLA for Calgary-Northern Hills.

**Mr. Koenig:** Good morning. I'm Trafton Koenig with the Parliamentary Counsel office.

**Dr. Amato:** Good morning. I'm Sarah Amato, research officer.

**Dr. Massolin:** Good morning. Phillip Massolin, manager of research and committee services.

**Ms Rempel:** Good morning. Jody Rempel, committee clerk.

**The Chair:** Excellent.

**Mrs. Pitt:** Good morning. Angela Pitt, MLA, Airdrie.

**The Chair:** Thank you.

Before we turn to the business at hand, just a few operational items. As per usual the microphone consoles are operated by the *Hansard* staff. Please keep cellphones and BlackBerrys on silent and off the table as they can interfere with the audiofeed. The audio of the committee proceedings is streamed live on the Internet and

recorded by *Alberta Hansard*. Audio access and meeting transcripts are obtained via the Legislative Assembly website.

Moving on, then, to our agenda for today. I take it everyone has had a chance to review it. Do we have a member that would like to move a motion to approve the agenda as circulated? Ms Woollard. All in favour? Any opposed? That motion is carried.

Moving on, then, to continuing our review of the Child and Youth Advocate Act. We move on today with our fifth panel regarding the Child and Youth Advocate Act. I'd like to remind everybody that, as per the previous panels, today's participants have been invited to each make a 10-minute presentation regarding the Child and Youth Advocate Act. Then after the presentations are complete, we'll open the floor to questions from committee members.

I'm very happy today to be able to welcome some guests from iHuman Youth – I apologize. I see that we've had another member join us at the table. I'd just ask you to introduce yourself.

**Ms Sweet:** Heather Sweet, MLA for Edmonton-Manning.

**The Chair:** Thank you.

I'm very happy today to welcome guests from iHuman Youth Society, the Boys & Girls Clubs, the Alberta School Boards Association, and the Boyle Street Education Centre. We had some great discussion yesterday, and I look forward to the contributions each of these guests will make today. I'll ask each of you to begin your presentations by – well, I guess you've introduced yourselves, so if you have any additional support staff with you today, feel free to introduce them as well.

We'll begin, then, with Mr. Whitford from Boyle Street Education Centre.

#### **Boyle Street Education Centre**

**Mr. Whitford:** Well, thank you very much, Chair Shepherd. We wish to thank the standing committee for the invitation to our organization to present our concerns in relation to the act here today. I'm joined by one of my colleagues in the gallery. Her name is Alaina Thursby. She is a youth worker with our organization.

I'd like to draw your attention to 9(2)(b) of the act: "on the Advocate's own initiative, or at the request of a child, assist in appealing or reviewing a decision relating to a designated service." We believe it is important that whenever a child cannot speak on their own behalf due to age or incapacity, a guardian or other person who represents a child be allowed to request on the child's behalf assistance in appealing or reviewing a decision relating to a designated service.

Moving on, 9(3) states: "Subsection (2)(b) does not apply in respect of a designated service referred to in section 1(e)(iii)," which is a service provided to children and youth in the youth criminal justice system. We believe that whenever a child feels that they have been unjustly treated by a government department, regardless of the designated service, said child should have every opportunity to plead their case in a form which is open and transparent. When you exempt a designated service because it is the youth criminal justice system, then that designated service can basically do as it wishes with the child without public recourse. We believe it is important that this clause be thought over and perhaps even deleted.

Moving on to 9(4), which states: "Subsection 2(c) does not apply in respect of a child referred to in section 1(c)(ii)." Section 1(c)(ii): "a person under the age of 22 years who is receiving support and financial assistance under section 57.3 of the Child, Youth and Family Enhancement Act." Our concern is that we are not sure why this exemption is here. If a child is receiving services and so long

as they are under the age of 22 years, as outlined in 1(e)(ii), he or she should be entitled to access services through the Child and Youth Advocate just like any other child. If the Child, Youth and Family Enhancement Act finds it necessary to support a youth up to the age of 22 years, then we believe that the Child and Youth Advocate Act should as well.

On to 9(5): “Subsection 2(d)(ii) does not apply in respect of a designated service referred to in section 1(e)(iii) unless, at the time of the serious injury to or death of the child, the child was in open or secure custody.” Whenever there appears to be, quote, unquote, systemic issues arising from a serious injury or death of a child under the supervision of the criminal justice system, we believe that it is necessary for the office of the Child and Youth Advocate to investigate. As mentioned earlier, the youth criminal justice system should not be exempt from an investigation by the advocate, especially if assistance is sought by the child or youth in question regardless as to whether they are in open or secure custody.

I’ll draw your attention to 12(1): “When a child is seriously injured or dies while receiving a designated service, the public body responsible for the provision of the designated service shall report the incident to the Advocate as soon as practicable.” Our concern is that whenever a child is seriously injured or dies while receiving a designated service, the public body responsible for the provision of the designated service should be required to report the incident to the advocate forthwith, meaning immediately and without delay. The immediate reporting of such incidents, along with immediate co-operation by the designated service department, to the advocate will help to allay public concerns that the system is broken and government is actually hiding what happened. The longer it takes to report, the more suspicious the public becomes. In its current context the term “as soon as practicable” does not provide a definite timeline. “Forthwith” does.

Onward to 12(2), which reads: “Subsection (1) does not apply in respect of a designated service referred to in section 1(e)(iii), unless at the time of the serious injury to or death of the child, the child was in open or secure custody.” Once again, if a child is receiving services from a designated service outlined in this act and they are seriously injured or die while receiving such services, it’s of vital importance for said designated service department to report the incident to the advocate so the public can have confidence that the government is doing everything within its powers to ensure that the investigations are transparent and conducted in a timely manner that the act must outline; for example, three, six, nine, or 12 months. The youth criminal justice system, again, should not be exempt from this regardless of their current reporting protocols.

Onward to 15(3): “A report made under subsection (1) must not disclose the name of, or any identifying information about, the child to whom the investigation relates or a parent or guardian of the child.” It’s not understood what the reasoning is behind not identifying the child in the report, especially if the child or the child’s guardian or other person who represents a child requests the assistance of the advocate. When an investigation relates to systemic issues arising from shortcomings within a designated service outlined within this act, we believe it is important that the identity of the child be made known in the report in order that families and communities related to the child know exactly what occurred to their child and what is recommended in order to safeguard such occurrences ever taking place in the future.

8:55

Onward to 15(4): “The Advocate must provide a copy of a report made under subsection (1) to a public body that is directly or indirectly a subject of the investigation.” It is highly recommended that a timeline be instituted somewhere in the subsection in order to

ensure that the investigation is conducted in a timely fashion. We’re exemplifying within three months of the incident. The longer a report takes to be completed, the more the advocate and government will be scrutinized in the court of public opinion for dragging their feet. Furthermore, the sooner a report can be completed, the sooner the government can fix the issue or issues that led to the serious injury or death.

Section 15(5): “The Advocate must make a report made under subsection (1) available to the public at a time and in a form and manner that the Advocate considers appropriate.” As recommended in the previous subsection, again, it’s highly recommended that a timeline be instituted here, and we’re suggesting within six months.

In summary, all recommendations that we provide will surely help, we believe, to boost the ability for the advocate to do a more effective job in representing the rights, interests, and viewpoints of children receiving services through Alberta’s designated service departments. When a government designated service, as outlined in 1(e) of this act, is exempted from the provisions of this legislation, then it would appear that the interests of the government are put before the interests of the child. This cannot occur in a free and just society. As the greater community at large we must ensure that the interests of society’s most vulnerable, who often do not have a voice and in this case are the children, are not lost in the milieu of laws which at times appear to protect the interests of those democratically chosen to be accountable to the people they serve, they being politicians in government.

We respectfully submit this to you. Thank you.

**The Chair:** Thank you, Mr. Whitford.

We’ll move on, then, to Ms Broomfield from iHuman Youth Society.

#### **iHuman Youth Society**

**Ms Broomfield:** Good morning, Chair. I just want to recognize and thank for being on Treaty 6 land and recognize Treaty 7 and Treaty 8 as well.

Catherine Broomfield, iHuman Youth Society. I’ve been the executive director for seven years, and I’m coming this morning to speak on behalf of the youth at our agency. Our agency has been around for just over 20 years, and we serve youth that are in the age range of 12 to 24. The majority of our young people do self-identify as indigenous, and I would estimate that we have between 80 and 85 per cent of our youth that are self-identifying as indigenous. We have roughly 600 youth that are registered with us, and – sorry. Did I say 600? Yes. Okay, 600.

In the last year since we’ve moved into our new building, we’ve averaged 40 new registrations per month. Every month since, 40 new young people have registered with us for support and services. The youth that we see tend to be involved with the criminal justice system, with the child welfare system. They have addictions. They have mental health issues. They are struggling with systemic issues, poverty, homelessness. They have the legacy of intergenerational trauma as something that is very much in the forefront of their lived experience.

Our program operates from a harm-reduction, a strengths-based, and a trauma-informed approach, and we provide services that involve three pillars: caring, creative, and authenticity. Our caring programs focus in on the youth’s basic needs, something as simple as having a shower or getting a clean pair of socks, doing their laundry. They can also access our mental health clinic, which is a free program that is provided through iHuman. Our creative programs focus in on the arts and engaging the youth in a way to explore trauma and, hopefully, heal from it.

A strong pillar that we have developed an indigenous policy framework around is our authenticity pillar, which ensures that we are honouring Treaty 6 and 7 and 8 as we have lots of, as I mentioned, youth who come from those different treaty areas.

As I said, I'm speaking on behalf of the youth this morning. The youth wanted me to share with the committee one of the key things I heard from them. I'm paraphrasing, but they said, "What can the advocate do for me?" or "The advocate can't do anything for me." I think what they mean by this is that the strength of the advocate's office to champion the concerns of the young people that they are supporting and representing is limited. The scope of the advocate's office is limited to children and youth that are involved in the child welfare system and in the youth criminal justice system. What I would like to put before the committee is that a holistic approach to supporting a young person is what the advocate should be focusing in on. Being able to represent that young person around their mental health, around financial supports, AISH, PDD, access to culture, whatever that young person might need that would support that young person's eventual independence and movement out of the systems that are supporting them currently.

With that in mind, then, I think that the role of the advocate's office is to advocate with some authority and power behind what they are representing on behalf of the young people, something that is holistic, as I said; also that those interactions happen in a face-to-face manner. For young people that are outside of the urban centre, especially indigenous young people, it's important that they have face-to-face contact with their advocate so that they can share directly and not to have that happen over the phone. The advocate's office also has the opportunity to take into account – and they do, but I think there needs to be some more weight put behind it – supports that are in that young person's life: community agencies, community workers, family members, other people who have maybe had a longer standing personal, intimate relationship with that young person and have a level of trust with that young person.

Speaking from iHuman's experience, we often get disclosures from young people that they won't necessarily share even with an advocate until they have developed that level of trust. So if the advocate can at least hear and maybe act on some of that information, I think that would be important.

The last thing that the youth wanted me to share is around the issue of age. What the definition of "youth" is I think is highly important. I actually did a search on the advocate's office website trying to find what the age was, and I couldn't find it. I didn't pull up the act, which probably would have been a good idea, but if it's to 22 – I will recognize my colleague here, Cliff, as 22. At iHuman we go to 24. Child and youth services goes to 24. The federal government says that youth goes as high as 30. I think that if we are supporting young people through the child welfare system, potentially up to the age of 24, the advocate needs to support that as well.

I think it's also important to recognize that for young people who need the advocate's support and if they do have that dual status with both criminal justice and the child welfare office, stopping at the age of 24 is actually doing a disservice to that young person. If the goal is to have that young person reach independence or semi-independence, to be able to live their life and contribute to the economy and to Alberta, then perhaps helping that young person beyond the age of 24 is what's needed. When they've been in care, when they've had the trauma and challenges that they've had, they're not necessarily able to advocate for themselves even into their 30s. I think it would be something for the committee to consider, expanding that aspect.

9:05

In summary, I would champion on behalf of the youth of iHuman that advocacy in a holistic scope be the aim of the advocate's office and that the age of support to young people be increased to the age of 24.

I want to thank the committee for the invitation to speak this morning on behalf of the youth. Thank you so much for this opportunity.

**The Chair:** Thank you, Ms Broomfield.

We'll move on, then, to Mr. Gibbons with the Alberta School Boards Association.

#### **Alberta School Boards Association**

**Mr. Gibbons:** Thank you, and thanks for inviting Alberta School Boards to present before this committee today. It's a very important topic, and the work of Alberta's Child and Youth Advocate is vital to the success and well-being of our students. As an association that's more than 100 years old, representing all public, Catholic, and francophone boards in the province, ASBA is pleased to be invited to present to you this morning.

My own background, as well as serving as acting director of ASBA for the last number of months, is that of a 35-year career as a teacher, principal, and long-serving superintendent of schools in central Alberta. Actually, one of your members, I was both his principal and his superintendent. He was never sent to my office, either, by the way, so that was encouraging.

**Mr. Nixon:** He's been sent to mine.

**Mr. Gibbons:** Yeah. Well, we won't say who it is.

You know, in preparation for ASBA's written submission at our Fall Issues Forum, which is a conference that's held in September, we invited the Child and Youth Advocate to present to school board trustees and superintendents in the province. Indeed, virtually all of the school boards were represented. His presentation was very informative, but it was clear that for many in the audience this was the first time that they truly understood the work of the advocate. I think that this in itself is perhaps a message that perhaps we need to consider.

You know, schools really are places of hope for young people. It takes a whole village to raise a child, and it takes a whole village to save a child. I think, as echoed by our previous speakers, we need to look at how we work together for students who are at risk because in many cases we'll see the early signs. As far as our submission – and it was the result of input from all of the boards – we think that the age limits are appropriate. In the new Education Act, that actually isn't proclaimed, it looks at services almost up to the age of 22, so if they're 21 on August 31, they would be served in schools as well.

In the case of appropriate services, you know, schools are often the first to identify at-risk children and youth. The signs are there. It doesn't just happen when they reach a certain age. I think our goal always is: how do we work together to intervene early and provide supports? Our sense and experience is that the more you can do at a younger age in support of children and their families, the more impact you can have later on.

Early intervention. You know, I was able to develop the governance structure for the regional collaborative services delivery model. I worked with government on that in looking at how Human Services, Health, and Education collaborate to provide a forum of services on a regional basis. The most difficult part of that was getting the collaboration and information sharing between those

organizations, and indeed we had to create an information-sharing protocol.

My sense is that that's what we see sometimes. I know that we need to protect privacy, but as the advocate does investigations, to be able to share generally issues that have come before that end up, say, in the untimely death of a child or youth would give us all a hint of how we might have backtracked to say: what could we have done at an earlier stage? It's seldom part of legislation, but I know that in the new Education Act – and that was former Premier and minister Dave Hancock, who was a lawyer, that wanted to read things like collaboration in even though they're hard to enforce – it did say for school boards to collaborate with agencies.

Just in closing, you know, we're finding in our schools an increasing number of students – part of it's this economy, but I think it's generally increasing anyway – that are having mental and emotional and, obviously, family issues as well. Many times children and youth in care are placed in our schools – and that's a great place for them – but without really any prior work on how we would make them successful. If they're suffering from mental or emotional issues, if they've been in the youth criminal justice system and are placed back in there, my question would be: are we setting them up for success, or is that the individual who is going to get suspended from school and continue that cycle of nonsuccess?

When I served as a superintendent, I was invited to be part of an investigative team with children's services looking at the untimely death of one of our students, a young student who was about to be placed in care. You know, one thing that was clear during that investigation was that the signs of risk were present all along. We each had a part of the puzzle, but we never really got together to share that. That was the real tragedy in my mind, that, yeah, it could have been avoided with the right supports. The child advocate is in the position of being that top of the pyramid to bring people together, I think. It would be very helpful if legislation and regulations and processes were developed to take advantage of that key person as the one and only that's really focused on children and youth and their well-being.

If the Child and Youth Advocate is to be successful, we need to break down some of the barriers that lead to a siloed approach to support and have agencies work together, these at the table and many others, each with the best interests of the child in mind.

Thank you.

**The Chair:** Excellent. Thank you very much, Mr. Gibbons.

Next up, then, we have Ms McCullagh from the Boys & Girls Clubs of Canada.

### Boys & Girls Clubs of Canada

**Ms McCullagh:** Thank you, Mr. Shepherd and members of the committee, for inviting the Boys & Girls Clubs to present here today. The recommendations that I'm going to talk about today have also been outlined in the brief that we previously submitted. Again, my name is Karen McCullagh, and I'm here representing 25 local community Boys & Girls Clubs throughout the province of Alberta. We're located in over 70 different locations, urban, rural, and remote, and we have the only on-reserve Boys & Girls Clubs in Canada right here in Saddle Lake, Alberta.

In the year we provide services to over 35,000 children and youth who attend our programs, which are quality social, recreation, after school programs, job readiness, and leadership programs. In clubs across the province we believe that there are 15 to 20 – and that's a conservative estimate – of our young members who are currently involved in the system in one way or the other. They'll be directly affected by the outcome of this review. It's on behalf of our clubs

and of these members that I'm here to respectfully submit the recommendations to you today.

Alberta has a very important role to protect our most vulnerable children and youth, and we're pleased to provide these following recommendations to the committee. We held phone consultations with many of our club staff across the province in response to your call for input. Lots of the feedback that we got was in consultation with clubs having conversations with their children and youth who were affected by the system.

#### 9:15

The first item is in response to question 1 in the discussion guide, which asked about the services provided to different age groups under the act. "Are these age limits appropriate?" Currently the Child and Youth Advocate Act outlines several age groups, and the definitions of children and youth are often used interchangeably and in many sections are quite confusing. The Child and Youth Advocate Act defines a child as

- (i) a person under the age of 18 years, including a youth, who is receiving or is seeking to receive a designated service, or
- (ii) a person under the age of 22 years who is receiving support and financial assistance under section 57.3 of the Child, Youth and Family Enhancement Act.

"Youth" also means "a child who is 16 years of age or older," so you can see that the cross-reference of all of those ages is quite confusing. It's ineffective in supporting them.

Distinguishing youth as those between the ages of 13 and 24 would align the language of the Child and Youth Advocate Act with Alberta's own youth plan, which defines homeless youth as being between the ages of 13 and 24, and the child and family services authorities, who recently increased their definition to 24.

Our recommendation would be that the government broaden its definition of youth and clarify that definition of youth for the purposes of the act to include those 13 to 24. We would also ask you to consider even extending it to the age of 27 for those who are involved in the youth justice system, as was kind of previously approached by my colleague. This would also ensure that youth can obtain the help that they need at the age of 13, when they're legally entitled to be able to obtain health and social services without the consent of their parent or guardian as a mature minor. In addition, it would also ensure that those youth don't age out before they can make a successful transition.

The next recommendations that we have are really related to the conversations that our club staff had with our youth in club, so the feedback is based on their perspective of what they feel would help the system. There are three things that we'd like to highlight: speeding up the processing times of when children are impacted, setting up the system so that youth don't have to retell their story every time they come across a different department, and implementing a mandatory review of the act.

In regard to processing time, children and youth investigation times are lagging, and every single day that we, you know, are caught up in bureaucracy, there's a kid that's placed further at risk. Our recommendation is that the government itself invest in a system that's going to help speed up those processing times and ensure that Alberta's children and youth are being investigated in a timely review. Also, including setting maximum times in which the case can be investigated and/or concluded will provide greater safeguards for those children and youth that are at risk.

In regard to retelling their story, many of the young people are often called upon to retell their story over and over again, multiple times, which is retraumatizing for them, and those that are in the most need of protection and most need of help are actually being



retraumatized by the system that's put in place to support them. It also sets up additional barriers. Youth are less likely to come forward if they know they have to tell their story over and over again. Again, our recommendation is that sharing information between professionals should be on a need-to-know basis, and they should be encouraged to minimize the number of times a youth has to retell their story. This process would enhance their safety and also help professionals be able to provide greater co-ordinated services and support to those children and youth. A one-time-tell policy would be of great benefit to these youth.

The final recommendation would just be around review of the act. In order for legislation to be effective, it needs to be current and relevant to the time. Therefore, we would recommend that there be a review period implemented for review of the act that would not exceed more than five years.

Once again, thank you for the opportunity to weigh in on the review for children and youth. Boys & Girls Clubs are committed to doing our part to support the children and youth in the system and to working with other collaborators to make sure that the continuum of services for children on the ground supports their well-being. We want to ensure, you know, through our opportunity that we have the ability to ensure that our children and youth thrive in this community.

Thank you, kindly, again, for the opportunity to speak on behalf of the children and youth in Boys & Girls Clubs.

**The Chair:** Thank you, Ms McCullagh.

Some excellent presentations. Thank you very much. I'm sure we've got some questions from the members.

First up I have Mr. Nixon.

**Mr. Nixon:** Well, thank you, Mr. Chair, and through you to the panel, thank you, all, for coming and presenting. I think all my colleagues will agree that it was very informative, and I'm sure there will be lots of questions. As well, on behalf of all my colleagues thank you for the work that you do in our province.

I just want to do a quick shout-out to Mr. Gibbons, who is a constituent of the beautiful riding of Rimbey-Rocky Mountain House-Sundre and is also my neighbour. It's always nice to be in Edmonton and be able to see a familiar face from Mountain View county. I feel like we should put on our cowboy hats and go horseback riding, but we'll do something a little different.

Yesterday I asked the representatives from Human Services about how many of the recommendations that we've seen across the spectrum on these issues have been implemented and, specifically, how many of the Child and Youth Advocate recommendations have been implemented and what the stages are. The answer we got back was that it was roughly about a third that have been implemented and are in place, that about a third are either being worked on or in some sort of transition period, and that about a third are not, where nothing has happened to date yet. Maybe they just came in, or they're at various – you know, I don't know why on each of those items.

One thing that I heard from all of you is the need for transparency. For things in government, whether elected people or bureaucrats, we can often lose focus on what it actually looks like. Certain actions may be being taken for legitimate reasons up here in Edmonton, but to the public it will actually look like things are trying to be hidden, and actually I think that in the long term it will cause more confusion and trouble within the system.

The Auditor General has recommended on this question that a standing committee be put forward that would work with the Child and Youth Advocate, similar to how the Public Accounts Committee works with the Auditor General, not to work on policy but to

work on administration, to be able to shine the light on certain things and cause transparency, which I believe is important. I wouldn't mind if the panel could expand on their thoughts on the Auditor General's recommendation and whether or not that's something that this committee should be considering in their deliberations around the act.

**Mr. Gibbons:** Well, one thing I could respond to. You know, I was a superintendent at a time when we didn't have FOIP legislation, and I wouldn't encourage us to go back there. But what I've found over time is that individuals – it could be at the ground level or above – I don't want to say hide behind that but are very reluctant to share information. I think we heard from the entire panel that we need to protect privacy, but it's also sharing information, particularly when it pertains to an at-risk child or youth because it could be the difference between, I guess, living and dying, indeed.

As I referenced before with the regional collaborative services delivery, we couldn't get there until we actually created a protocol for sharing. I would suggest, you know, not just the transparency aspect but all of us being able to work together. If we believe it takes a whole village to save a child, have a way to do that yet protect privacy. I mean, we're generally public bodies, so we can put the onus on the next public body, and we can be careful. But right now there isn't that mechanism, as far as I could see.

**The Chair:** Any of the other members on the panel wish to make a comment?

**Ms Broomfield:** I would just add that I think it's transparency, from the young person's point of view, that is the most important – if that young person gives permission, consent, and is aware of the fact that different professionals that are trying to support them are going to be sharing the story, I think that young person will be quite happy to allow those conversations to happen – and, secondly, to transparency, that the young person understands the process that is going on behind, because that isn't always clear to them. It's that foggiest or that vagueness, not being given the information, that has them believe that nobody is working for them and that nobody is taking their concerns seriously, just pushing them aside.

9:25

**Mr. Whitford:** At the Boyle Street Education Centre our school exists because there was a gap in education. A lot of the young people that we get nobody else wants, so in the greater sense they may be reaching the end of their road in terms of opportunities. They have been subject, many of them, to systems that just don't work for them and don't work with them. So whenever we can institute, through this act or however many other acts, a mechanism that can say to them, quite honestly, why their issue was dealt with in a certain manner, I think the better. Transparency is a beautiful thing, especially in allowing a child the opportunity to be heard, first and foremost, and for whatever story they share, you know, the mechanism that they're taking part in is actually getting them somewhere. That's hugely important.

Of course, you know something? In the greatest sense, those of us on the panel advocate for young people. When we can see that there are mechanisms in place through government that allow the public the opportunity to have an opinion, then that is good. There's nothing wrong with that. I think it's a good thing, Mr. Nixon.

**Ms McCullagh:** I would just encourage with the committee that they look at transparency in two different ways, sort of inward facing and outward facing. The inward facing is around the ability for those who are in the system, working with the system, to have things like a one-time-tell policy. You have the ability to have those

conversations between professional bodies who are working on behalf of those children and youth.

Also, you know, to your point, Mr. Gibbons, having the Child and Youth Advocate Act, having somebody come in to explain what that means, and people for the first time actually understanding what the role of the advocate is: I think that's the outward-facing piece. I think that for the public the education is also really important in terms of transparency: what is it that your role is there to do, and how is it that you're supporting those young people? I would encourage both an inward- and an outward-facing look at transparency with that committee.

**The Chair:** Mr. Nixon, do you have a supplemental?

**Mr. Nixon:** No. I'm good. Thanks, Mr. Chair.

**The Chair:** Thank you.

**Drever:** Thank you, everyone, for all the comments. It was much appreciated on my end. I just have a general question for anyone who'd like to answer but more specifically to Mr. Whitford. In your opinion, what are the major challenges facing children and youth today which could require support from the advocate's office; for example, youth homelessness, youth in the criminal justice system, youth impacted by mental health issues, and youth with special needs and the issues they face?

**Mr. Whitford:** I really believe that it's youth with special needs. You know something? We work with youth who have special needs. Again, they've done the dance many, many times with a system that seemingly doesn't work in many regards. I'm not saying that systems don't work totally; there are aspects of certain government systems that just don't work for young people.

We have a lot of young people at our centre who deal with mental health issues as well. Sometimes they feel unjustly treated. You know something? As far as I'm concerned, the advocate should be given the ability to investigate, as well, children who have mental health issues, who are kind of falling through the cracks.

So, number one, special needs, for sure, and youth with mental health issues.

**The Chair:** Thank you, Mr. Whitford.

Any of the other panel members have comments?

**Ms Broomfield:** I would echo the comment about mental health. I think it's very, very important for youth that are in the child welfare system and in criminal justice to have the advocate be able to consider the mental health, the wellness, the holistic young person. Invariably, if someone has been in the criminal justice system and the child welfare system, there are traumas in their history, and that is cause or evidence of their need to have a strong advocate.

I appreciate that the mental health advocate has an office and is out there, and iHuman has tried to direct young people to the mental health advocate, but it seems that then you get into the case of a young person having to tell the advocate what the situation is. I don't know whether the mental health advocate gets to connect with the Child and Youth Advocate.

I would say that having that holistic approach and being able to look at mental health – without question, the issue of housing and homelessness is also something that iHuman sees daily. Granted, the youth that are in are having supports through the child welfare system. The limits on placements that can support youth that are on the higher risk spectrum – those young people have very few options as to where they're going to live and be placed, so for an advocate to be able to further champion their access to housing and

for the government to look at placements that can support these young people is very critical as well.

The third thing that I would say is that the advocate be able to hear and listen to the young person's concerns about connecting to community, to family, to culture, to their siblings. This is part of the healing journey of a young person, and if we want that young person to be a contributor to our communities, then we have to afford them the opportunity to have those connections. The advocate can champion that for that young person. We need to listen to what that young person is saying about what they need.

**The Chair:** Thank you, Ms Broomfield.

Ms McCullagh, you look like you had a comment.

**Ms McCullagh:** Yeah. I think the short answer is yes, all of the above in regard to your question, particularly around mental health. I would also add that one of the focuses of Boys & Girls Clubs in the coming year is around indigenous youth and intergenerational trauma within indigenous youth and being able to put in greater supports around that population in particular. That would be my add.

**Mr. Nixon:** I heard from several of you as you presented the concern about making some changes to the act that would allow caregivers or parents or somebody around the youth, who may not be able to speak for themselves – it's come up. It's actually been a bit of a recurring theme, and I've been trying to drill down on it a little bit to understand exactly what that means. I mean, are we saying that, you know, if a caregiver calls the Child and Youth Advocate office right now, they're not able to act, that only a child can speak? Are you running into roadblocks from that? I don't think the Child and Youth Advocate office would do that. That's not what I'm trying to say. I'm trying to understand a little bit more what you mean by that. Can you give some examples of the situations that you're seeing as you operate that you're referring to when you say that?

**The Chair:** Mr. Whitford.

**Mr. Whitford:** Yes. Thanks a lot. A lot of times the young people that come to us are very fearful of the system, and many times when they speak to either myself or somebody else in our department – again, the history is that they've been through systems and hearings all their lives, many of them, and sometimes they just shut down. They just don't want to deal with the matter themselves, and they want the help of an Alaina Thursby or a Cliff Whitford, you know, or somebody else in our department. That is why we believe ourselves to be, you know, people who – when a child can't speak on their own behalf, can't articulate on their own behalf, there are things that they'll say to us that we could articulate to government departments, and we believe that that is an important, important aspect for that child who really doesn't have a voice, whether that be through choice or just that they don't have the ability. We believe it's an important part.

I hope I answered your question.

9:35

**The Chair:** Supplemental, Mr. Nixon?

**Mr. Nixon:** Thanks, Mr. Chair. I think you did partially, and I think you expanded on the need that you're trying to address. I think I understand the need you're trying to address. I'm actually trying to drill it down to just a little more of a process question, so a little more boring, I guess.

What would happen when you or your colleague run into a situation like that with a youth that you're working with? You recognize that for whatever reason their particular circumstances do not make them feel comfortable enough to contact the advocate themselves. Quite frankly, in your case, I know this would not be relevant. Other agencies may be working with children that could not, like, literally, physically, could not speak, you know, age or whatever the situation may be. What would happen? What is stopping you right now from being able to advocate or get the Child and Youth Advocate to advocate for that youth or that child? We as committee members need to understand what part of the act would have to be fixed in order to address that problem. I'm trying to understand what would happen. Would you pick up the phone and call right now, and then the advocate would not be able to advocate? What happens? Does that make sense? If you call, Cliff, what would happen? The office can't operate or can't get involved?

**Mr. Whitford:** No, no. Usually, if we call or the advocate calls us back and the child is not present – and this happens a lot with our student population, unfortunately; many of them are transient. If the advocate calls back and the child is not there, then, you know, they can't speak to us, pretty much.

**Mr. Nixon:** So if you're seeing somebody that you're working with and they choose because they're uncomfortable contacting under the circumstances – if they're not involved as a willing participant, you can't just call the advocate and say: "Hey, you know, we're seeing something. You should probably get involved. There's something else going on here." So you can't kind of help them help themselves even though you know something is going wrong.

**Mr. Whitford:** Yeah. Correct.

**Mr. Nixon:** Thank you. I understand what you're saying a lot better now. It was coming across as if the advocate couldn't work if, you know, somebody spoke for a child.

**Mr. Whitford:** I'm glad that you clarified what I was thinking.

**Mr. Nixon:** Thank you very much.  
Thank you very much, Mr. Chair.

**The Chair:** Ms Broomfield, you wanted to make a comment?

**Ms Broomfield:** Yeah. I just wanted to maybe provide a little bit more detail. In my personal experience when youth at iHuman are needing the advocate, we would say to the young person: let's call the advocate. That young person would call the advocate's office, would get to speak to the advocate. In the experiences I'm thinking of, the advocate has come to iHuman and met with that young person in person and with several of the staff who know that youth well or that young person feels safe with and has disclosed things to them and will help to translate or to probe or support, remind that young person what the issue or the concern was. In my personal experience, the advocate has said: "Well, that's great information, but it doesn't relate to their child welfare status or their criminal justice status. I appreciate receiving it. It gives me more enlightenment as to what that young person's background or experience or situation is, but I can't act on it because I'm not able to be holistic," which is my concern. If the advocate can look at that young person and their experience in their entirety, then they can bring all of those things to bear when they're advocating on behalf of that person.

**The Chair:** Thank you, Ms Broomfield.

Any other panel members wishing to comment on that question?  
All right. We'll move on, then, to Ms Woollard.

**Ms Woollard:** Thank you, Mr. Chair. Actually, my question kind of does relate to the topic of conversation. We've talked about designated services. Is this part of this problem? Would you support expanding the designated services, you know, the variety of areas that are covered under designated services? Would that be helpful? My concern as a former teacher and psychologist is looking at children and youth with special needs in schools. Would that be something that would make it easier for them to access the supports of the advocate, expanding that role? Anyone with a thought?

**Mr. Whitford:** I'll answer that. Certainly. If we can give the advocate more of an ability to advocate for the child, then absolutely. Again, if a child or young person feels unjustly treated while receiving any type of service through the government, I really think that the youth advocate should be able to act on their behalf to investigate, you know, any decisions made in relation to their case.

Now, I did mention it in my submission a number of times. Currently in the legislation one of the designated services, you know, is the criminal youth justice system. But then we exempt it, you know, at times within the act. And a lot of the young people that I deal with have youth justice issues happening, and sometimes they really feel unfairly treated by that system, but for whatever reason, you know, under various parts of this act the criminal youth justice system is exempted from the act. What that does is that it ties the advocate's hands. I would say that, certainly, the expansion of the advocate's ability would be a great thing but also taking a look at the act right now and seeing where there are current limitations like the one that I outlined just now.

I hope I've answered your question.

**Ms Woollard:** Anyone else with a thought on that? Thank you.

**Ms McCullagh:** I was just going to say that, again, it just speaks to the age restrictions around where the advocate can intervene. Again, many of our members or our students or our clients are past that age of 22, 24 but still require support to be serviced, and the advocate's hands are tied when it comes to the age restrictions. So having a conversation around that.

**Ms Woollard:** Thank you.

**Mr. Gibbons:** I think the thing to be aware of – and as Jason said, I'm from rural Alberta; that's my experience – is that it's fine to designate services, but they aren't actually there. You know, it's fine to talk about the metros and that. So that was the effort around the regional collaborative services delivery model: how can we combine efforts? I think that has to be an emphasis in rural Alberta because, you know, maybe not as many cases but the same issues exist in rural Alberta as do in urban Alberta.

**Ms Woollard:** Thank you.

**The Chair:** Thank you.

Next up I have Ms Sweet.

**Ms Sweet:** Thank you, Chair, and thank you for having me as a member and a guest at the committee today. It's great to see everybody. Mr. Whitford and Ms Broomfield, it's always good to see you.

Before I ask my question, I just wanted to speak to the fact that I was a high-risk youth caseworker prior to the election, and one of my favourite moments was going to the Boyle Street Education Centre for the graduation of one of my youth. The work that iHuman and Boyle Street do to support our youth to make successful changes in their lives is amazing and some of my favourite moments in my career.

In saying that, I do have a question just to clarify. I feel like it was consistent across the panel: seeing the advocate working between all of the systems, so being almost like a caseworker but not really. They would be an advocate. So I'm wondering how we would see that working. I mean, a child or a youth would still have to be referred to the advocate. Like, would we be saying or are you saying that you would like to see, I guess in the holistic sense, an expansion so that children can be referred to the advocate from all different systems, or are you saying that the children that are identified within the Child, Youth and Family Enhancement Act as well as the youth justice still get supported within the broader systems? I'm just trying to clarify how you would . . .

9:45

**The Chair:** Would you like to make a comment on that?

**Ms Sweet:** Sorry, Ms Broomfield.

**Ms Broomfield:** Well, for the youth at iHuman I think the scope of what the advocate could do for them if that was beyond just their child welfare and their criminal justice status – there are, as Cliff has mentioned, many other issues that are part of that young person's life.

Then I also hear what you're saying about all youth, and maybe there is a rule that a young person, regardless of where they are in the province and whether they're involved with an organization or a system, be able to call and ask: is this something that I can get an advocate to support me in presenting what I need? I think that level of engagement is something that the province of Alberta should move towards. If we want our citizens to grow up and to contribute to civics and be involved in the system, then giving them access to express their concerns at a younger, pivotal age when they have those questions could only do good, recognizing, of course, that that could be quite an expense initially in the need and of the workload of the advocates.

**Ms Sweet:** Maybe just to clarify, because I had heard, like when we're talking about sharing information and how we are ensuring that the information that's being shared is appropriate along with the FOIP and the different acts that we need to abide by – I guess maybe I was wrong. What I thought I heard was that you see the advocate that should be the one that is, then, sharing that information. Is that how you were describing it, or did I hear it wrong? I think that sometimes it's quite successful in sharing information and then other times it may not be. I'm just trying to get an understanding of how to improve if there is an improvement needed.

**Ms McCullagh:** I think that there's really an opportunity for the advocate to become part of the continuum of information sharing, right? When we talk about a one-time-tell policy – if I talk to any of the youth that we provide services to who have been in the system or parts of systems or are just struggling with things, they're like: "If I tell my story once, I don't care how you get that information out. Just don't make me tell it over and over and over again." Right? So I think the barriers that we have as service providers are, you know: how do we support that youth by not having to retraumatize them over and over again by telling their story within a systemic structure?

I think that oftentimes our youth are working harder than the system, and the system is really in place to support our youth. What are the interfaces, and what are the interchanges, and where can we dovetail the work of the different committees and the different systems to work more collaboratively together in order to support the youth as opposed to the youth having to go up every single

hallway to find the support that they need? I think that there's a role for the advocate to maybe pull some of those systems together and have broader dialogue with them.

**Ms Sweet:** Thank you.

**The Chair:** Thank you.

Next up I have Ms Drever.

**Drever:** Thank you, Chair. I have a Boys & Girls Club in my riding in Bowness, and I know the hard work that they do. I visit them quite frequently, so I just want to say thank you to every single person here on the panel for all the work that you do to protect our vulnerable youth. As someone who's grown up in the system, I completely understand what it's like, so I just want to take this time to thank you for all the resources out there and the hard work that you do.

This question is for Ms McCullagh. You were talking about time limits for investigation. I understand that there's a balance between wanting to conclude investigations quickly to prevent further trauma for the child or youth involved but also to get all the facts right. Do you have any suggested timelines you would like the committee to consider?

**Ms McCullagh:** No, I think, because every case is so different. It's like anything, right? When you phone, and you have a repair for anything – you know, you phone the doctor, you want an appointment, and when are you getting your results back? I think it's just around having ongoing communication so that that person doesn't feel as though they've been dropped or let go. I think it's really that the process of working them through the system is as important as saying that it's a six-month timeline or an eight-month timeline. There are points in time of communication to say: "We haven't forgotten you. Here's where we're at. We're still working towards resolution for you." I think it's more on a case-by-case basis, but that person is continually kept involved and informed of progress.

**Drever:** Okay. Thank you.

**Mr. Ellis:** Thank you all for being here today. I just want to kind of expand a bit on what Mr. Nixon was talking about and more so to you, Mr. Whitford, in regard to process. I'm just trying to understand this. With youth that you come across, you obviously were able to talk to them, and they're in that state where they go, "I need help." Right? "Great. I'm going to help you." You call on that person's behalf, with that person there, but let's say, hypothetically, that for whatever reason, you know they're going to call you back. I agree with you that at certain points that child is transient, they might be gone in five minutes, but you had them at that specific window, which is my point. The person calls back, and you're ready to relay that story, and they say, "Okay. Well, is the youth there?" "Well, no, the youth isn't here at this time." "Okay. Well, I can't help you until they come back." Is that one of the roadblocks you're facing?

**Mr. Whitford:** That's one of the roadblocks. Yup.

**Mr. Ellis:** Okay. It puts it into perspective for me in regard to – I've been doing a lot with addictions and specifically fentanyl. I know that there are a lot of similarities here, that there is a window of opportunity to help a person, and if we move outside of that window, for lack of a better word, we're screwed – right? – until that person comes back. [interjection] Right. Well, we are. We have that small window of opportunity to help that person, and we have to be there for them.

When I look at it from a legislative perspective and how we can help you, if there's a way that we can affect the legislation so that when the advocate or when the person calls back and says, "Okay; I'm ready to talk to you," even though the child isn't there – and you know they're going to come back because, like I said, they're transient. They're there, and you've probably been their stability for the last X number of months or something like that.

Is that a way we can help you? First of all, that is a roadblock you're facing, and that's a way we can help you.

**Mr. Whitford:** That's one way.

**Mr. Ellis:** One way. No, no. I know there are lots. I'm just trying to go upon what Mr. Nixon was talking about in regard to process. Is that correct?

**Mr. Whitford:** Yes. If I can just add something if you don't mind. Under part 2 of the act right now, 9(2)(a) indicates that:

In carrying out the role of the Advocate under subsection (1), the Advocate may

- (a) communicate and visit with the child, or with a guardian or other person who represents a child;
- (b) on the Advocate's own initiative, or at the request of a child, assist in appealing or reviewing a decision relating to a designated service.

If that could be included, if (a) and (b) could be sort of meshed together rather than just saying, "or at the request of a child or guardian or other person who represents a child," you know, that would read much better, and I think it would allow the advocate the opportunity to communicate with Catherine or myself.

9:55

**Mr. Ellis:** Yeah. I'm a retired police officer. I get it. Thank you very much.

Thank you, Chair.

**The Chair:** Thank you. Excellent.

Next up I have Mr. Horne.

**Mr. Horne:** Yes. Thank you, and thank you to everybody for taking the time to be here. I know you all do very important work in the communities, and I'm sure there's very pressing work to be done back in your communities.

I just wanted to inquire a bit on something Mr. Whitford said during his presentation. There was a comment about the naming of children, especially in an instance of a death. I know this has been an issue that's been discussed in the public over the past couple years, and I know that many of our submitters emphasize the need for privacy, especially in smaller communities. There's a feeling that the naming of a child could add to intergenerational trauma. So I was just wondering if Mr. Whitford could expand on that position, and certainly if anybody else had any thoughts, I'd be more than interested in hearing, getting as much feedback as possible on this question.

**Mr. Whitford:** I'll call upon my colleague, Alaina Thursby.

**Ms Thursby:** Hi. I'm the youth worker at Boyle Street Education Centre. Cliff and I were talking about this yesterday. I think it is really important. I work in a lot of the systems with these youth, trying to help advocate for them. I get lots of phone calls back that I try to return and try to really highlight the importance of having the conversation with me so I can pass along the message because we do have so many transient youth in our school that I work with, basically, potentially 140 youth. There is one of me, and they all need support in some way or another.

Oftentimes they're a number in a system, and I think naming is really important because they are a human being. They have a face. They have a family. They have history. Oftentimes there is a lot of trauma and struggle, and unfortunately it's something that I see all too often in my work. I think that naming them, making it public, is really important. I think it often does get kind of swept under the rug. We don't get a lot of information. Their family has a hard time getting information as well. There has been a lot of that in the news recently, but I think naming them is important because they need to be recognized as a face and a name and not just a number in a system.

Thank you.

**The Chair:** Thank you.

Any other members have a comment on that? Mr. Whitford, did you have anything to add?

**Mr. Whitford:** No. I think Alaina explained it quite well.

**Mr. Gibbons:** You know, I understand naming in small communities can be problematic. But to even understand the results of an investigation, particularly in the untimely death of a child or youth, gives us in the education system some hints about what we might do. Ideally, we wouldn't even be sitting here if we had all of the supports for children and their families at a young age versus what we are going to do when we get into crisis.

We don't really get to see – I got to see, when I was involved in that investigation, all of the parts that could have happened along the way, but we as school boards don't even get to know that. Naming aside, even just describing the circumstance so that people can be thoughtful in saying: "Wow. I can think of a student here that's at risk." I mean, if you talk to our kindergarten teachers, they will say: I can name you two or three kids that are at risk of not graduating from high school. I mean, so what do we do? Do we just play out the scenario, or do we really look at it at the beginning?

From my standpoint, from Alberta School Boards' standpoint, it's more about: what are the signs along the way such that we could perhaps intervene and not get to this point?

**The Chair:** Thank you, Mr. Gibbons. Excellent.

Next up I have Ms Woollard.

**Ms Woollard:** Thank you, Mr. Chair. A number of people have talked about information sharing, and obviously there are some issues here. I really liked your point about: are the limitations and information sharing for the benefit of the people involved, the children and youth, or the system? I think that's an important note. I know that in the mental health field this can be a concern if necessary information is not able to be passed on for the benefit of the person.

Have you got any thoughts on how we could improve or how the system of information sharing, not just within entities in the same area but sometimes interprovincially even, could be made a little bit more effective, reduce retraumatization of students, and make it so that information that's necessary, that's important is able to be shared among the people who are all working on the same side for children and youth? Anybody? I know it's a vague question.

Thank you.

**Mr. Gibbons:** Well, as I said, it was a real barrier in Human Services, Health, and Education in constructing governance for the regional collaborative services delivery model, but there was a protocol established. It took a legal team, and it probably took them six to eight months to do it. There might be some hints from that on how you could do it and expand it to supporting agencies like Boyle

Street or the Boys & Girls Clubs. You know, in the absence of that, I think, people are fearful because of, perhaps, FOIP, always the protection of privacy and not the freedom of information part of that. How can we do it in a respectful manner that – actually, if we put the child at the centre, I think we can do that and still protect privacy.

**Ms Woollard:** Thank you.

**Ms McCullagh:** The Maoris have a really great process called family case conferencing – some of you in the room will be familiar with that – and it's just really about having that child identify, you know: who are the people in their world that would have an impact on their outcome? Whether that's the police service, whether it's the Boys & Girls Club, whether it's iHuman, the school system, regardless of what their service provider is, having all of those people come into the room together and talk quite openly about, "What are the issues that we're seeing with this child and this individual?" and be able to have those dialogues together, creating a system that allows for all of the players to come into the room and have those dialogues so that all the pieces of the puzzle are put into place – you know, sometimes the solutions are simple once all the information is on the table. I think that there are examples out there of systems that are working collaboratively, that have the freedom of information piece of it while protecting the privacy of the individual.

**Ms Woollard:** Thank you.

**The Chair:** Thank you.

Next up, then, I have Ms Sweet.

**Ms Sweet:** Thank you, Chair. I just wanted to go back to the subject of investigations and the advocate looking into the referrals and issues and talk about the idea around a timeline and whether or not there should be a set timeline and what that would look like. I would just like some more information around it. I'm just wondering: if a timeline were to be looked at, how would we ensure that the best interests of the child are still maintained? Sometimes you can rush an investigation because you have your timeline, which may not or may be in the best interests – it depends – or you go over the timeline and, you know, are in trouble for going over the timeline. I'm wondering, again looking at children and youth being the focus and that whole idea of the holistic approach and trying to support these youths, how we can do it in a way that is critically thinking but also aware of the fact that if we rush it, we may get ourselves into trouble, or if we take too long, the same thing. The best interests of the child: the million-dollar question.

**Mr. Whitford:** Thanks for the question. I think the reason why we brought that issue up was because, you know, we all believe that things need to be timely and understand that in order to be thorough, you have to be given time, but two years is not realistic. Between six months and a year: that's more realistic. I realize that the advocate and various other departments are really strapped in terms of manpower and the ability to do investigations and then put together a report – like, it's a difficult thing – but when we're receiving reports today about an incident that happened five years ago, that's too long, way too long. That's why we'd asked for the timeline. Again, I think it's realistic. I may be totally out in left field, but between six months and a year, I think, is realistic.

10:05

See, the difficulty is that if the child, you know, is not receiving some answer to whatever their concern is within a one-year period,

they're going to lose sight of it, and they're going to just say: oh, it's okay. The issue that happened today will not be an issue in one year and a half or two years, and the same mechanism that caused them to be concerned is still happening. That's not good, in my humble opinion.

**Ms Sweet:** Thank you.

**Ms McCullagh:** I think that just in terms of the fact that you brought this to public consultation – and the feedback that you are getting around timely response I'm hoping provides you with a little bit of ammunition to go back to the government and say: we need to invest more in this area. If that means more caseworkers, if that means more advocates, if that means more support to the system, then, you know, hopefully our voice will lend voice to your voice to get that happening.

**Ms Sweet:** Thank you.

Can I ask one more?

**The Chair:** Absolutely. Go ahead.

**Ms Sweet:** I said I wasn't going to talk, but it happens. I just have another quick question around the discussion about the referral source and the child or youth being present. I'm wondering what kind of process you would see that would work in the sense of: the advocate always wants to talk to the child because they want to make sure that the referral is an actual, valid referral. Especially with our youth that, you know, could disappear for two weeks and we don't know where they went, how do we ensure that we are doing what's in the best interests of the child in the sense of being the advocate, also recognizing, though, that at some point we have to ensure that the youth's needs that they are expressing are valid and that people aren't using the advocate as a tool to maybe benefit their interests versus the youth's or child's interests? I mean, I know the struggle. Like, I've experienced it. I'm just wondering what kind of solutions we could come up with.

**Ms Broomfield:** What I could offer as a process that we've done at iHuman within our mental health clinic is that we involve the youth in the establishment of that clinic, and they develop the consent process, being a creative agency. The youth don't always necessarily feel comfortable giving verbal consent, so they created a painting, a triptych of words that relate to giving consent. They can simply point to a word and get their photo taken with it, and that is their way of giving consent to share the information or to participate in the counselling process. We also had youth who, while they can't say it in a conversation, can say it in music, so they developed a rap. They can sing their consent to participate in the process.

We still have, you know, an official form with all the legalese on it, but we also have a very drilled-down version, that is very plain language, for the young people to understand: "If you disclose to me that you are going to go and commit suicide, I will have to do X. If you tell me that you are going to go maim and harm somebody, I will have to do X." In that clarity the young people feel empowered, and then they can have ownership in the process of their counselling and their healing.

I don't know if a similar sort of process could be given or the latitude could be given to agencies, through their own consent process, to have a young person say: "Will I allow the workers at iHuman or Boyle Street or Big Brothers Big Sisters or Boys & Girls Clubs, wherever, to – because you have this, they know where I'm at. The window of opportunity is there. Please discuss me, my issues, and when I'm seeing that progress is being made or I feel

that my issues are being heard and acknowledged, then I'm going to jump in and have that contact directly, and I'll then take over."

I think if we're waiting for a young person in the case of a phone call and they are transient – or even if they're not; they could be coming in every day but not willing to be in that space or discuss that issue – we're losing time. The advocate could be using that time to at least get some information, research, see what could be potential possibilities, and then come back to the young person and say: "Here's what I've figured out so far based on what I had. Where do we go from here?"

If the question was about the fatality inquiries and lengths of investigations and the release of names, I think that connecting with family members and the community around that young person to find out if the release of the name is with their approval is respectful and a way to reconcile that loss for that family or that community.

**Ms Sweet:** Thank you.

**The Chair:** Thank you.

Next up I have Mrs. Littlewood.

**Mrs. Littlewood:** Thank you very much, Chair. Thanks, everyone, for their presentations, first of all. Just to touch on something that Mr. Gibbons was talking about earlier on case-specific information, I think it was Justice yesterday that was talking about that as well. I mean, obviously, there are different conversations about what should or shouldn't be shared about a specific case, but Justice was talking about having basically a hunger for something more in terms of the case background so that they would know how to implement the change, I think, that they were looking for. I'm assuming that that's – it sounds to me like that's what you're talking about. It's not necessarily just from a legislative point of view, but how do you actually bring something in from your experience and your abilities from a schooling perspective on how to actually do some, maybe, culture change or education change? Could I get you to just expand on that a little bit?

**Mr. Gibbons:** Yeah. I think there are, you know, two parts to the one we heard on the telling and retelling, which is one bit which means that someone isn't able to share with the next person even though the story is the very same. Now I would have to question: is the youth or child actually at the centre of that process to retraumatize, or is it a bureaucratic issue? And I know there's always that balance but probably not through legislation, because it needs to be exact, but through what I would call protocols, processes, it can be achieved. I think all of the agencies involved would say, "Oh, I wish I would have known that," whether it's Justice or whatever. "I might have done this differently." That would be the schools as well.

Quite often we'll have children in care. I understand that when they're placed in care, in foster care, you need to get them in school because that's the normalcy. But sometimes that's just: someone's there. They just showed up. Then I'm wondering: well, what's the success of that child? There is a chance they might act out in class – a new environment, and they've just been removed from a home, all of that – and if we just play out the scenario of suspending them, like, how does that help the whole process? That could happen just because we don't have all of the information.

10:15

**Mrs. Littlewood:** Okay. Just one more?

**The Chair:** Absolutely. Go ahead.

**Mrs. Littlewood:** There were a number of submissions that spoke to the definition of serious injury in the act and the potential need

for expanding that to include things like physical injury, mental injury, sexual injury, spiritual injury. Would I be able to ask all of the panelists that care to discuss that if they could share their thoughts, please?

**Mr. Whitford:** If I could just quickly say, I think a serious injury is something that causes a child to go to a hospital. I mean, that's just my opinion. If they can't be cared for in the facility that they're in and they have to be removed physically and taken to a hospital, to me that's probably serious injury enough. Now, I did want to say that I was a little bit surprised, in going through the definitions, that certain things like serious injury were not in there. You know, now that you bring it up, it was kind of in the back of my mind, anyway. It's a tough thing to define. That's just my two cents, and I'm broke now.

**The Chair:** Thank you, Mr. Whitford.

Any other panel members wish to comment on that?

**Ms Broomfield:** I think: if it could be expanded. I think the intention was probably that serious injury meant physical injury, but I think you're right about the inclusion of looking at the spiritualness, the emotional harm. If those elements can be included in that definition or at least acknowledged that it's not just a physical injury that might be sustained by a young person, then that would be a clarification that would be well done.

**Ms McCullagh:** I would concur with that.

**The Chair:** Thank you.

MLA Drever.

**Drever:** Thank you. I believe I'll be the last person to ask a question. We touched on collaboration, which I think is important for the betterment of the youth and children involved, and I just wanted to ask a question to Mr. Gibbons. You said in your submission that age limits are appropriate provided that there is a collaboration among entities involved. I'm just wondering if you could talk a bit more about that.

**Mr. Gibbons:** Well, because I deal with the education sector, both the School Act and now the Education Act, which moved the age level up, a lot of those upper ages give kids another chance, right? I mean, we have to face it. If you don't have a high school diploma, you're going to be disadvantaged your whole life. You'll have a playing out of your life that always puts you at a disadvantage. We talked about the incidence of special-needs kids both in your system and the youth justice system and, of course, in the adult justice system, too. So the extra ages give that chance, again, for more time in a supportive system to achieve success, and that's the hope for me. You know, the hope really is that if they can get that, then it opens doors rather than closes them.

You know, how can we collaborate? We do. Schools collaborate with Boys & Girls Clubs, and it's great to have schools like Boyle Street that really cater to a specific one that probably wouldn't be successful in the systems we have in schooling right now. I know of Chinook's Edge school division, just a really powerful program. I don't know if you would be aware or not, but there was legislation that allowed the police to apprehend young girls – 12, 13, 14 – living on the streets and involved in prostitution. In this case it would be the city of Calgary. But as a partnership we knew you couldn't actually have the schooling in Calgary because their pimps, as I would say, would find them, and they would be lost. So by moving them out to rural, being very quiet, we would have a system with room for about 12 to 15.

When I worked with them – and I didn't work directly, but as a superintendent I observed – I just saw the light in their eyes and the stories that they told the first time they saw hope on the horizon because someone cared for them. Now, as a success rate, probably maybe one-third, which would be, I would say, a good success rate. The other ones got captured back into that street living, homelessness, all of that as well.

So I think that's an important part that all of us provide to kids, that hope: "It's not a dead end. There's someone there that's going to advocate for me, headed up by the child advocate, that can help me change my life, because – you know what? – I want to change my life."

**The Chair:** Thank you.

Any other panel members have comments?

If not, I see that we are past the time that we'd allotted. I think, to echo what some of the other members have said, we deeply appreciate your presence here today and the work that all of you are doing in our communities. Thank you for the contributions you've made. We appreciate your time.

At this point, then, we'll take a bit of a break. We'll come back at 10:30 for our final panel.

[The committee adjourned from 10:21 a.m. to 10:34 a.m.]

**The Chair:** All right. Well, I'll call our meeting back to order, then. Welcome back, everyone.

We'll just take a moment, then, to once again, with our new guests that have arrived, go around the room, introduce ourselves. My name is David Shepherd, MLA for Edmonton-Centre, chair of this committee.

**Mr. Malkinson:** My name is Brian Malkinson, MLA for Calgary-Currie, deputy chair.

**Mr. van Dijken:** Good morning. Glenn van Dijken, MLA, Barrhead-Morinville-Westlock.

**Mr. Ellis:** Mike Ellis, MLA, Calgary-West.

**Dr. Linder:** Dr. Jacqui Linder, Be Brave Ranch.

**Dr. Smith:** Dr. Jackie Smith, Alberta Adolescent Recovery Centre.

**Mrs. Littlewood:** Jessica Littlewood, MLA for Fort Saskatchewan-Vegreville.

**Ms Woollard:** Denise Woollard, Edmonton-Mill Creek.

**Drever:** Hello. Deborah Drever, MLA for Calgary-Bow.

**Mr. Horne:** Good morning. Trevor Horne, MLA for Spruce Grove-St. Albert.

**Mr. Kleinsteuber:** Good morning. Jamie Kleinsteuber, MLA, Calgary-Northern Hills.

**Mr. Koenig:** I'm Trafton Koenig with the Parliamentary Counsel office.

**Dr. Amato:** I'm Sarah Amato, research officer.

**Ms Rempel:** Good morning. Jody Rempel, committee clerk.

**The Chair:** Excellent. Well, thank you.

On the phones, of course. Mrs. Pitt? Mrs. Pitt is not with us at the moment. No problem.

Welcome to our guests, who are joining us here this morning. I understand that Ms Kenzie has not arrived yet. We're reaching out to see if she'll be joining us, but in the meantime we'll have the opportunity to hear from our other two guests. We'll start with Dr. Linder, if you'd like to make your presentation. Just to remind everybody, we're giving our guests 10 minutes each to make their presentations, after which we'll have the opportunity to ask questions.

Dr. Linder.

### Little Warriors/Be Brave Ranch

**Dr. Linder:** Thank you. I will do my best to stick to the 10 minutes. I sent a PowerPoint presentation ahead. It's just a few slides to walk us through. The first thing that happened when I got this invitation was that I went back and I reread the act to see what I thought would be helpful for you to know and what I could draw on in terms of my own experience. From a technical point of view I have to say that it looked good to me. Then I dug deeper into: what would be useful that we could add? I went back to the preamble, looking at some of the grounding philosophy on which the act sits.

What I thought would be helpful to talk about in my little 10 minutes is the idea of attachment trauma and how secure attachment is fundamental to healthy human development, healthy child development and how when a child is apprehended or there are problems in the family of origin or there are adverse childhood experiences, one of the first things that is ruptured is the secure attachment bond between the child and a primary caregiver. If placement is not successful or it is difficult or it's challenged or there are multiple placements – that frequently happens with children who are struggling with mental health issues – the foundation of secure attachment erodes more and more and more. What is not well understood is that when attachment goes, the stable foundation for identity development follows it.

So I would like to offer for consideration this new addition to the preamble, which is: "Whereas the Government of Alberta recognizes that healthy child development depends on secure attachment with trusted adults." The reason I think it belongs in the preamble is that the act needs to be, in my opinion, more trauma informed and more attachment informed in all decisions so that whenever logistical decisions are being weighed and financial decisions are being weighed and operational decisions and safety considerations, trauma and attachment are also part of our decision-making thinking, front and centre.

Serve and return, for anyone who knows this phrase, is the idea that the physical brain of a human being actually develops in relation to connection with the primary caregiver. We're not just talking about our parents, who are loving us and caring for us and cleaning us and feeding us and playing with us; we're actually talking about how that caregiver relationship wires physically the neural mass of the brain itself. While brain is not mind – mind is like the iCloud; brain is like the computer – if you have a malwired physical brain, that will absolutely show up in mood-cognition behaviour. It will show up in identity. It will show up in relationships. It'll show up in what I like to call the possibility of getting a good, stable taxpayer and a good, voting citizen at the end of this journey. We begin from day one, and we build out a stable brain; therefore, we build out a stable identity; therefore, we build out a stable member of the population.

Secure attachment is best found in the biological parents if it is possible, but in many, many cases that is not possible. What you have then is a situation where you have to try and replace that secure parent bond with some other trusted adult. The developmental literature shows that teachers, trusted coaches, caregivers, nannies,



different adults can fill that role, but they have to be permitted to stay in relationship with the child. Unfortunately, when a child is removed from their parental home, the possibility of staying in touch with trusted adults quite often takes a back seat to other considerations. I would like it to take a front seat to other considerations.

**10:40**

In my experience working with children who have been abused in childhood, have had adverse childhood experiences – and I’ve also worked with teens and adults – the key consideration that I think about, especially at the back end of the development, when my clients are in their 30s, 40s, and 50s, is that sometimes you can save the body but lose the soul. It’s a very difficult judgment call to make. I work a lot with police officers, first responders, so I understand the level of lethal threat that is very often present in a family home. But I ask them to consider: when a child is removed from a situation like this, how are we ensuring that whatever trusted people, whatever trusted attachment figures were with the child posttrauma continue to be in relationship with the child after the fact? How is that ensured? Quite often what is expedient, what is currently the letter of the law, what is operationally feasible, and what is in the best interest of the organization, which is concerned about its liability, actually takes more of a precedence than the attachment structure of the children themselves.

The case of Ari, who is a little Cree girl that came to stay at the Be Brave Ranch – for those of you who don’t know us, we treat exclusively child sexual abuse. We have had very good results in our last two years, and both anecdotal and empirical data are quite encouraging. We recently completed accreditation, and we recently were added to the service providers list. But before we were on the list – there is a law that says that children who are in care cannot also be treated by organizations that are not vetted appropriately, not on the list, and so on.

What happened in this particular little girl’s case – she was a wonderful child – was that she was with the family of origin originally when she came into our care, and then things fell apart at home. So she was midstream in her treatment protocol when she was apprehended. What happened in that particular case was that the apprehending agency did not know that she was in treatment at the time. They found out after the fact. She went into foster care. The foster mother ensured that she continued with her treatment. Then the organization, the caseworker found out. The day they found out – and there’s a legal reason for it – they were actually going to come to the Be Brave Ranch and pull her out of the program even though she was in the middle of very psychologically distressing material.

This is a child who when we first met her was completely shut down, completely frozen. Anybody in the room who has ever worked with severely harmed children, you can tell just by looking at their eyes that there is a flatness there, that there is nobody home, that they are dissociated, that they are disconnected. This is a protection device. We see it in all populations. In her particular case, when we met her, she was so severely shut down that we were not sure if she met criteria for FASD and just had not been diagnosed. But we decided that we were going to give it our best shot and see what happened, and over the weeks and months that she was in our care, she started to melt. We see this a lot with our children. We’ve had loads – I think we’re on cohort 22 now, who have just come to the ranch – of children, who come in very frozen, very psychologically defended, very emotionally mistrustful of the adults around them.

She started to melt slowly and slowly and slowly and was really beginning to flower when she was apprehended. She was making incredible progress in her treatment, and then she was apprehended.

Despite the fact that she was clearly improving clinically, the fact that we were not on the service provider list meant that there was going to be a catastrophic termination of her treatment protocol. This is incredibly dangerous, not to mention unethical, in terms of the best practice standards for care of a client, but in her particular case she was a little kid, and she had no agency in the scenario.

So I got on the phone – I was actually out of town – and I was on the phone for hours negotiating some kind of middle ground between the well-being of this child who was in my care and the legal situation we found ourselves in and the reality of the liability situation that the other organization found themselves in. Where we met was that we would keep her room at the ranch, that we would keep all her stuff at the ranch. My staff would go and pick her up from her foster care situation, drive her to the ranch every single day, and then have her stay all day and then drive her home. We kept her stuff so that she would not have a sense of being displaced from the other children, that she was beginning to trust and beginning to develop a very healthy relationship with. In the end, we were able to keep that going, and she was able to complete the treatment cycle.

After that situation there were outside organizations from other provinces in Canada who asked: “You know, are you on the providers list? Can we send our children?” My response was: “Absolutely not unless you can guarantee me that something is not going to happen in the family of origin that would cause you to take the child away in the middle of their treatment protocol. I cannot ethically unzip something in a human mind that we can’t zip back up in a timely manner.”

I feel that if the act itself had this attachment concept embedded in all decisions, we would have had more wiggle room on the ground in order to focus on what was best for her treatment at the time, not what was best for the liability of the organization who had, essentially, legal custody of her. That was the sticking point. They could not sign off on her staying in a place that they did not have on their list. I could not sign off on her being snatched and grabbed in the middle of a treatment protocol. We figured it out, but the situation was not helpful to anybody, including the child.

In the end, on the day she left – and she left before the rest of her cohort – we had a little goodbye ceremony for her, and we planted a little shrub by the children’s house, where she was living. We told her and we promised her – and we still actually do this – that we would make sure that even though she was not there, her little shrub, which is named after her, is still at the ranch. We water it, and we look after it, so she knows that even though she is not physically with us, she has not been forgotten by us.

She lost her secure attachment system. We became that adjunct secure attachment system. The legal situation that we once again found ourselves in put that secure attachment system at risk. Secure attachment is the foundation of resilience. It is the foundation of mental well-being in all human beings. I think that it would be very, very helpful for those of us who are on the ground to think always in terms of not just the best physical interests of the child but the best mental interests of the child. I would say: think always about the soul, not just about the body of this human being. A human being is incredibly complex, and what we see on the outside and what is actually going on on the inside very often have no relationship whatsoever to one another. I want to be sure that in other situations like this another child who has an opportunity to do really good healing work is not, frankly, endangered by the current way the system is structured.

Thank you very much.

**The Chair:** Thank you, Dr. Linder.

We’ll turn, then, to Dr. Smith with the Alberta Adolescent Recovery Centre.

### Alberta Adolescent Recovery Centre

**Dr. Smith:** Thank you very much. Just to give you a little bit of context of where I'm coming from, I just want to tell you a little bit about AARC. That's the Alberta Adolescent Recovery Centre. We're a fully accredited long-term treatment program, on average eight to 10 months, and it's for youth 12 to 21 and their families who are battling alcohol and drug addictions. I just want to emphasize that 12 to 21 is a window of opportunity where we're capturing youth who have been diagnosed with addictions, and we're treating not just them but their whole family. We understand and treat the family as a traumatized system and involve each member of the family in treatment. I think there's a bit of a misnomer out there that children come from dysfunctional families or traumatized families or a trauma, but sometimes the addiction itself traumatizes the family, so I think we have to think really broadly.

10:50

AARC is a 12-step, abstinence-based treatment program which incorporates CBT, motivational interviewing as well as peer counselling. Approximately 75 per cent of our clients who come into treatment also have co-occurring mental health disorders, so we have a pediatric psychiatrist, Dr. Lori Hogg, who really helps to facilitate the mental well-being of our clients as well. Really, the typical client profile is a youth coming in from, again, a fractured home, whether it be a pre-existing fractured home or one that has been fractured as the result of addiction; youth with truancy issues, legal involvement; and, sadly, some are coming from the streets because of the devastating effects of alcohol and drug issues. Although AARC is not a designated service under the Child and Youth Advocate Act, I can say that our clients are absolutely considered vulnerable.

Based on the child and adolescent addiction and mental health research and on the gap analysis report, 2014, of public mental health and addiction programs, I would like to suggest that the definition of serious injury found in the Child and Youth Advocate Act include or build in addiction. As an educator and an advocate for youth and families who are battling addiction and mental health issues, it is very concerning to know that 8,000 young people are entering the health care system each year because of addiction and mental health issues, yet the demand is outstripping our capacity to provide early intervention, prevention, and treatment services.

In the gap analysis report respondents actually identified children and youth as a population whose mental health and addiction-related needs are not being met. The report also indicated substance use and abuse as the most common problem among Alberta youth presenting in emergency departments and that the continuity of care that is linking emergency services to specialist addiction and mental health programs absolutely needs improvement.

When the OCYA conducts investigations into systemic issues from serious injury, I would like to see them consider more directly how addiction impacts many government portfolios, including the Human Services and Health ministries, and is a life-threatening medical disorder. DSM-4 and 5, the diagnostic and statistical manual of mental disorders, defines substance abuse as the clinically harmful use of alcohol and drugs. Created back in 2006 was the PCHAD program, which is the protection of children abusing drugs, and that was incorporated to help youth under 18 years of age whose use of alcohol or drugs is likely – and if you'll listen carefully – to cause significant psychological or physical harm to themselves or physical harm to others.

In Alberta we are dealing with a very well-documented medical fentanyl crisis that has taken the lives of many of our youth. The gap in treatment services is real. My second recommendation: can

the role of the Child and Youth Advocate expand to include an advanced understanding of addiction as chronic disease management that requires a continuum-of-care treatment model? Can the Child and Youth Advocate have a presence at research tables where addiction is being discussed and where substance abuse is being described as a serious injury and medical disorder? Can the role of the advocate be expanded to include a thorough knowledge of public and community addiction treatment services for youth and families who are battling addiction, which, I would hope, would include AARC, an accredited intensive treatment program for our youth?

My final suggestion: should PCHAD be included as a designated service in the protection of children abusing drugs? The research is saying that. PCHAD started in 2006, but the research today is saying that this population is still being underserved, and we need more help and advocacy for these youth and their families.

That's the completion of my presentation.

**The Chair:** Thank you, Dr. Smith.

With that, then, I guess we will open the floor to questions from members. Mr. Malkinson.

**Mr. Malkinson:** Thank you very much, Mr. Chair. I'd like to thank all our panelists for being here with us this afternoon. This is our second day of going through and discussing these issues. It's so great to have panelists here to give us a variety of opinions.

I would want to start off with a question. I mean, this is one that has come up. We've been hearing this from a lot of panelists, and I'm just going to put this question to both of you. It was alluded to in one of the presentations. What are your thoughts on the age limits within the act and if they're appropriate? The reason why I ask that is that it's come up many times so far in the presentations. Some say 21; some set it as high as 27. I was listening to your presentations. I'm wondering if that's come up in your thoughts at all.

**Dr. Smith:** Well, for me, when you consider the development of the adolescent brain, research says that it continues to develop up to the age of 25, so I think you're quite appropriately capturing a very important – again I'll use that – window of opportunity when we actually can intervene.

Our program is quite unique at AARC, where parents can actually sign their kids into treatment up to the age of 18, which really mimics what PCHAD is doing, but PCHAD is more short term. I think, again, that when you understand and you consider adolescent brain development, the last area of the brain to develop is the frontal lobe, which is executive functioning. It's well documented that our young people do not have the complete capacity to make really good, sound decisions. To have somebody advocate and help support and guide that, if it can't be the family, then the advocates within your program, I think, are ideal. So I do believe that the age is quite appropriate.

**Mr. Malkinson:** You're happy with the current age as it exists? Okay.

**Dr. Linder:** I agree in terms of the neural development. What I would say is that age 25 is in the case of an optimal developmental scenario, which is actually not what we have when we are invoking the act, so it's something to think about. Yes, it's true that healthy development stops at 25, but that's assuming that everything went appropriately from zero to 25 or somewhere in between although I don't think that we logistically and, frankly, financially could go much outside that window. But I do want it to be very, very clear that what is in the literature is an optimal scenario, not the

suboptimal scenario that we are quite typically dealing with on the ground.

**Mr. Malkinson:** Okay. Thank you.

**The Chair:** Do you have a supplemental, Mr. Malkinson?

**Mr. Malkinson:** I have another line of questioning. I'm not sure who's on the speakers list.

**The Chair:** I don't have any other members at the moment. If you have another question, please go ahead.

**Mr. Malkinson:** Thank you very much, Mr. Chair. Again, I think this question would predominantly be for Jackie, but I'm going to pose it to both of you. Thinking of designated services, Jackie, you mentioned it in your presentation as it relates to PCHAD, with thoughts on it perhaps being a designated service. Your organization in particular works with drug and alcohol addiction. I mean, my experience with that has always been in sort of an adult context. Previously having been a mechanic, I have run into several co-workers that did struggle with alcohol and drugs. It's definitely important to be able to get the help they need. We've heard from other presenters about PCHAD and whether it should or should not be a designated service. Since you alluded to it in your presentation, I'm thinking it would make sense to expand more about PCHAD being a designated service, what your thoughts are, and if there are any other recommendations as it would apply to a designated service. I'm going to propose that to you, Jackie, and then as well to you, Jacqui.

**The Chair:** Go ahead, Dr. Smith.

**Dr. Smith:** Okay. Well, I recommended that because we see a lot of kids in our program who have come directly from PCHAD, and unfortunately it's typically not just one visit to PCHAD. We have many, many clients who come through who've gone through PCHAD three or four times until they get to us, if they haven't lost their life by the time they get to us.

I don't know if you all know, but a parent actually has to stand before a judge and plead their case that their child has experienced addiction to the point where their life is at risk or their family is or somebody as well. So it's a very desperate measure by the time the family gets to that point.

11:00

**Mr. Malkinson:** That's to go to PCHAD, correct?

**Dr. Smith:** Just to go to PCHAD. And if the parent can't get the child into treatment, police officers can actually go out and apprehend the child. We're kind of crossing lines into the rights of a child here, but it's clear that we're doing it because that child's life is at risk or somebody else's as well. We're talking about a very serious, life-threatening injury. Again, I think we really need to start building in addiction to that because we're seeing – and I think fentanyl is a perfect example.

If PCHAD is housing these children, we need to have stronger advocacy for the early intervention and the referral and the support of those families. Again, 2006 is when PCHAD came into place, and all the research I'm talking about – this was 2014, so we're talking eight years later. The gap analysis is saying that our children, our youth struggling with addiction, their needs are not being met. I think if we can capture an organization such as PCHAD, who's initiating that process, then we need a stronger voice of advocacy for those families to help that continuum. We do a lot of crisis

management of addiction and mental health. We have to start looking at it as chronic disease management, and we have to provide services that actually help with chronic disease management as well, a continuity of care.

**Mr. Malkinson:** Just for clarification, that's why you would like to see the Child and Youth Advocate be a designated service so that they can . . .

**Dr. Smith:** For PCHAD.

**Mr. Malkinson:** . . . come in there and advocate for those children and youth that are in that extreme situation.

**Dr. Smith:** Absolutely.

**Mr. Malkinson:** Okay.

**Dr. Linder:** I would like to see an expansion of these designated services. It all costs money, of course, but when you think about paying in money or paying in lives, what is more important to us?

One of the problems with addiction and the treatment of addiction is that you can treat the addiction but not treat the underlying trauma. So I think it's very, very important to have organizations that are addiction specialists, but somewhere in that scenario, before, after, or concurrent – the current literature actually suggests concurrent – the core trauma, the source code needs to be dealt with. If we don't deal with the source code, we end up in an unfortunate situation.

Gold-standard trauma treatment has three phases. Phase 1 is stabilization, phase 2 is trauma processing, and phase 3 is sort of reconstitution and return to the world. We can get stuck in phase 1, treating and retreating and retreating the presenting symptoms but not getting down to the why. How did we get here? What is happening? Why is it happening? That usually goes back to ACEs, adverse childhood experiences, in the child's early development.

So while I think that PCHAD is absolutely necessary, I'm not sure it's sufficient unless concurrent trauma processing and treatment are built into the PCHAD intervention protocol. I think we need more than just addiction. We need to get to the root of the problem and extract the root so that it doesn't keep bubbling up in other scenarios. Like, we can heal the addiction, but then the person suffers from depression for the rest of their life and is in and out of Alberta Hospital, which is one possible scenario if the source code – think of it like malware. If the malware is not removed, it will pop up in other places almost inevitably.

**Dr. Smith:** Can I just add that I actually, absolutely concur with that. If we're going to have PCHAD there and have our advocates facilitate treatment programs, they do actually, absolutely have to be informed practice. At AARC we actually have the pediatric psychiatrist, who works with our youth around trauma, and then we have an adult psychiatrist, who is a clinical consultant for our staff, who works with the families as well and helps with trauma-informed practice. I absolutely believe in the ACE study and having to incorporate that into all of our treatment programs.

**Mr. Malkinson:** Perfect. Thanks so much.

**The Chair:** Excellent. Thank you, doctors.

Next I have Mr. Kleinsteuber.

**Mr. Kleinsteuber:** Thank you, Chair, and thank you again for joining us today and being part of this important conversation. Just to touch on some of the conversations from earlier panels – I haven't heard any comment specifically about this today – I was wondering if you could just reflect back on some of the themes we've been

hearing around information sharing. I was wondering if any of your organizations had any thoughts on the concept of the one-time-comment idea for youth when they interact with the system and then as well maybe some of the touchpoints where some of the youth that you've dealt with may have come into contact with other organizations and what those organizations would be, I guess, if they were to have some kind of information-sharing concept.

**Dr. Smith:** Okay. Am I reading correctly? Are you talking a little bit about FOIP?

**Mr. Kleinsteuber:** Sorry?

**Dr. Smith:** FOIP, the privacy act, and how when children are disclosing information to – right?

**Mr. Kleinsteuber:** No. I think, more specifically, that when they come in contact with the system, even with your organizations, and with some of the backgrounds that they may have had, you might need information from other organizations that they've come in contact with over their course.

**Dr. Smith:** Well, I can tell you that on Friday I did a presentation for the University of Calgary Cumming School of Medicine, and it was an addictions symposium. It was myself and a psychiatrist, and we brought in a mother who had supported her child, her son, through treatment: significant concurring mental health disorders with this young man. It was a very, very sad story. He was in the system for six years before he actually was directly referred to our organization. So we had this mother share her story as a case scenario, and there were some real barriers to the sharing of information.

I actually – I know you're not talking about FOIP, but I want to bring FOIP into this ...

**Mr. Kleinsteuber:** Sure.

**Dr. Smith:** ... because there's a real struggle when youth in particular are struggling with addiction. We who do not have the disorder of addiction sometimes struggle to understand that for young people, when they get to the point of being addicted, the drugs and alcohol become their solution to life, and they will do anything they can to protect that. They will lie. They will manipulate. They will tell that professional in front of them exactly what they need to hear to get the heat off.

This young man did that for several years. The clinicians were only looking at the primary symptom when in fact it was a multilayered, complex problem with this young man. So he went through Children's hospital, saw many specialists, ended up finally being referred to Foothills hospital, to the concurrent addiction disorder program. It was an addictions specialist who, within two weeks, after running a battery of tests, realized that this young man had a significant addiction as well as underlying mental health disorders. He was transferred to our program and went through it, again, with significant co-occurring disorders – and I think Mike knows this young man. Within two months of graduating from our program, he went out and had a relapse, like 50 to 60 per cent of youth who go through our programs will, took fentanyl once and died.

I asked this mom: what do you want to share with these professionals who are here today? She basically said: if we could keep the conversation going, not just with the families but with professionals, and not be threatened to refer somebody on when you don't think you're capturing the problem, and if you can value collateral information that's coming from family, that's coming from siblings, not

just from the child, and not just protect that child, because protecting the information from that child might be killing that child in the long run. I think the sharing of information is critical, but I also understand the protection of the child as well. I think it's a complex situation, but this mom said: I just wish that we could all talk and refer on and understand it as a complex issue and bring in the complexity of practitioners who can support that as well.

11:10

**Mr. Kleinsteuber:** Great. Thanks.

**Dr. Linder:** I one hundred per cent agree with the concept of collaboration. Good, effective treatment rests on the foundation of solid case conceptualization. What Jackie's talking about is the lack of solid case conceptualization. Because everybody has a different piece of the puzzle, you end up treating the wrong problem, you end up treating peripheral symptoms, and you don't actually get to source code, which is the language that I like to use.

The issue of the privacy of the client and their right to dignity is a fundamental one that has to be weighed against this need for data, which is what the conversation will give us. It gives us data that helps us build an understanding of what is happening, so now we have a map before we go into the labyrinth. The dignity of the client has to always be kept front and centre. Let's assume that we are collaborating, but let's also assume that there are very clear criteria around what we collaborate about, who gets to collaborate, how long that permission is extant for. We have some of these protocols inside the standards of practice and code of ethics of registered psychologists, clinical social workers, and so on, and we can probably draw on some of those very good boundaries to help create a protocol that would allow for collaboration with the right to privacy and dignity of the client still built into the model.

**Mr. Kleinsteuber:** Great. Thank you.

**The Chair:** Thank you.

Excellent. Next up I have Mrs. Pitt.

**Mrs. Pitt:** Thank you, Mr. Chair. My question is for Dr. Linder. You mentioned adding an attachment concept to the act in your preamble there. Can you expand on what that might look like in practice?

**Dr. Linder:** Let's use my case example of Ari. I would want to know if the primary caregiver was not the secure attachment person for this child. She wasn't in this particular case. Who was in the child's world that was a safe person? The child had a favourite teacher, and that favourite teacher could have been pressed into service as an attachment figure that journeyed with the child through these other changes. But they were not considered to be a person of standing, so the secure person got missed. There was an opportunity that got missed. The child ended up actually being kind of handed off like luggage and ended up in a very positive foster scenario, but that is not always the case, as we all know.

What I wanted and what we did for a period of time is – the teacher was actually taken out of the mix. Our staff: what we do in our case planning for all the children who come to the ranch is that we ask the question at all our case meetings – we have case meetings weekly – “Who's the fave? Who's kiddo's fave?” Children are drawn to adults for different kinds of things. They resonate. They like the look. They like the vibe. There are all kinds of reasons why they would be attracted to a particular adult. We identify in our team who the current secure attachment person is that the child has chosen themselves, and then we run our interventions through that person.

We want to make sure that the child is building relationships with other people. The child has to have a relationship with their primary therapist, but their primary therapist is not always their favourite person. Their primary therapist is quite often the person who's bringing corrective information to the table.

Their secure attachment person on my staff is the person they'll go and tell their secrets to unsolicited. That's the person I want to find in the child's world. It could be a neighbour. It could be a coach. It could be a teacher. It could be anybody. We don't know because we never ask the child. If you said to the child, "Who is your safe person?" and they were able to identify that person, regardless of the person's standing as a registered psychologist, a gardener, a janitor in the last hospital the kid was in – I don't really care. What I want to know is: can this person in the room sitting with the child induce a sense of safety in the child, help them stabilize their emotional state, help them ground, help them open, and help them trust that they're going to be okay?

One of the greatest injuries that I treat in adult trauma survivors are these early attachment disruptions that become like malware, that define all future relationships this human being has, quite often for the rest of their lives. We have to start early and plan early, and we've got to think outside the box in terms of what it is that children need. I think that what we have on the table right now, while necessary, may not be sufficient.

**The Chair:** Thank you, Dr. Linder.

Mrs. Pitt, did you have any follow-up or supplemental questions?

**Mrs. Pitt:** No, I think that was answered well. Thank you very much.

**The Chair:** Thank you.

**Drever:** Thank you very much for speaking today. I really appreciate the time that you took to be here. To Ms Smith: I've been to AARC. I've toured your facility. I've been to your Stampede breakfast. It was great. I've actually had one of my constituents as one of your clients come into my office with their family and talk to me about his story, and it meant a lot to me to hear it. I know the important work you do and I really appreciate it.

I just want to open this question up to all the panelists. Are there any changes that could be made to allow you to work more effectively with the advocate's office?

**Dr. Linder:** I don't have tons of reasons to interact with the advocate's office, but I will tell you that in a scenario that we had with one of our children in which the advocate was involved, the situation was moving very quickly on the ground. Critical decisions had to be made within a matter of hours, not days. We had a child whose primary caregiver actually died of a heart attack while the child was in treatment. The bio parents had different addiction issues. There were different things going on with the family. One of the hard things was getting a callback in a timely manner. When we were able to connect with the advocate, the advocate was wonderful, but so many things had actually changed on the ground that the advocate did not have the most current, timely information. I think that might be a caseload issue and how things get prioritized and even how messages get communicated, like: do you have things that have to be answered by you in the next hour?

I don't know how that works, but I can tell you that while the support was there, the goodwill was there, and the well-being of the child was clearly front and centre, the pace at which it moved was out of sync with what was actually happening on the ground.

**Dr. Smith:** Okay. Thank you for the feedback. We do have, actually, a political parent advocacy group at AARC, and you're

quite respected and appreciated for your support of AARC. Thank you for that.

What I did is: I spoke with our clinical staff and surveyed which clients are actually involved with the Child and Youth Advocate Act. We have one currently. It's a PSECA client, and she has two caseworkers who call her on a regular basis, so it's a nice collaboration. We have two youth in the program who have probation officers – and one client was actually court ordered to AARC – so the probation officers come on a regular basis and meet with them. We have one client who has mental health diversion.

We actually have the child advocate act posted in our organization. I believe that for resilience, as well, having significant people, advocacies, and advocates, especially for youth, is incredible support. I openly support the involvement of the Child and Youth Advocate Act. I would love to see AARC be included as a strong referral network for youth and families who are struggling with addiction. I did mention that in my presentation as well. I would love that recognition.

We've treated over 575 families. Two of those are my daughters, that we treated 10 years ago, and I think it's my personal experience with addiction treatment and recovery that has impacted my life in many, many ways, to the point where I'm here today advocating for this.

Thank you for that question.

**11:20**

**Drever:** I do have a follow-up.

**The Chair:** Certainly. Go ahead.

**Drever:** When you talk about advocates, Dr. Linder, I know you were talking about safe people that the children feel safe around and that can open up – is that what you mean by that, or who would that be?

**Dr. Linder:** Your secure attachment person in kid world is whoever I am – you know, I'm eight, and I like my music teacher because he's always been kind to me, he's consistent, he asks me how I'm doing outside of class, and I build a relationship with him in a way that I haven't been able to build a relationship with any other human being.

We have a wonderful story at the ranch of one of our little guys, happened to be Cree, did a really good job, went through our year-long program, graduated beautifully. He's in the community for a month; he's expelled from school. At nine years of age he phoned the ranch by himself and asked to speak to his former primary therapist. I happened to be sitting in her office when the call came in. The staff said, "oh, so-and-so is on the phone," because we know all the kiddos by name. She picks up the phone, "Hey, blah, blah." He says, "Fern, I've been kicked out of school." She says, "What's going on?" He explains that he's been bullied, and one of the teachers at the school that he was in was taking him to the principal's office and grabbed him by the shoulder.

This is a little guy who was sodomized for years by a male member of his family. When you come to the ranch you learn that adults are not allowed to touch you in any way unless you are okay with it. So the nine-year-old says to the adult teacher, "you're not allowed to touch me." The adult teacher ignores him, and kiddo says, "I said you're not allowed to touch me." Teacher grabs him and hauls him down. Unfortunately, the child kicked the teacher and said, "I said: don't touch me." Obviously, he ends up in the principal's office.

The child, on his own, calls his safe person, who happens to be his former primary therapist, and she actually went and met with his principal, with his advocate at the school, with the teacher, with

the child, with mom, and a couple other – there were, like, eight people in this meeting. They wanted to exclude the child from the meeting, and my staff person said: “Absolutely not. The kid is the stakeholder in the room. He will be present.”

In that very wonderful meeting the teacher, who did not know the child’s history, apologized for grabbing him, the child apologized for kicking the teacher, and we figured out that there was this whole other backstory going on about him being picked on by other children, that nobody knew about. It finally came out. We repositioned where he sits on the school bus so he sits next to the driver, so all of these problems have now completely disappeared.

His safe person wasn’t his mother, wasn’t his teacher, and wasn’t his principal but happened to be someone he had a former relationship with, and at nine years of age he drew on that relationship and he self-advocated, and in the end it turned out okay.

**Drever:** That’s great. That’s a good story.

**Dr. Smith:** If I could give a brief narrative to that as well, every Thursday morning we have clinical sessions at AARC. I think Mike has been, and our executive director runs it with all of our clients. We open it up for visitors to come. We do it with the permission of the clients, and it’s quite phenomenal because it’s very intensive emotional work, but these kids really love it when adults take the time to come in and sit.

I’ll give you one example. We had this one young man who was court ordered to AARC, significant legal issues, and really had a difficult time with police officers. We had, actually, an RCMP officer come and decide to sit in one of the sessions, and I sat in with him, and I watched this one client. He was, like, sketching out, really uncomfortable, kept on looking over at the RCMP officer, but the RCMP officer was just calm and sat through the whole thing. When it was finished, he walked over to that young man and he hugged him and said, you know: I really care about you, and I hope you continue to do well in that program. That one interaction was, I believe, life changing for that young man.

That’s a safe person. That’s somebody who shows up. I would hope that if an advocate became involved and referred a client to treatment, they would also be interested in outcome studies, and that advocate would come back and return and follow up on that person who we’ve referred just to see how he was doing. I think to have significant people in these young people’s lives, people who show up and who care and care through their actions, not through written reports or a telephone call but who show up: huge.

**Drever:** Thank you.

**The Chair:** Thank you.

Just to note for the committee that Ms Melanie Kenzie is here with us from Elk Island Child & Youth Ranch. She’s here and able to answer any questions as well. Ms Kenzie, I’d be happy to give you an opportunity as well if you have any initial comments you’d like to make.

#### **Elk Island Child & Youth Ranch**

**Ms Kenzie:** My name is Melanie Kenzie, and I’m director at Elk Island Child & Youth Ranch. We’re an intensive treatment facility for at-risk youth – specifically we serve boys more, generally, than females – aged 10 to 24. We’ve expanded our intake to 24 just due to the changes to the enhancement act to include that population. I’m just open to any questions that you guys have, and if you have anything else you want from me, just let me know.

**The Chair:** Thank you, Ms Kenzie. We appreciate your joining us. I’ll turn things, then, to Mr. Ellis.

**Mr. Ellis:** Thank you. Thank you, ladies, for being here. Chair, I just want to follow up on the point made by Ms Drever, I guess more so to you, Dr. Linder. This safe person – we were talking to some of the other panelists, and I guess I want to make sure that the safe person should be able to have the ability to be a representative of the child. Would you be in agreement with that?

I think the way the legislation is reading is, you know, it’ll say, like, “guardian” – I don’t have it in front of me – or “designate” or whatever the case may be, but sometimes it’s that person who makes that first contact at one of the agencies. Dr. Smith, if you happen to be that person at AARC where the person came in and you had that contact with that person and, you know, you have that opportunity where you reach out on behalf of the child to the advocate’s office, but they’re like, “Ah, sorry, Dr. Smith. You’re not really a person we can talk to in this particular situation” – I guess what I’m talking about is expanding on the scope of who can help this child. If that safe person – I don’t know what the wording can be, if that’s something we talk about as a group or with lawyers, obviously, involved. But is that kind of along the lines? Can you give me comments or thoughts on that?

**Dr. Linder:** I’m going to be radical and say no because what you are describing is someone who can interact with the system, with the architecture of the world the child lives in. The safe person is the child’s and the child’s alone, and by their sheer presence, their visual cue, the gaze, the smile, the touch on the shoulder, just sitting in the room, they function as an emotional stabilizer. If anybody’s ever gone to a hospital and you were waiting for a difficult diagnosis, one of the first things you wish you had in the room if you didn’t was a friend or a family member. That’s the safe person. They don’t actually have to do much except be the one who is with you in the room. They could interact with the system, but quite often the professional who is sort of running the ball down the field and jumping through all the hoops, frankly is quite busy at the architectural level of the problem and doesn’t have much time or energy left to sit with the child in the hallway, on the bench, while we’re waiting for powerful people to make decisions about my life.

The safe person is almost a wild card in the mix that is for the child’s well-being, and the child needs to know that. You know, you have obligations over here. Everybody in the room has some obligation to some legislation. The safe person’s only loyalty and commitment is to that kid, and the child needs to know that. They function almost as an adjunct stabilizer of the child’s sense of security. When children walk into a situation where they meet important people and their world is changing and their parents are disappearing, it is terrifying. They have no way of knowing if the ice they are standing on is not going to collapse underneath their feet and take them with it. The safe person is the person on the bank of the lake holding a lifeline to the kid, and the kid knows that if the ice breaks, they will not go down because somebody is going to reel them in. So your safe person is separate from all of the other people in the room.

11:30

**Mr. Ellis:** Thank you.  
Thank you, Chair.

**The Chair:** Thank you, Mr. Ellis.  
I have Ms Woollard.

**Ms Woollard:** Thank you, Chair. Just some thoughts from everyone here. How do you feel about – one of the topics we’ve talked

about with other groups is: do you support expanding designated services? That's a question to ask people. We've got some thoughts here, like to support designated services to include family support for children with disabilities, health services, mental health services for sure. Which ones would you like to see covered in that designation, that term?

**Ms Kenzie:** I'll let one of these ladies go first. I just want to think on that for a second.

**Ms Woollard:** Exactly.

**Dr. Smith:** I actually think we may have covered that. I strongly believe that PCHAD . . .

**Ms Woollard:** You mentioned PCHAD.

**Dr. Smith:** Yes.

**Ms Woollard:** Anything else? Family support for children with disabilities: would that be one that would be helpful?

**Dr. Smith:** I believe that one would absolutely be helpful. It's not really in my – I guess depending on how broadly you're defining disability. Is it a psychological disability? Absolutely. I think any child who is deemed vulnerable and who puts the family at a compromised ability to be able to take care of their needs, I absolutely – I'm very much a family systems practitioner. I believe that when we have one person out of balance in the family, we have to support the whole family. So anything that would encompass and support families, I absolutely would support their involvement in this.

**Ms Woollard:** Thank you.

**Dr. Linder:** I would just chime in. Clearly, I am biased because I'm a psychologist, but I would chime in to speak specifically about thinking about mental health as a long-term scenario with money attached. It is expensive to recover from trauma. It is unbelievably expensive.

If you are paying a registered psychologist \$190 an hour and you are in your 30s, past the early plastic years of childhood and youth, the fix for recovery from adverse childhood experience, including sexual abuse, can run about \$50,000 per person because the stabilization phase of trauma recovery can take three years. I have had clients that I have worked with for seven or eight years, and for the first three years it's all about the facade, the mask – we don't get to the root cause – and then over time, as they stabilize, they feel safer, and they will tell you more; they will reveal more.

Children – God bless them – reveal more sooner. So things that allow for longer term treatment for children – quite often it's time limited. You're here for this many sessions, then you have to get out the door. Ethically that is hugely problematic because that's a scenario in which you might unzip something that you cannot zip back up in time.

If we're going to put mental health on the table, we have to understand that mental health recovery is a long-term process that has to be funded appropriately. I don't want to say don't start, but there is a huge problem – ethically, logistically, and in terms of the survival of the client – if you start something that you cannot finish.

**Ms Woollard:** Uh-huh. I know that when I was looking at this, I was thinking in terms of people with different issues going into an addictions or an abuse situation, their survival. I mean, we have people who have challenges in education, have disabilities in terms

of cognition and learning and so on. So designated services might be something to think about, you know, what would be helpful?

Ms Kenzie, did you have . . .

**Ms Kenzie:** Yeah. I'd just like to add, I think. In our population of the youth that we serve within our agency, 25 per cent fall under FSCD. I do see that there's a challenge in supporting those youth with the families that are also dealing with, you know, poverty and abuse and trauma themselves. There is really nobody there that's vocalizing or standing up for the youth that are dealing with these challenges. If we look at FSCD, I think we'd have to really expand on what that would look like exactly because the caseload of an FSCD worker is, like, 100 and some families per caseload in comparison to children's services, which is about 40, right? So you have to determine the legislation that an FSCD worker has to be able to determine what level of advocacy they can play in supporting that youth, right?

Those are just my thoughts.

**Ms Woollard:** Thank you.

**The Chair:** Excellent.

Mr. van Dijken.

**Mr. van Dijken:** Thank you, Mr. Chair. I'm going to swing back to our discussion earlier with regard to the inclusion of PCHAD under the authority of the advocate. Yesterday we also received a submission from Alberta Health Services. Just to preface my question, essentially as legislators we need to be very focused on the fact that we don't want to create a lot of overlapping. Alberta Health Services spoke to PCHAD. For those kids or those youth who do not have designated status, with regard to PCHAD they have legal recourse. They also have access to the Health Advocate. Alberta Health Services had a sense that there were proper channels for those youth to be able to have their advocacy concerns addressed. Now we're being challenged with possible inclusion of PCHAD within the act.

I'd just like to maybe put that as a discussion starter as to: does that influence your submission at all, Dr. Smith, with regard to the inclusion of PCHAD?

**Dr. Smith:** Well, I mean, I'm looking at page 25 of the gap analysis again. The research is telling me that we are underserving that population, so we're not capturing. I believe that there's a little bit of this between public and community programs, and I think what we need to recognize is that we're complementary to one another. It shouldn't be a competition, and we shouldn't be working in silos.

I actually have the PCHAD report in my bag. Again, I struggle with the definition that kids can transition from a program that they were involuntarily put in for 10 days for the significance of the issue to a voluntary program that they can go into following. We're not a voluntary program. We're an involuntary program. We are challenged for that, that we're taking away the rights of children, but it's parents who are signing their kids into the program with the knowledge that these kids' lives are at risk or somebody in their family or out in the public from somebody driving impaired.

I think addiction is use, it's abuse, and then you cross into the chronicity of addiction or substance abuse disorder. I think we have complementary services. I think PCHAD may be helping those who are in there for 10 days. And it's detox. Let's all remember that detox is not treatment. Detox is just the beginning. I actually saw some reference that they're in a treatment program for 10 days. No. Our kids need three months of detox before they actually have some clarity to be able to start working on the other aspects of their lives. There are programs out there which offer that, a long-term,

continuity-of-care, family-involved, trauma-focused treatment program.

11:40

PCHAD, I think, is doing a great job, but I think more needs to be done. I strongly believe that it needs to be included as a designated service because, again, the fact that kids are put into that program speaks volumes that there is a significant problem.

Did I answer that?

**The Chair:** Is there a follow-up, Mr. van Dijken?

**Mr. van Dijken:** Yes. Absolutely, Dr. Smith. I feel that my responsibility here is to be able to provide input and oversight into what becomes part of the act. It is necessary for the advocate to be able to understand their role. If we get into a situation where we start to overlap too many advocates, we get into a situation where they possibly lose focus and, by losing focus, become less effective. Yet we need to provide appropriate services, so it's kind of a juggling act. It's a balancing act. That's why the input is necessary, to be able to get to a point of whether or not we're improving or muddying.

**Dr. Smith:** I hear you. I actually hear you. I really do. I think that it would be an enhancement to a gap that's very, very clear. But I do hear you. We'd have to be careful that – you're right – the waters aren't muddled. Who's doing what? Who's the expert?

**Dr. Linder:** If I may just chime in with my thoughts, I'm wondering if it's a modification to the act itself or a tweak of the principle. The elegance of the legislation, frankly, is important, right? Otherwise, you're just burdened with the infrastructure. But on the ground it isn't true that people go through a single doorway into treatment. That's just not real. They usually go through doorways of opportunity. Or they go through doorways that somebody they trust leads them to, which could be – who knows? It could be Alberta Health Services. It could be AARC. It could be Be Brave Ranch. We don't know.

What's important is the realization that the advocate has the power, should they need it, to ensure that that diversity of access is a right of the client. Rather than trying to herd everybody in one direction, let us have multiple ways to get on the highway. It would be like, you know, the bridges that bottleneck the city when it's rush hour and we're all trying to get across the river. If we had more bridges, wouldn't that be great for commuters, right?

If the point is to get on the highway of wellness, what is the problem with having multiple on-ramps? And what is the problem with having the advocate have the power to ensure that those multiple on-ramps are well maintained and accessible to people?

**Dr. Smith:** It sounds like a decision of oversight. What is the hierarchy?

**The Chair:** Thank you.

Next up I have Mrs. Littlewood.

**Mrs. Littlewood:** Thank you, Chair, and thanks, everyone, for coming to the table today.

I apologize on behalf of the committee, Ms Kenzie, that you were not at the table sooner. I had the opportunity, of course, to visit the Elk Island Child & Youth Ranch. I know that all of the many people that have come to present have complex and challenging work and that is something that you work amongst in your line of work. So thanks for joining us.

I just wanted to ask a few questions. One of the questions that I would like your thoughts on is the challenges of how the legislation and the different acts are affected by age. We seem to be hearing

about gaps in the system, where the child or youth is supported here but then they cross a threshold of a birthday and the services seem to not follow or to fall apart. If I could get some of your thoughts on that, first of all, that would be fantastic.

**Ms Kenzie:** Sure. Last night I was doing some reflection and read through the advocate's act again just to refresh myself on what it was. I've done a lot of work prior to working with Elk Island Child & Youth Ranch. I worked with inner-city youth housing as a program supervisor, and I did a lot of collaboration with the advocate's office around finding supports for children and youth who were deemed homeless coming from the streets of Edmonton and trying to access services.

One of the things that we constantly discussed in conversations with advocates was: who makes the referral call? There were a lot of times where it was I don't want to say a battle but, you know, a debate about whether it was the role of the worker who has built the relationship with that youth to pick up the phone when they were concerned or whether the youth themselves had to pick up the phone. I think that when we're dealing with mental health and trauma and addiction, any of those, they all tie into each other. I think we need to recognize that a lot of our kids have a cognitive ability lower than that of a 16-year-old or an 18-year-old. Is it realistic to say that a youth who is 16 needs to go and pick up that phone? Are they able to do that on their own? Do they recognize the risk or lack of services that they're receiving based on their functioning, their capacity, right?

One of the things I'd like to see, when I was going through the act, is really to get clear about what that referral – like, who falls into that piece? We say that any youth who is under the child enhancement act, under Justice, under PSECA, anybody who falls under those acts and is receiving services then has the ability to access the advocates, but then I think the piece that needs to be looked at is: what is the process? When a youth is in a situation or a secure attachment, as Dr. Linder said, is it okay for that person then to vocalize and speak up for that youth? I think as child and youth care workers we all have a role to play in advocating for them ourselves, right? Like, that's our purpose. At least I'd like to think so.

When that happens, and we have a youth – and I have a young man in my care right now who is now 16. He came to us when he was 13, and I remember contacting the advocate because the caseworker – we take kids from all over the province of Alberta. It's not just our home region. The youth came out of Medicine Hat, so it was very challenging for the caseworker to make it up to see how he was doing and to do case conferences. We became his attachment, obviously, because we were the ones that were closest to him, and there were some concerns around services being provided and limitations. When the phone call was made, one of the first responses from the advocate was: well, the youth needs to call. I'm not a doctor, but I would say that at that point, based on my experience, that youth probably functioned at a two-year-old level. So is that fair to say?

I know it gets grey, and I know that we need to be clear about what the role of the advocate is. We need to have very clear lines about what that is. This isn't an easy process or an easy fix, and I think we would be arrogant to say that it is. I think there are components not just of trauma, mental health, and addictions but all of those pieces together. The question that you have to ask is: where do you draw the line – right? – of what the role of the advocate is? Are we overstepping, then, human rights?

**Dr. Smith:** That is such an incredible point. The majority of kids, especially that I know with an addiction – and that's my area of



specialization. At AARC 75 per cent have co-occurring disorders. These are kids whose cognitive abilities are compromised, for one, and typically they say that from the age when they start their use to the age where they get to the point where they're quite disabled, that's a regression of their maturity. I do struggle, getting back to PCHAD, that everything coming out of PCHAD is voluntary, so these kids need to say, "Yes; I have a problem," when, in fact, like I explained before, for most of them the drugs and alcohol are their solution. They're not going to agree to go into a program. Now, if they have an advocate, someone who is included in the voluntary programs, there are also programs like AARC, where parents can make the decision to sign the kids into treatment. So it's complex. It's really, really complex, but I think that's a really important point.

11:50

**Ms Kenzie:** Well, number two, the other part, the flip side of this, is that we extended services from 18 to 24. Originally 21 to 24 and then – anyway, we did that. Then when youth came up to 18 and – okay; maybe they're sitting at 15 years old cognitively, and they don't understand that their file is closing and what that means and the detrimental effects of that, not having that support, not having that safety or security blanket that they need to overcome just becoming a young adult in today's world.

I've seen lots of situations where the conversation with the case-worker is, "Well, if you want A, B, and C, I need you to do D, E, and F," and it goes against what's laid out in the enhancement act around: what are children entitled to? And then the conversation goes, "Well, if they're not willing to move forward with a review, then their file is going to be closed at 18 because we want to do that." And I know that there's been a lot of work that's gone into expanding that service and the efforts to really try to meet that developmental at a normal brain development.

I had a situation with a young man who was 18. He struggled with addictions, mental health, trauma, all of the above. His file closed, and as much as I tried to help him and support him in advocating for himself, he was terrified. Because he was terrified, he didn't proceed with it, and that young man died of an overdose four years after they closed his file. Because of that happening, he wasn't under the two years. There was no investigation into it. I think we need to take into consideration, you know, looking at that span of two years. Is that sufficient? Is two years long enough to be able to say that we effectively did our job? How do we support those kids who don't feel like they have a voice? It takes having a voice to pick up the phone, right? That's ultimately what it comes down to.

**Dr. Linder:** Can I chime in on this before we move to another topic? Is that okay?

I just want to pick up on this theme of a slow off-ramping. The problem with trauma is that it doesn't end. There is no end. There is no getting out. We can stabilize and we can heal and we can get to a certain level of competency; that's not the same as being done your work. The work can actually be lifelong. Can we expect the public purse to take responsibility for that? No, of course we cannot. But we do have to understand that this idea of a nice clean close of the file, of the case, of the issue where we've done all our fiduciary obligations and all is well and the little birdie can fly: that doesn't even exist in reality.

What we do need to do – and I talk to my clients about this as a game of Jenga. When you pull one stick out, you put another one in so that you don't close; you re-version the process. As you let go of one support system, you implement a different one and so on and so on. You slowly exit the person from the dependency on system A and shift them over. But to say, you know: "You're 18. That's it.

Have a nice life" is like doing 120 on the Yellowhead and then there's a block on the highway, and you slam on the brake and your car goes flying. You're rolling down a hill or something. It is too catastrophic, the biggest fear being not the termination of the bed or not the termination of where my dinner is coming from; it's the termination of the attachment relationships that the client has developed. When you lose the caseworker or whoever, you actually lose your family because this is the only secure family you have.

Now, anyone in the room who doesn't come from an adverse background and has a stable, functional family and wants to keep it: imagine if one day somebody walked in and said: "That's it. Your relationship with all your siblings, your grandparents, your parents, it's off the table. You're old enough now. Have a nice life." That's what we're actually doing to children. The legislation doesn't acknowledge that, but on the ground psychologically, that is actually what is happening, and that's why they freak out. What happens is that very often when you talk about termination, they start to regress. They get worse instead of better, and some of that is about not wanting to leave. We need to slowly withdraw certain services and then replace them with other ones and create a slow, soft off-ramp out of the system into their sort of independent existence.

**Mrs. Littlewood:** Can I just follow up with a comment or a question, I guess? Just if I could invite Ms Kenzie on behalf of Elk Island Child & Youth Ranch: you know, this is a new building, and there are many stakeholders that have been welcomed to come and sit and have input into something like this for the first time. Don't worry; you're not the first person that has come in and not known where to sit. But if I could invite you to make a further submission or Elk Island Child & Youth Ranch to make a further submission to the committee chair. I'm not sure how that works, but I would invite that.

**The Chair:** Absolutely. If Ms Kenzie would like to provide a presentation or submission on behalf of Elk Island, that can be done through the committee clerk. We can make arrangements for that.

Thank you.

**Ms Kenzie:** Thank you.

**The Chair:** I believe I have one more from Mr. Nixon.

**Mr. Nixon:** Yeah. I'll be quick, Mr. Chair. I do notice the time. I think Mrs. Littlewood touched on what I was going to ask a little bit, so I'll just try to be a little more brief. I come from a background of working with people with addictions as well, Dr. Smith, and I can't count the times that moms or dads or grandparents or uncles or aunts or brothers or sisters have saved somebody's life that I've worked with, literally, by reaching out for them at a time that they could not.

I think of one lady in particular that just came to mind as we were talking today. I remember getting a call from an uncle. They had kind of a Hatfield and McCoy relationship, this family. This was the uncle on the other side, and the family had finally isolated this young lady and said: "We're not going to take it anymore." She ended up going to this uncle, you know, that her dad would never speak to, and he didn't know what to do. He called my facility, and we were just full. As you guys know, at the time I had no beds, but there was just something in this guy's voice. We decided to put her up in a motel for a couple of days until we could get her into the thing. She ended up being just a great success case. She's an accountant. She went on with her life. But if that uncle had not advocated for her at that time, she would have died. There was almost no doubt about it.

I don't know about my colleagues, but one thing I've found with all the panels that we've heard so far – I find it interesting that for some reason it seems most people working on the front line feel that they can't contact the advocate and advocate as much on behalf of people like that for whatever reason. I think it's something that we should explore more. Maybe you could expand on that just briefly as well as the fact that family sometimes – certainly, in certain situations the family should not be involved, but often family is an important part of the process of that recovering child or youth.

**Dr. Smith:** Thank you. That is an important conversation. Again, I think it's so important that we use family as collateral. Yes, we want to protect privacy of young people. I understand that and I respect that, but I, too, know that many, many of our kids in treatment would not be alive today if their parents wouldn't have stepped in. I can say that personally as well. My daughters both came into treatment at 17, almost two years apart. Today they're in their late 20s and are so, so grateful and can articulate that today: Mom and Dad, if you wouldn't have stepped in, I don't know where I'd be today.

It's being able to navigate and negotiate that, but, again, it's so complex and the concurrent disorders as well. We can't – it's like: we have these ages. You look at these physical bodies, but inside: oh, my goodness. Inside is addiction and mental health and disabilities. There is such a compromised system that we really have to take that into consideration when we're making laws to support our youth and to support their privacy. Again, we take a risk at times when we do that, and we create barriers then for treatment that is so required but that they will not volunteer to be a part of.

12:00

**Mr. Nixon:** Right.

**Ms Kenzie:** I don't really have anything else to add that I think would be beneficial except maybe around looking at what – yes, you're right, the role of the advocate and when that call is made and people feeling more comfortable being able to do that. I think that's an important part to include and define in the act, for sure.

**Mr. Nixon:** Thank you.  
Thanks, Mr. Chair.

**The Chair:** You're welcome, Mr. Nixon.

Well, thank you to all of our presenters for joining us today. As I mentioned, if you do have any additional material that you'd like to submit, that can be done through the committee clerk. Likewise, if members have any additional questions, those can be filtered through there as well.

At this time, then, we'll take a break for lunch. We'll return at 1 o'clock to hear from our final panel.

[The committee adjourned from 12:01 p.m. to 1:01 p.m.]

**The Chair:** Well, thank you, everyone. Welcome back. We have our final panel of the day here with us.

To begin, as per usual I'll just ask that we all go around the table and introduce ourselves. Again, my name is David Shepherd, the MLA for Edmonton-Centre and the chair of this committee.

**Mr. Malkinson:** Hello. My name is Brian Malkinson, the MLA for Calgary-Currie and deputy chair.

**Mr. van Dijken:** Good afternoon. Glenn van Dijken, MLA for Barrhead-Morinville-Westlock.

**Mr. Nixon:** Good afternoon. Jason Nixon, MLA for Rimbey-Rocky Mountain House-Sundre.

**Mr. Ellis:** Good afternoon. Mike Ellis, MLA, Calgary-West.

**Ms Kellett:** Good afternoon. April Kellett. I'm counsel here speaking on behalf of the Tacalusa Institute.

**Ms Quesada:** Hello. My name is Angelica, and I'm with the John Humphrey Centre for Peace and Human Rights.

**Mr. Cardinal:** My name is Bob Cardinal, and I'm from Enoch.

**Ms Iahtail:** Bernadette Iahtail with the Creating Hope Society.

**Ms Peacock:** Good afternoon. My name is Carolyn Peacock. I'm the executive director of the Kasohkowew Child Wellness Society.

**Mrs. Littlewood:** Thank you so much for joining us. Jessica Littlewood, MLA for Fort Saskatchewan-Vegreville.

**Ms Woollard:** Good afternoon. Denise Woollard, Edmonton-Mill Creek.

**Drever:** Good afternoon. Deborah Drever, MLA for Calgary-Bow.

**Mr. Horne:** Good afternoon. Trevor Horne, MLA for Spruce Grove-St. Albert.

**Mr. Kleinsteuber:** Good afternoon. Jamie Kleinsteuber, MLA for Calgary-Northern Hills.

**Ms Goehring:** Good afternoon. Nicole Goehring, MLA, Edmonton-Castle Downs.

**Mr. Koenig:** Good afternoon. I'm Trafton Koenig with the Parliamentary Counsel office.

**Dr. Amato:** Hello. Sarah Amato, research officer.

**Dr. Massolin:** Good afternoon. Philip Massolin, manager of research and committee services.

**Ms Rempel:** Hello. Jody Rempel, committee clerk.

**The Chair:** Excellent. Well, thank you to all of our presenters for coming to meet with us today. We've got the third panel ready to go. Again, I'd just remind everyone that today's participants have been invited to make a 10-minute presentation regarding the Child and Youth Advocate Act, after which we'll open the floor to questions from committee members.

Oh, pardon me. Of course, on the phone we also have Mrs. Pitt.

**Mrs. Pitt:** Hello, everyone. Angela Pitt, MLA for Airdrie.

**The Chair:** Thank you.

We'll take the opportunity, then, to hear from our presenters. I'll start with Ms Kellett on behalf of the Tacalusa Institute.

#### **Tacalusa Institute**

**Ms Kellett:** Okay. Thank you very much. The Tacalusa Institute represents African-Canadian communities and has been dealing a fair bit with their input and their involvement with children's services. The institute certainly wants to impress upon this panel the need for the Child and Youth Advocate to take on issues of culture and to ensure that the children themselves are aware of and

have some advocacy with respect to culture. What has been happening for them is that when children are taken into care, they are not being looked at as a community in which the children can be placed. Notwithstanding, clearly, the African-Canadian community is definitely a distinct community which stems largely from south Africa and the Horn of Africa. They would like to impress upon this panel that it's important to educate these settlement agencies that the office of the Child and Youth Advocate should be encouraged and expanded to meet with the cultural agencies on a regular basis, including those representing the African-Canadian community.

They say that we must put our weight on the culture and race piece. Perhaps the office of the Child and Youth Advocate may be expanded to advocate that children and youth have a fundamental right to have ongoing and sustainable access to their cultural supports and identity. There have been significant efforts within the indigenous community, and the African-Canadian community would like that to be emulated to children of different cultures and identities as well, including from the Horn of Africa.

Foster relationships between the mother and child or the younger children, in their opinion and in the opinion of the Taccalusa Institute, are more intrusively impacted by children's services. Compounding this, the young children have a hard time articulating their needs. For many of our children English is a second language. We would support the office of the Child and Youth Advocate being appointed to assist small children and babies when there is an apprehension, a supervision order, or other intrusive measure taken by children's services.

The need for a child advocate in the courts, not just in the foster system: they are advocating that they would like the policy of the office of the Child and Youth Advocate not being in court to be reversed. There is much disclosure and significant information impacting the child, and allowing the office of the Child and Youth Advocate the option of attending court would be beneficial.

They also speak to the obligation of the office of the Child and Youth Advocate to work with community groups that support the child, that work within the community and the family to support the child and the family in the community. They have noticed that the office of the Child and Youth Advocate has not been engaged with day-to-day situations involving African-Canadian children and the child welfare system. For whatever reason the case conferences and meetings involving children and youth have not included the office of the Child and Youth Advocate.

They also would like to speak to the diversity of staffing as being a necessity within the office of the Child and Youth Advocate, and diversity should be reflecting the same percentage of the children being represented.

They would also like to speak to an independent oversight capacity, an independent commissioner, the need to strengthen capacity to be independent from child and family services, and to have human rights investigators. They understand that the office of the Child and Youth Advocate can call an inquiry, and they would like this to be considered on a more liberal basis. From their perspective, we have a significant tragedy, where children are not only being removed from their guardians but their culture and community.

One recent case that certainly speaks to that is the W.A.M. versus Alberta case, wherein a young Somali child was taken into care. Notwithstanding that there were many Somali community members willing to step in and to assist, that child was put in the foster system, and no one bothered to contact the Somali community again or those that had put in an interest until a couple of years later. They were still trying to figure out how to help this child, and they had to go to the minister and come down to get any sort of look at the situation. Of course, by the time they got to court, there was too

much time for the child in that foster home, so they've lost that child to the community and no longer even have access.

Their concern is, really, that the Child and Youth Advocate office look at and investigate culture and how children's services is responding to the cultural needs of the specific children that are taken into care. Rather than waiting for people to come to them, what is children's services doing and how can the Child and Youth Advocate advocate for those children to not only have access to persons who speak their own language but to persons who come from their culture and to have that ability to learn of the many diverse cultures that they are now involved in?

The African-Canadian community certainly is involved more and more, and we see them more and more in the child welfare courts. There is a significant language barrier, and there's also a significant cultural barrier, but these families and cultures that they come from are very heavily based on family and based on family looking after family. So of all of the communities, they feel that children should not have to be in care in the African-Canadian communities. They do have a lot of people that are willing to step forward and take those children into care, and they want the Child and Youth Advocate office to take an active role in trying to ensure that those cultures and that their language and those children can remain connected with the community, whether or not they return to their families, and that the community is looked at for support, for placement, for all of those things that they can provide the child outside of the child welfare system.

**1:10**

I'm hoping that I've spoken well for the Taccalusa Institute. I have been dealing myself with a number of African-Canadian families, and I find them all to be very unknowing of the system that they're dealing with. They certainly didn't expect to come to Canada and have a system that dealt with them similar to the countries that they came from. They expected to have, when they came to Canada, especially since they have very close ties with their family and really close ties with the community throughout, not just the Edmonton community – these communities are connected throughout Canada and throughout the world. They have a lot to offer that is being missed by the children's services agencies. So we would like the Child and Youth Advocate Act to perhaps take some initiative in advocating and in ensuring that the Child and Youth Advocate office can advocate for culture and for connection to communities that they come from.

Thank you very much.

**The Chair:** Thank you, Ms Kellett.

We'll move on, then, to Ms Quesada from the John Humphrey centre.

### **John Humphrey Centre for Peace and Human Rights**

**Ms Quesada:** I'm going to allow myself to read our recommendations to make sure that I go through all of them. These recommendations are the result of the collaborative work between the office of the Child and Youth Advocate and the John Humphrey Centre for Peace and Human Rights on systemic issues faced by indigenous and newcomer children and youth. When I refer to newcomer children and youth, I refer to both refugees and immigrants.

The John Humphrey centre and the OCYA share the concern with the overrepresentation of indigenous children in the child welfare system in Alberta as well as the increasing numbers of newcomer children that are requiring the services of the OCYA. Over the past year the John Humphrey centre and the OCYA have undertaken

collaborative research and community consultation work to understand indigenous and newcomer perceptions, expectations, and needs when dealing with the office of the Child and Youth Advocate.

The recommendations expressed today are derived from five focus groups with indigenous communities; three focus groups with newcomers; two focus groups with the OCYA staff, one in Calgary and one in Edmonton; and the result of an in-depth OCYA framework and policy review. The findings of the focus groups revealed that even though indigenous and newcomer communities have their specific needs, they coincide in many of the challenges they face. Therefore, both groups made very similar recommendations.

The policy review concluded that the OCYA, being child and youth centred, wide-based, and respectful, is well situated to address the needs of indigenous and newcomer children and youth. However, when putting together the policy analysis and the community recommendations, it is clear to us that what is missing from the OCYA's mandate, policies, and practices is an articulation and commitment to address the systemic disadvantages of indigenous and newcomer communities. Recommendations, then, would be for the incorporation of a preventive angle to OCYA's work, a satellite approach to individual advocacy, and strong support to children, youth, families, and communities in developing self-advocacy skills and tools.

Let me address each one of those items in more detail. Regarding the mandate, families and communities urge that the OCYA be given the monitoring and reporting role of child and family services. Communities describe CFS as untouchable, unaccountable, and protective over their ill practices. Thus, they yearn to have an organization that hears families' and communities' voices, resolves conflicts, and remedies negative experiences with CFS. The OCYA should assume a role of monitoring and reporting to ensure the compliance of CFS.

Building relations with communities. The OCYA should be mandated within its governance structure to establish an equal partnership with indigenous communities and fulfill the United Nations declaration on the rights of indigenous peoples. Since indigenous children compose approximately 69 per cent of the population that the OCYA offers services to, indigenous people should be present at all levels of the governance structure and the decision-making process within the OCYA. The form that this partnership takes should be carefully discussed with communities.

Communities also suggest the creation of a department called the indigenous children and youth advocate, in which all cases of indigenous children and youth are managed in partnership with communities. The OCYA should move from having an aboriginal engagement strategy to having, rather, a partnering with indigenous people strategy.

Finally, under this point, the decentralization of OCYA services is another urgent matter brought up by rural and remote communities. Decentralization will help in building relations between workers and communities. It will make workers understand indigenous ways of family, parenting, daily life, and systemic problems. Furthermore, it will help to address issues of accessibility, transfer of advocacy knowledge and education down to communities, and strengthen collaboration.

Systemic disadvantages of indigenous and newcomer communities. The OCYA systemic investigation, research, and advocacy departments should work together to proactively prevent individual losses and injuries, to remedy systemic discrimination due to race, ethnic background, and socioeconomic conditions, and to advocate for necessary preventive and remediation services.

Indigenous and newcomer families relate how they are blamed for their poverty. There's a thin line between neglect and poverty. Families are seen as not having the capacity to raise their children

due to work schedules, lack of access to affordable housing, lack of sufficient food, and other manifestations of poverty. Therefore, besides dealing with a difficult social and economic situation, they are at the edge of having a child intervention. Blaming the family and taking the children away while paying the child care to a foster house is described as the penalization of poverty.

Furthermore, most of the children who go into foster care do not learn the tools to deal with racial systemic discrimination. Unfortunately, society's teaching regarding racial stereotypes puts newcomers and indigenous children in difficult spots, where they end up rejecting their heritage without learning about it. That destroys families and communities and advances assimilation. Therefore, the fact that the OCYA operates in isolation from communities and from families is incredibly problematic because it easily fosters the effects of racial discrimination on children and youth. The individual Child and Youth Advocate model understands a child isolated from the family and outside societal discrimination that is, rather, inherent to the child's family and community background. The OCYA could act as an advocate and a voice for the child while also mediating with families and communities. That way, intergenerational trauma should be incorporated into the OCYA practice.

The mandate of the OCYA should be expanded to include kinship and family rights. Currently the OCYA is limited in advocating effectively for children and youth because of their disconnect with families and communities. Kinship and family rights do not contradict children's rights. They, rather, allow the advocate to relate in clear ways to families and communities and provide enhanced support to children according to the context they live in and the challenges their families and their communities face.

Incorporate a preventive angle. Prevention work is paramount to the well-being of the children. Protecting families will directly reflect on the well-being of children. Support parent education. Work with the family rather than just working with the child in order to protect the child.

It is recommended that every child that has any matters proceeding under the regulation of the Child, Youth and Family Enhancement Act or the Protection of Sexually Exploited Children Act must be paired up with an advocate at the time when they enter the system. There are still many cases in which children and youth do not know that they have the right to access this service. OCYA should be present in every situation of apprehension to supervise CFS and offer immediate services to children.

Education and self-advocacy. This is one of those fields in which working with children alone would reduce the impact that the OCYA could have. Newcomer communities recommend that the OCYA work with newcomer agencies to create a two-way process of learning: professional development for staff, and rights education for newcomers in relation to children and youth within the justice and child intervention systems. Newcomer natural advocates face multiple barriers due to lack of systemic knowledge, cultural differences in parenting and expectations of children, and lack of a place to file complaints against CFS. Not being able to support their work creates tension and fears in communities. Indigenous peoples also stated clearly that they need to be trained in how the system works and how to self-advocate.

#### 1:20

In summary, our recommendations include: first, to include within the OCYA's mandate a role to monitor, report, and seek remedy with respect to child and family services; second, the legislation should mandate that the OCYA's governance structure be an equal partner with indigenous communities; third, it should be within the legislation that the OCYA is mandated to have a permanent

presence working within rural and remote communities and not be centred in two main urban centres. Having advocates represented across the province would promote accessibility, efficiency, and better services.

I'm missing the last page, but the last two recommendations were: to do self-advocacy training for communities, work in education not only with youth but also with families and communities; and to give them the tools to advocate for themselves.

**The Chair:** Thank you, Ms Quesada.

We'll go, then, next to Mr. Cardinal.

### Robert Cardinal

**Mr. Cardinal:** Thank you. I'd just like to say a few words in Cree before I start. [Remarks in Cree] I just acknowledged the Creator, and I also welcomed you to the Treaty 6 area. The reason why I do this sometimes is because when we go to another territory, if you go to Blackfoot country, Stoney country, there's always protocol that we have to follow. When I go to the Blackfoot and visit my brothers over there, I have to go and make an offering before I walk on that reserve to acknowledge the ancestors that are there, ask them to forgive me: I come here as a guest, not to mislead anybody. I feel that same way today.

You know, I don't know too much but just through experience. I've been very fortunate to be with Marie. That's not her real name. We know that. But I was fortunate to be part of that review. I talked about balance at that time. I talked about the spirit of that child. I talked about her. Where did she come from? What was her traditional name? I mean, we all have that connection.

We did, as you see, these circles. I work with Dr. Dwayne Donald. He's behind me over here. We did some training, so to speak, kind of training, kind of an awareness, and we did holistic learning because holistic learning belongs to the black people, white people, red people, yellow people. It belongs to them also. So instead of getting political and trying to say who is right and who is wrong, instead of challenging everybody – that's not my intent here today. Holistic learning is very simple. You know, we can use the emotional, the spiritual, the mental, the physical part. I talked to the elders the other day, before I came here, and they just said: "Well, what's missing? What's missing there?" It was the spiritual part that was missing. Where is that balance that we talk about? How do we know that person?

My name is the Eagle. That's my name. When I offer tobacco, I offer it with my colour print, light blue sky. I'll offer that in the name of the Creator, always through the Creator first.

Doing this and the training that we do, we work with students from the U of A. These are teachers in their third and fourth years. I've been very fortunate to be part of that for the last seven years. The mindset totally changes, that mindset when they come to a place where there's nothing like this. It's just out in the open. It just blows me away, I think, because I didn't know that this could happen. It could change their minds about this holistic learning.

How are you going to do the training? I see appropriate cultural in this advocate act, that I read over and over again. I just couldn't understand that. Who was going to do that training, and how are we going to do that training? It's got to be joined together. I mean, we could have the western point of view. And I said that act, for myself – personally, I read it over and over – was supposed to protect all the children, every colour. It's supposed to protect the child. But we have things that can relate to that in a cultural sense, in a spiritual sense. What we can do is to make this one come alive, the advocate come alive, and to understand that. Those are the changes that we

have to do; those are the changes that we're going to have to make because, you know, people don't listen. A child is going to come and lead us. A child will come and lead us and sometimes maybe it's this Marie.

**The Chair:** Is that all, Mr. Cardinal?

**Mr. Cardinal:** No. I just . . .

**The Chair:** Sorry. Okay.

**Mr. Cardinal:** I think what I talked about is balance. We need to have balance. We've got to work together with this, the training aspect of it and everything else, to learn the language and learn the concept of holistic being, the ways of knowing. We can respect that act, you know. We can respect it because it's law, but we need something alongside it like a partnership, to come together, and it can be done.

I hope you ask questions. Dwayne Donald is sitting here, and my other friend is here also.

I think, for me, it's very important. I didn't know what I was going to say today, but there is so much that you can do with this whole thing if we take the opportunity and start working together. I know for sure from the elders that I talked to that this will work because you have to – [Remarks in Cree] What are you trying to lift here? What are you trying to lift? And it becomes very difficult because we don't know. We don't know what we don't know, so how can we comment on that? I want to be in partnership with you guys to understand that, make a good balance, and give this Marie and all those children a chance to live.

You know, there are language barriers, there's a whole bunch of things, but that knowledge of wisdom, that knowledge of child-rearing practices that we have – I wish I had two days with all of you. Come to my place, come to a sweat, come and listen, and you would really understand. I can't do anything in 10 minutes because I'm trying to tell just what this is, what you see, that circle. In every season there's a teaching. There's a learning process of teaching. There are rites of passage. All those are so important.

The haircutting of a child is like the sweetgrass that I carry. I had a grandmother from down south in an apprehension, and we had to go and try to talk for her with some of the social workers, you know, because there was a bedbug issue or something from the school, something like that. The grandmother didn't want to let her go, but she had to. She had no way. It was the law. We stuck with her. We visited her, and we tried to talk to her about the cultural part of it. Finally they brought her back, so we went and we were going to celebrate with her that she was home, this little child. She was only four years old, five years old. When she came back, they dropped her off in a car, and she walked in, and the old lady just cried – she wouldn't stop – and said: "They shouldn't have cut her hair. She had long hair. Every morning I get up, every day, to braid her hair: body, mind, and spirit." Every day she prays for that child that she'll have a strong mind, a strong body, spirit. Every day. They shouldn't have cut that hair. It's so sacred to us.

That's a little part of it, and that journey that comes with this feather also – you know, it's right in the bottom of this feather. When we come into this world, we come with considerable pain in our mother's womb, all of us. This part here is the innocence of a child. I'll call it Marie, innocent. And this part is a journey we call the sacred road, the red road. And this part: there are two sides of everything. There's a negative and a positive to everything in life. As we continue to grow, there is each stage that we know as we continue on in this life. To carry on, to do the best we can, no matter how hard this life is: we can do it. I mean, I'm an alcoholic. Going

on 36 years I haven't touched anything like that – why? – because of this.

If we had something like that, something in that holistic view, and tried to use that in terms of training, in terms of educating foster care – I've done a few of those already with the groups, and it's been doing okay. It's been doing all right. I get women elders to come and talk about rites of passage, and it's been working out really well. Now these children know. They come to the sun dances. They come to the sweats. I mean, I'll never give up hope with that. I hope that it will continue.

That's all I'm going to say for now, but I have some special guests here if you want to ask questions. Thank you for your time.

1:30

**The Chair:** Thank you, Mr. Cardinal.

We'll go on, then, to Ms Iahtail from Creating Hope Society.

### Creating Hope Society of Alberta

**Ms Iahtail:** Thank you. I think my iPad just died, but it's okay. I've got my iPhone for backup.

To start off, I want to say good afternoon, and thank you for allowing me to be here to be presenting in front of this standing committee of the Legislature.

I would like to acknowledge that I am a visitor on Treaty 6 territory. I moved here back in 1993. I have to say that since then I cofounded Creating Hope Society and became executive director. I went and had a meeting with the chiefs of Alberta, and they welcomed me here to their territory. I also said to them that what I was doing was working with our aboriginal families who are involved with the child welfare system, assuring them that I could help them manoeuvre the child welfare system as well as letting them know what their rights were when they were involved with the child welfare system.

A whole lot of it is that when we look at the families, what does it mean to be a family? It is being a mom, a dad, children, kinship, and extended families as well as the community. I've been doing this work off and on since 1993. When I started wanting to work differently with our families, it was really about supporting them, advocating for them, and walking beside them through their struggles.

I just want to say that I'm not here to represent any Alberta First Nation or Métis or Inuit. I am only here to talk about the experiences that I've had, the things that I have witnessed, the collaboration that has been happening with the aboriginal people, with the people of colour, and with the allies that I've been working with through the last 11 years. We all want to see changes within the child welfare system, any government system, but today I'm here to talk and witness about the work of the OCYA.

My name is Bernadette Iahtail, and I was privileged to be here yesterday to listen to other presentations. I was sorry to miss Mark Hattori's presentation. I wish I would have known that he was speaking, but I failed to look at the agenda.

A whole lot of it is that a lot of us have the same issues that we talk about. I can, you know, talk about some other stuff, but for right now what I want to talk about is that Creating Hope Society is a nonprofit organization that was established back in 2006 regarding the '60s and '70s child welfare scoop, where thousands of aboriginal children were apprehended. They were fostered or adopted out across Canada. Creating Hope Society was initially established during that time, when research studies indicated the elemental history based on systemic discrimination that perpetuated the ongoing cycles of children in care, where children were removed from their families, communities, culture, and tradition.

Now we're in the fourth generation of child welfare, where we hear pretty much the same common theme from adult children of child welfare. Many express that after leaving the child welfare system, they felt alienated. They felt that they didn't belong to their families or anywhere else for that matter. We know the long-lasting effects of the issues of trauma, pain, grief, loss; the profound sense of disconnection that is passed on from one generation to the next; and the ripple effects that it creates on healthy forms of thinking, of disparity, displacement, distress, deception, where some of us have survived, some of us have died, and some of us are victorious because we're still here today. We believe that there is hope for our future, for our children.

In 1984 Richard Cardinal wrote "help me" in his own blood while the 17-year-old Métis boy committed suicide after spending 13 years moving in and out of 28 foster homes, group homes, and shelters. In 1989 Richard Cardinal's death sparked the provincial government to do an inquiry, which offered 22 recommendations aimed at improving how the courts, government, schools, hospitals, aboriginal organizations, and media deal with foster children, including recommendations that have been repeated in subsequent inquiries following aboriginal children and youth deaths.

With all these recommendations we did not include how we work with the First Nation, Métis, and Inuit who are legislated under the federal government. Yes, we know there are DFNA workers, but too often we have missed the opportunity to work together in a collaborative way. The implementation of the Child and Youth Advocate was to ensure that the voices of aboriginal children were heard, yet we still see children being victimized and placed into a horrible situation where life and death are at stake. Some of these children's and youth's voices have not been acknowledged or heard. It is not about blaming. It is about, as Cindy Blackstock stated, that "reconciliation means not saying sorry twice."

On April 1, 2012, the OCYA legally separated and divorced from children's services, and that was a good thing. The OCYA is an excellent office, and it is true that they follow their mandate, protecting its clients, and it's providing a voice to vulnerable children and youth, providing them with an understanding of their rights. I wish we would have had this back in those days when I grew up in care. But we still see a lot of issues around not sharing proper information.

I'll give you a couple of examples that we still see. We believe that we all want to have the same thing, to make sure that our children are kept safe and live in a healthy situation and family life. However, those barriers still remain the same, and we do not engage the immediate family and engage in holistic healing for the families.

I'll give you an example: an open file with this mother who has been working toward wellness, entering treatment centres, attending anger management, making the right healthy decisions because she wants her two sons returned home with her. She was told by the caseworker that the seven-year-old and nine-year-old do not want to come home. She has asked why, and they said: well, they just don't want to go home. We contacted the children's advocate, and they said that they could not help at this time.

When you start looking at the holistic manner, where do these children learn that they don't want to be with their families? Where do they learn that? They learn that through the foster care agency. They learn that through the group homes. I truly believe that holistic healing needs to happen from the time that the file is opened. I truly believe that the Child and Youth Advocate has a role to play in that, that when a file is opened, they should be there at the get-go, right at the beginning of the file, so that we prevent the children from being removed from their homes and we prevent those broken hearts that happen with our families and communities.

Also, I should say that I was so content to see the age category up to 24 years old with children's services because how many times have your children returned back home because, you know, they couldn't pay their rent or because they couldn't finish their university or college or because they were financially not stable? As a parent myself – I have two stepdaughters and two sons – I know that oftentimes we have helped them in the past. But children that are in care don't have that opportunity. They don't have those doors that can be opened for them. Many times these young people end up in a displaced situation, where they're not grounded mentally, physically, emotionally, and spiritually. Many suffer from ailments such as FAS and FASD, who cannot make decisions for themselves. Some of them suffer from unresolved issues of trauma, addiction, et cetera.

I would like to recommend that the OCYA up their age to 24. I know yesterday somebody was saying 27. When I see the development stages that some of our families struggle with, I think that it should go up to 27.

Another one, too, is aging out. Some of the foster parents have called CHS and said: our foster children are aging out, and nobody has contacted us about preparing them for leaving their homes. Part of it is that I recommend that the OCYA also play a role in that, to ensure that these kids are being prepared to be returned home and that there is a plan for them. When I have foster parents calling me, you know, the only thing that I can say to them is: "Okay. Who's the caseworker? Let's connect with the children's advocate."

**1:40**

Many of our youth are couch surfing. Some young women are shacking up with older men so that they can have a place to stay. Some of them end up in a youth shelter. So part of it, you know, is let's stop that cycle by being able to ensure that the OCYA can actually contribute towards that, and part of it is that I truly believe that we can work together as a group.

I would like to even see that this review happens every five years because it is so important to ensure that we stay on the right mandate and that we don't spread ourselves out too thin. There are so many issues around our aboriginal children. We want to ensure that they have a good home and that they are safe and that we can break that cycle of child welfare. [Remarks in Cree]

**The Chair:** Thank you very much.

Lastly, then, to Ms Peacock.

### **Kasohkowew Child Wellness Society**

**Ms Peacock:** Good afternoon. My name is Carolyn Peacock, and I am the executive director of Kasohkowew Child Wellness Society. I'd like to share with you that Kasohkowew means voice of the children in Cree. I'd also like to acknowledge the panel who have presented. I'm especially very honoured to sit here with an elder from my home community, Bob Cardinal, who I've known for many, many years. Originally Bob asked me to come and support him, so I was surprised that we're on the same panel today. I'd also like to acknowledge our board of directors and all of the people who have come to support Elder Bob as well.

Kasohkowew is a delegated First Nation agency that's located in Maskwacis, Alberta. We provide services primarily to Samson Cree Nation children. Currently we are providing front-line services to over 400 children under our care. There are another 225 children who are receiving services throughout Alberta. When I got the invitation and I saw all the presenters, I was very surprised that we were the only delegated First Nation agency, an actual direct service provider of children's services to a portion of the many children

who are receiving services in Alberta. I know that Kasohkowew is one of the largest child and family service agencies, and they've been providing services for over 20 years.

When we provided our submission – it was written with our legal counsel when I was on sick leave – one of the things that I was very frustrated with as a director was in regard to the youth who age out of care, who turn 18 and who have high special needs. It's very, very concerning to us as we have 69 children right now who are in our care who have very unique special needs, and these special needs range from FASD, ADHD, ODD, medically fragile and so on. Sorry for the acronyms, but very, very special high-needs young people. There was a period of time where our hands were tied as direct service providers. We knew that these young people that were aging out of care could not make decisions on their own.

It's been a very, very frustrating process for us because there are double standards in Alberta, and the double standards are that there are programs specifically for children who are off-reserve compared to those who are on. Services for persons with disabilities is a program that many of our youth need and require, but it's very difficult to access. If they are living on-reserve, then that service is not provided to them. Our hands are tied in regard to getting them a public guardian or getting them the Public Trustee. By default the only way that we can provide services is through SFAAs, support and financial assistance agreements, which really are more of a financial agreement. These young people do not have the mental capacity to make decisions on their own. INAC does not recognize us on-reserve. Our funding is up to 17 years old, so if we continue to provide services to any youth who are over 18, then we do not get reimbursed for those services.

These past few years we have had two very, very highly troubled young men who aged out and who we continued to provide services for. There was a period of time over a couple of months that one of the young men attempted suicide every night, and I can tell you that my phone didn't stop ringing. I knew that if this young man was successful, I could no longer be the director of Kasohkowew because this young man would have died on my watch. He ended up going to, finally, again, another area, mental health services. We begged the children's advocate to help us advocate. We begged children's services. We went all the way up to the top, and it was very, very frustrating. At the end of the day they both ended up in jail. I found out just before I came in that one of them got out of jail. Jail is not the place for them.

In all of this my concerns are not about the advocate. I think they certainly do have a role, but I think they need to play a greater role for those young people who can't speak for themselves. One of the frustrating things as a director that I experienced with Kasohkowew is that every time they would come and do their report on how they were involved with us over the year, they would say, "Well, there are no systemic issues." And I'd say: "No systemic issues? I'm a social worker. How can you tell me that?" They would say that the young person didn't tell them it was a systemic issue, so they couldn't address it as a systemic issue. And I said, "Well, how would somebody with high special needs be able to articulate that to you, that it was a special need?"

Again, it just goes around and around. They say that that's not their area, they don't have the mandate, they're not legislated to do it, and so on and so on. So it comes back to us, those social workers who work on the front line, those people that live and work in our communities. I can tell you that it comes from my heart that I've been a social worker for a long time. Actually, I did my BSW practicum with the children's advocate when they first started in 1990. What a change it's gone through. I've always been supportive of that.

Right now we have 57 children that we are providing services to, and that is pretty great. We do it because of our morals and our values, you know, the ethics of: we can't see these kids be on the street, be in the community without other resources. Many of them come back and they say, "We want to come home," so we had to create our own resources. We had to create our own group homes because there were no group homes that would take these young people. We had to train our own people to be the service providers and to be the youth workers to work with them.

There is a big gap. We have been told that there is no role for them, even though the legislation has changed to 24, to advocate for these young people with high special needs who are aging out of care. It is our view that they should have the opportunity to stay engaged with them and to ensure that they have proper resources leaving whoever's care that is, whether it's a DFNA or whether it's children's services, that they have a PDD agreement in place, they have a public guardian or a public trustee or all three if required, and that they have a proper place to live as well.

1:50

One of the other things that I've also experienced as a director is that if these young people age out of care and they're over 22 and if they've left our care, within two years they're able to investigate their death, and they have. Now, isn't that ironic? It doesn't make sense to me. They can come and investigate their death after, but they couldn't advocate for them prior to their death so that they had adequate services. That is something that is very concerning for us as well as the whole child death review process. Kasohkowew has had children die in care, and it's been all over the media. It's been sensationalized all over the place, and very rarely do people ever want to talk to us, those who deliver the services, those of us that live and work in our communities, those of us who know the children. This should be about children. That should be the focus. It shouldn't be about politics or other, you know, departments playing off one another.

I really believe in what the elder talked about with connection. We believe that as well. We know that when the young people age out of care, they come back if they've been off. They want to know who they are. They want to know who their families are. They want to know: what does it mean to be a First Nation person? We really, really work hard to ensure that they do have connection in our agency. We ensure that they have a spiritual name, as our elder spoke about, and the importance of that. We provide the opportunities for them to come to the sun dances, come to the sweats, come to the powwows that we have in the community, come to the feasts that we have seasonally, the spring feast and the fall feast and the winter stories. We know how important it is for these young people.

I was also discouraged that they didn't see that as their role for our young people, wherever they are, on or off, in foster care, to advocate that the foster parents ensured that they bring the children to these events. You know, it sounds really good in reports and recommendations, but the reality is that we still have many who refuse to bring children to our communities, to their home communities, and I truly believe that could be another area that the advocate could play a role in.

We also have young people that are in court. Our concern with the counsel that are represented through the advocate's office is that they know the communities that they're advocating for and representing these young people, who they are and what they're about, and that they cannot make assumptions that it's not a good place for them to go back to. They rarely ever speak to us as a delegated First Nation agency. You know, I continue to be so surprised that when there are reviews of any kind, we're rarely asked for our opinion,

yet we're the ones who are working with the children and experiencing and having to deliver legislation, policies, and programs.

I have lots and lots to say, but I'm not going to reiterate all of our recommendations and our responses to the questions other than that I really hope that by being the last speaker, some of my words are heard. I know it's tough when you've been hearing it for two days. I was really thinking as everybody was speaking, "Wow, that's going to be a tough thing to follow," but I want to tell you that I'm here talking from my heart. I'm talking as a social worker who's been providing services for over 30 years. Our children count. Our children need help. Help us help them, please. Please make some changes that are really going to make some difference to our children and families in our communities. I hope that it's not continued lip service.

Thank you.

**The Chair:** Thank you, Ms Peacock.

At this point, then, we'll open the floor for any members that would like to ask questions of those on the panel.

For those on the panel, I know that many of you have brought others with you to provide support and expertise, so if at any point they'd like to make a contribution, they can step to the mike behind you. I'd just ask that when they do, they introduce themselves for the record for *Hansard*.

At this point I'll open it up to any members that have questions. First up we have Mr. Horne.

**Mr. Horne:** Yes. Thank you. I just want to, first, take a moment to thank everybody for coming out and sharing with us their experience and some of their thoughts. In particular, I wanted to comment on how much of an honour it is to have Robert Cardinal here with us today to share with us some of his wisdom.

I think I'll start with a question for Mr. Cardinal although anybody is free to add their comments on it. In your submission to this committee you suggested that we consider a holistic approach when it comes to the review of the act. You touched on it a little bit, but I was hoping that if you have any more in-depth thoughts, you would be willing to share. I think that would be really helpful.

**Mr. Cardinal:** Kim can introduce herself, please.

**Ms Hallock:** Hi. I'm Kim Hallock, and I work with Robert Cardinal at my recovery ranch for families up in Salt Prairie, Alberta. There are holistic aspects that we want to bring to our children's lives. I mean, that's understood. In all the speaking that I've heard throughout the day today, I felt like it was a miracle to hear the word "spirituality" brought up in this room, to hear the words "mental wellness" and "emotional wellness" because I know I've stood before groups like this 20 years ago, and that would have gotten you thrown out of politics. So I'm very grateful. I'm very grateful that we can speak from the heart now, that we have the capacity as human beings to speak in a holistic sense.

When we talk about taking a holistic approach to the act, take a look at the physicality of it because it is still very, very physical. We're still in the act looking at the physical wellness of the child, and there are still parts of it that could address the spiritual aspect, the emotional aspect. You know, in the last 10 years we've had a lot of conversation around mental wellness being just as relevant as physical wellness, and that has allowed CFS to grow tremendously. We have an opportunity to grow even more, to grow that next generation of human beings to be connected, to be diverse, to be respectful of each other's cultures. When I heard the lovely lady speak of the Somalian culture and what they're struggling with right now, it is exactly what we struggled with when we fought for kinship care, exactly what we struggled for. I hope that that is heard.



It's not just about our indigenous communities; it's about our humanity. You can breathe life into this legislation. You can breathe life into it when you look at it in that holistic sense. How does it raise us all up physically, mentally, emotionally, and spiritually so that that's what we pass on to our children?

We have incredible research now on the impacts of inter-generational trauma, on the impacts of disrupting the transmission of knowledge through the culture, through those lines. Robert spoke about those rites of passage and those points of development, where historically for millions of years, I guess, depending on what you believe – for millions of years, from my perspective, humanity was able to pass that knowledge on how to be in the world and how to be with each other through those generations. We know what the disruption of that has caused. We need to be able to strengthen it again. We need to be able to restore the knowledge base of our indigenous people so that what they are providing their children is healthy. We need to strengthen our families and work every day at reducing how many children are going into care. Seventy-nine per cent: that number took my breath away today. It took my breath away today.

2:00

I work with families who are multigenerational users of CFS's services, who themselves were in care, whose grandparents were in care or residential schools. I want to find a way to heal the whole family, and I think that part of what you do as an advocate is that you need to listen, not just for the voice of the individual child. We are a collective society. Listen to the voice of the family. Listen to the voice of the parent that loves that child because they're too often dismissed. Listen to the voice of the grandmother and the grandfather and the sisters and the brothers. Listen to the people who love that child, and embed yourselves in our communities. That's been brought up over and over.

Be accessible. Be accessible to me, who's 500 miles away. Have your phone number blasted all over every CFS office that says: we're here to help. Most of my families have no idea who you are, how to access you, or if they can trust you, so they trust us – they trust us – and we bring it to you. I'd love to see the day when they trust you.

**The Chair:** Thank you, Ms Hallock.

**Mr. Horne:** It certainly helped to shed some light onto the . . .

**Mr. Cardinal:** Yeah. I would kind of explain it as best as I can in terms of the balance that we're missing and how we can do that, and it can be done.

The holistic view is not trying to teach somebody to be a native; it's teaching how that holistic piece works and the relationship with that. You know, I've been very honoured to be able to do something in the city here – I forget what the organization was – with the foster care parents, and they're all nonnative, and they've got native kids. I know some have come, and they've said: well, I have a dream catcher. But that's not culture. So when we got going and spent those two days with them and what those old ladies were saying, we didn't know what we didn't know. That made a lot of difference because they understand what's important for those children as they're bringing them up in those stages of life. It's important that they have contact with their loved ones.

Kinship – it's totally different – means intergenerational impact that it has with that. You know, we inherit that, right from a long time ago from residential schools. We're in that state right now that the healing process is coming, and the elder that I talked to, the prophet I talked to, he said: "No. It's getting here already. It's up to us to work together. Don't fight one another. Work together, and

you can find your balance." I'm sure that we can work this out. I know we can because we've done it, and it's working tremendously.

I've been very, not so much to say, fortunate – I shouldn't say that word – and have gained that trust from some young people. I can't mention names, but, you know, you get a couple of suicidal young girls from my community. To be able to work with that, because of politics, because of everything else – they don't want to be shunned, and I can't mention names, so there is a boundary issue with us. We know. We understand that. They come to a lodge, and we come with some guidance. The only thing I can say: I'll never leave you. That's the term I use because I took suicide training, so I tell these young ladies: I'll never leave you. I want to be there for them. I have to leave that message for all the ones who are in that suicidal state.

When I went exactly to the prisons, we looked at the records of these young men and young women. If you ever go there – I've been there a year last year. It was very, very busy in there. These types of heinous crimes that happen, a lot of them are in foster care. Eighteen-year-olds are booted out. They didn't know where to go, so they end up in jail. Seventy per cent across Canada is the incarceration of our young people. Young girls: they could be models, for God's sake. They're beautiful-looking ladies, and they're going to be in a prison there for a long time. When you start talking about this holistic view, they cry: "I didn't know. Nobody taught me."

That's part of what I'm trying to talk about, that holistic view, because social work – everybody can learn that, learn the concept of it, learn that the spring, the summer, the fall: there are different learning aspects of that. We can't teach them to be native, yet we can be in partnership with them to think about that child. There's no ownership on that. There is none whatsoever. There is no personal gain whatsoever. It's just working together. That's what I'm talking about, and it will work. It can work.

Thank you.

**The Chair:** All right. Next up I have Mr. Nixon, and then Mrs. Littlewood.

**Mr. Nixon:** Thanks, Mr. Chair. My question is for Ms Peacock but as well for the whole panel, of course, if they have any input into it. Your comments at the end about lip service – and I agree with them. When you look at the work that's been done on this over the past many, many years, there have, you know, been many panels, many committees, and there are stacks and stacks of reports – you'll be reading for quite a long time – with lots of recommendations. Some have been implemented. Some have stalled out. Some aren't even being discussed anymore, specifically to the office of the Child and Youth Advocate according to Human Services and their submission to this body, to this committee.

As well, from the office of the Child and Youth Advocate: about a third of their recommendations have been implemented. About a third of their recommendations are maybe going to be implemented or are in some sort of process that most people may not know what's going on with it. Definitely the public and stakeholders such as yourself probably don't know; the department may. And then a third aren't even being discussed. We don't know what they're going on. When you look at many of those recommendations, some of them are stuff that you fine folks have brought up today, and many of them are recommendations that we've heard from other panels throughout the last two days.

It seems to me that some of the solutions have already been brought forward, but for some reason we're not able to get them into place. The Auditor General has submitted that what we should possibly do is create a standing committee such as this committee – this committee has a different responsibility – similar to our Public

Accounts Committee, which works with the Auditor General, who is also an independent officer of the Legislature, not on policy but to ask questions, like I'm asking right now. I'll go: "Okay. We have these good recommendations. What's happening with the recommendations? What's holding up the recommendations? What laws would have to be changed?" Those types of things.

I just wonder if you could expand on the thought of it not being lip service and whether or not you think the Auditor General is on to something for the need to make sure that we have some accountability in a transparent way on making sure that we know where we're at with recommendations.

**Ms Peacock:** I'd love to respond to that. I read the *Journal* – I think it was in the *Journal* this morning – and I was very intrigued by it. I thought, "Yes; finally something makes sense," because I have also sat on a number of minister-appointed reviews of different things over the years with children's services, and I know that they collected dust. They collected dust in my office because they never went anywhere.

I was also very supportive of the Auditor General's report as it came out, I think, in June, and the office of the children's advocate: they released their report as well. I was more pleased with the Auditor General's report than the office of the Child and Youth Advocate. I say that because I found over the years that the office of the Child and Youth Advocate could make all kinds of recommendations that really made no sense when it came down to direct service delivery. I even said so to Del: "You know, why would you make that kind of a recommendation? How could it even happen? Like, you don't, you know, give any indication of how this recommendation could actually work." He responded to me that that was not his job; that was children's services. But even children's services I think would have a hard time trying to operationalize what recommendations were being made.

Then when it comes to on-reserve, that is a whole other area. We are delegated by the province, by the minister, to provide the statutory services under the legislation, yet we're federally funded. Our programs, our services are different. The funding is totally different. So the two do not work together.

2:10

There is the human rights complaint that was won over a year ago. We still have yet to see the benefits of that. We have had some minimal increased funding, but it's far from being ideal, and it does not address the day-to-day challenges that many of us have.

Going back, I think the Auditor General is on to something. My only immediate thought – and I trust my instincts – was that I think there needs to be a community voice, not just a political voice. I know that our agency met with the Auditor General when he was doing his review, and I thought it was very, very well done and with realistic recommendations, so I'm very happy with that.

**Mr. Nixon:** I was asking for a follow-up. Sorry. I didn't mean to interrupt you.

**Ms Peacock:** Okay. No. I'm done.

**Mr. Nixon:** Okay. Mr. Chair, can I ask a quick follow-up?

**The Chair:** Certainly. Go right ahead.

**Mr. Nixon:** Sorry. I'll let the panel answer. I didn't want to stop it. But just when you went through that process with the Auditor General, that process was much more comfortable and interactive with the community and the stakeholder side, you felt?

**Ms Peacock:** Yes, and I also felt that they did some really good research, and I felt that we were certainly heard and that what they were reporting was quite accurate, to my knowledge.

**Mr. Nixon:** Okay. Thank you. Sorry.

**Ms Iahtail:** My name is Bernadette. I just wanted to articulate that I was also really impressed with the Auditor General's report. One of the biggest things is that even being asked to be here – I was a bit shocked just to look at the list of who was here of indigenous people. One of the biggest things is that oftentimes that happens, you know, when there is a committee getting together, the number of aboriginal people that are approached are very few.

I've been here in Edmonton off and on since 1993, like I said, but since I started the Creating Hope Society in 2006, we have an aboriginal leadership team here in Edmonton, Alberta, where I think we're about nine indigenous organization nonprofits. And we're still not being utilized to a full capacity, where, you know, we could be part of some of these reviews. We could be part of some of the committees. I think that the hand-picked individuals sometimes don't represent the entire indigenous population of the Edmonton area.

Part of it is that, you know, I truly believe that we need to work together, and we need to be able to really pay attention to who's sitting at the table. You know, I look around here – I'm sorry to say, but I don't see one indigenous person around this table here, sitting at the review. It's not because, you know, I want to be rude or anything like that, but I see this continuously. When we talk about diversity, when we talk about how do we be inclusive, we need to have a mix of people sitting at the table. It's really important, especially when, you know, 60-70 per cent of children in care are indigenous.

One of the things I'm so happy to also see – I'm sorry. What's the institution's name, again? Who do you represent, again?

**Ms Kellett:** Tacalusa Institute.

**Ms Iahtail:** Yes. For years I've been asking and saying: "Okay. We have 70 per cent of children in care who are aboriginal. Who are the other 30 per cent?" That's another question that has never been answered. Who are the other 30 per cent that we talk about, the other 30 per cent of the population? You know, I kind of see those kinds of things.

You know, at one time, 20 years ago, if you had asked me to speak, I would have said no, but today – it's because I'm getting older, and the older I get, the more I see. I would like to see more voices at the table in different levels of government. It's so important.

Thank you.

**Ms Kellett:** If I might just comment a little bit in respect to that. My apologies.

**Ms Quesada:** Go ahead.

**Ms Kellett:** Do you want to comment?

**Ms Quesada:** No, no, no. Go ahead.

**Ms Kellett:** In 1988, I believe it was, when the first Child and Youth Advocate office was opening up and I was working for children's services in the Yellowhead Youth Centre, I was determined that some day I was going to be the Child and Youth Advocate, so I applied, not knowing I wouldn't get it. I wasn't nearly experienced enough, but I wanted to apply and keep working to become that, to show my interest. But before long, as a matter of fact by 1991, I

decided I'd go to law school because I didn't see that office having any effect even in the first couple of years.

Since then, since 1986, I have been always working within the child welfare system, and I'm still waiting for the Child and Youth Advocate office to do what I envisioned they would be doing in 1988. I still don't see it. Usually when I come across the Child and Youth Advocate office, they're opposing my families. They're stepping in to make decisions with children's services without the family involved. They're encouraging decisions being made based on what they see, but they haven't spoken to the family yet. So when we say lip service, yes, they're there.

2:20

I am an assertive lawyer who works against child welfare a lot, so I understand that there are some concerns sometimes when I'm handling a matter, but I see them more often being brought in from children's services, not from families and not from kids but from children's services, to sort of buffer between the families and children's services. I really don't see a lot of hands-on work in actually resolving those issues for the children and for the families.

I think the families are significantly cut off from that system. They don't know where to go. When they do call the child advocate, then the advocate is involved, but they've lost the family. I see more often the child advocate's office helping foster families. While I understand that, because that's where the children are living, the intent from where they get their sort of initial involvement then skews what they're able to do in that situation and skews the family's view of the Child and Youth Advocate office as being just another child and family services and not an office where families can go and say: "My child needs you to advocate for him or for her. They need you to advocate for their culture, for their society, for their involvement with family, whatever healthy family we have out there." But I don't see that a lot. I don't see it all – I see mostly what's in court – so I'll give you that. I don't see a whole lot.

The reports of the Child and Youth Advocate I used to read religiously. I stopped reading them years ago because of the lack of impact. Nothing is happening. We need the Child and Youth Advocate office to have some teeth, but we also need them to have an expansive view of what's going on and to be there to advocate. I envisioned the office as being an office to protect the children from the system, to make sure that they don't get lost within the system, to make sure that the system works for them, but I've seen, mostly, it being a large part of the system rather than a way of ensuring that the system isn't the only thing of importance, that it's the children that the system is working for and not the other way around.

That's just my two cents. Thank you.

**The Chair:** Ms Quesada, do you want to make a comment?

**Ms Quesada:** Well, I would like to invite Renée, the executive director, to address the point because I think she has much more experience.

**The Chair:** Could you please introduce yourself for the record?

**Ms Vaugeois:** Renée Vaugeois, John Humphrey centre. I think I'd just echo what April was just saying. The biggest problem – and we can complain that OCYA doesn't have that follow-through on recommendations – is that they don't have the teeth. They don't have the mandate to follow through on recommendations. They do have that systemic advocacy piece in there, but that needs to be strengthened as well. They need to have that capacity to act on things. They can put out recommendations, but they sit out there.

Tying into all this as well is that – I heard Del say yesterday as well that, you know, the OCYA is effective because they're focused on youth and youth advocacy. But they also need to understand that focusing on child rights advocacy doesn't need to contradict family and kinship rights. So they have a role with family and kinship rights, but that also needs to be mandated to support recommendations to be able to move forward.

**The Chair:** Mr. Accord, you wanted to add a thought?

**Mr. Accord:** Yes. My name is Mahamad Accord. I'm with the Taccalusa Institute. The office of the Child and Youth Advocate, actually, the way they're set up right now, is contradictory. Actually, we fight with the – let me go back. We as a community right now – as my friend Bernadette was saying, the percentage is 70. What's the next one? What are the other children in the system? We believe that we, African-Canadians, are the rest of the number. But, at the same time, when you go to the OCYA, it's probably 99 per cent white people who are working there other than the aboriginals.

The other thing is that when we went there and wanted to talk to them and said, "Can you help us here?" "Oh, when it comes to culture and family, we can help only the aboriginals, not you," so we see that discrepancy.

The other thing is that when it comes to child welfare and us, they side with child welfare. There is a case where – I think it was in Rocky Mountain House – since they are separated from Human Services, what they do is that when they come into the house of a foster parent, somebody calls from the office and says, "Hey, we're coming," so they hide everything they want to. What I'm saying to you is that for us it's useless, and the only thing we see is the effect against us.

In terms of culture, you ask our communities: "Which is important for you? Is it culture or safety?" Culture. The majority of our youth who are in jail or in the street or getting pregnant are the product of child welfare. Because they removed the community and they put in the system, that child, when he grows up to 18 years old, doesn't know who he is. For us in Africa we have nothing in material of the white world, but we have love. Love. That extends, extends. That's why we say that it takes a village to raise a child.

Everything that the aboriginals say is true for us. There's nothing there that you have to duplicate for us as African-Canadians. In terms of doing that and making it have teeth, it has to also include diversification of the agency, the OCYA. If you want to send somebody into the community who has nothing in common or has no knowledge, it's useless. I met with the OCYA the other day, and I recommended: diversify your portfolio in order to deal with us.

For us, what I'm saying to you is that I'm hoping – hoping – that in the last two days you didn't waste your time. Whatever I say is nothing. It's the same as what they told us – I'm hoping that yesterday it was the same and that today is the same – to please give teeth to the OCYA. At the same time, require that they have to equip themselves with the tools that they have to deal with crime. We have diversity. I don't think Edmonton looks like this, the way we are. The problem is that we are disconnected because we have been disenfranchised. We weren't educated when we came here. Even those who have been here for centuries – centuries – still don't understand. I'm talking about African-Canadians. We have a problem. The majority of our kids in the system – but we're not there.

I'm glad and I'm very proud to have Ms Kellett advocate for us in terms of African-Canadians in the system. I'm hoping that it will reflect, when you make your recommendation, that we have the same protection that the aboriginals have. We also support them in

their quest to have teeth in there. Please – please – make an effective and accountable organization for the community.

Thank you.

**The Chair:** Thank you, Mr. Accord.

Now, Mr. Nixon, did you have any supplemental or follow-up on that?

**Mr. Nixon:** I think I heard loud and clear what I needed to hear, Mr. Chair. I think I actually like that: make sure that there's some teeth, but there needs to be some accountability. I think the panel is recognizing that a lot of recommendations are coming out, but unless we have a way to be able to hold the system accountable, we're going to be back doing this pretty regularly.

**The Chair:** Thank you, Mr. Nixon.

Then on to Mrs. Littlewood.

**Mrs. Littlewood:** Thank you, Chair. Okay. We will hopefully get to the question in a little bit of a roundabout way. I want to thank you for this. Not only is it showing the holistic approach that you're looking for, but it actually reflects what has been asked for by a number of groups, for the definition of serious injury to be broadened to include mental health, physical health, spiritual health, and emotional health, of course.

Mrs. Maxine Salopree from the Canadian Native Friendship Centre was talking yesterday about something that mirrored what you were saying earlier about how there are many different indigenous peoples in Alberta. While there might be a recommendation to have someone from either the Cree Nation or something like that built into the Child and Youth Advocate's office, it's not necessarily someone that is going to understand every single diverse community that they are interacting with. She was talking about something of a protocol, of trying to develop something that, then, every community would be able to use to interact with the office, you know, giving someone education on the culture of the community before even visiting the community because of the complex nature and wanting to make sure that people are respected when you're dealing with such complex and obviously serious matters.

We at the table all received the Truth and Reconciliation Commission report, which is, like, this high if it sits on your desk. I'm sure it's very difficult to talk about, in any sort of briefness, how to incorporate that, but I know that there are certain principles or recommendations that came out that you would want to see. I see that you mentioned calls to action in your submission here. I would ask you, please, Elder Cardinal and anyone at the table, to discuss that.

**Mr. Cardinal:** Can I get Dr. Dwayne Donald to – I work with Dwayne. He's a doctor at the University of Alberta, and we do a lot of training and all that. In terms of training, it's hard to say that word "training." It's kind of not teaching. "Guiding" is what we try to use.

I'll let Dr. Dwayne Donald, please.

**Dr. Donald:** Thank you. Greetings to all. Thanks for the opportunity to speak. I have to say that I feel like I'm speaking out of turn here. I think there are a lot of people here who are much more knowledgeable in this field than me. I'm an educator, I'm a teacher, and I just try to help out the elder as much as I can.

Just specific to your question and the way I understood it in terms of, you know, what we call reconciliation and the different ways people might think about that, for me, if you sort of go to the root of that difficulty, it has to do with the kind of human being we have in mind, I would say, and that difficulty that's been experienced

over these many generations about sort of the enforcement of a particular way of being in the world and the different ways it manifests itself.

The best thing we could say about reconciliation is that we now have children living amongst us who are raised according to the traditions of their community, and they hear the stories. You know, the people in their community and their families are able to raise them in ways that they know will make them strong. What you heard from Elder Salopree, I think, is something that many people would support.

Just to give an example, my work is in the field of curriculum, and what I've been saying to teachers and others is: wouldn't it be interesting if you honoured that idea of being a Canadian but that in different areas of the province you also honoured what those people have to say about what it means to live well and how to be healthy? As the elder often says, we have this balance of coming together, a different kind of imagination, which is what my understanding of Treaty 6 and the other ones is all about, right?

Reconciliation is allowing the communities to raise their children in ways that they know will make them strong. You know, I just think that it's incumbent upon people in leadership positions in this province to learn more about that and the different areas and to do their best to try to allow that to happen. [Remarks in Cree]

2:30

**The Chair:** Ms Quesada.

**Ms Quesada:** Yeah. I would like to address that a little bit in the sense that what we hear from the communities is exactly the same thing. It's like: we don't know what the OCYA is; we don't know how they work. At the same time the staff was saying: we only go to communities when we need to go; we go in and out, we talk to the youth or we talk to the person we need to talk to, and we leave. That creates a huge disconnect and a lack of understanding of what's happening in the communities and how the holistic view could be taken into consideration when you're dealing with a specific youth.

The decentralization of the OCYA is an urgent matter. People in Calgary: the amount of travel that they have to do to remote communities is a lot. They have to go in and out. That doesn't build relationships with communities. That doesn't allow for that to happen. Because that is paired up with the fact that community and kinship are not taken into account when they are advocating for youth, then that gives a lot of room for disconnect. So they see the youth only as a child, and they don't see them in the context of being an indigenous child that has been taken from the reserve or a member of an immigrant community that has a completely different understanding of family, care, et cetera.

I think that the decentralization will help to address how the partnership has to take place with communities because each community is different and the way they raise children and the understanding of families, et cetera. That's the way to take it into account and will allow for different forms of working with communities.

**The Chair:** Thank you, Ms Quesada. Excellent.

Mr. Nixon, did you have another question?

**Mr. Nixon:** No. I'm good. Thank you, Mr. Chair.

**The Chair:** Okay.

We'll go to Mr. van Dijken, then.

**Mr. van Dijken:** Thank you, Chair. I want to broach the conversation on capacity to act. I'm going to reflect right back to the beginning, where we were hearing a lot of presentations with regard

to cultural consultation, cultural awareness and that the office could become culturally appropriate.

I want to thank Elder Cardinal for your comments. It troubles me when you come and you say that you don't know, because in two days of submissions you probably brought the most wisdom to the table of anyone here. I think that your comment with regard to spirit and being able to meld that together with the advocate, breathing life into that, is something that brings together body, mind, spirit.

The other lady that was speaking – sorry; I forget your name – with regard to starting to broach those discussions also talked about: if we do not listen, we'll be led by children. There's this transition of knowledge that is occurring between your community, the Somalian community, all communities and then what we call experts. Many times, like we've heard, it lands on the shelf collecting dust. I need to get to a position where I can feel comfortable, moving forward in legislation here, that we will truly move forward in a way that can help the process and not create another obstacle to helping.

Quite often when we have that transition of knowledge without an understanding of that melding together of spirit, we get into a position where we are discussing in what I'd like to call educated arrogance. We all do it. I do it. We all do it, I believe. We come to a discussion with a certain level of understanding, and we feel we're right, and we stumble to sometimes learn from others. I believe that that arrogance is a distorted view of one's self, because no one person here has the ability to contain all wisdom and understanding. That's why we rely on each other.

When I see a request for the capacity to act within an office that has been identified as broken and not completely culturally aware and culturally appropriate and has not done all the proper cultural consultation, it makes me nervous, to be quite honest. I need some clarification from the panel with regard to: does that not also make many of you nervous, if we move to that position where we give more teeth to an office that is not prepared? That would be my question.

**Mr. Cardinal:** Yeah. I think I see what you're getting at. I believe that there's nothing that we can't do. Elders: I always respect the elders when they talk. "When you're talking," he said, "Remember that the longest journey that you're going to have to make is from here to here. That's going to be your longest journey."

So we developed all this, the advocate and everything else. It's well written. I read it a few times, and I like it, but I put something aside just for my own curiosity. We have the same thing in that way, in how to partnership that whole thing, not change that. That's a legal document. You know, just thinking about it, I thought: man, if we had the opportunity – if we had that opportunity – as aboriginal people to take part in that.

Every community has different ways of knowing. The holistic view is just to guide the people to wherever, where they're living. They can see these elders, that there are very prominent elders from all around the areas that I visit. That's where I get my compassion and everything else with this. I asked them, "Will this work?" They said: "Yeah, if they allow it to be. We can help." They're waiting. They said, "We're waiting," these elders, very humble elders. If we can work with them – and I think that that holistic view is not missing that spiritual part. That's the one that they talked about. [Remarks in Cree] As I was saying, we missed something. So we look at the emotional, we look at the mental, we look at the physical. "That's part of it," he said, "But we forgot about the main one, the spirit."

When I talk to these young people – one guy in the system, in jail, was in there for a while. He's 30 years old. After he got out from care, he was in jail since he was 18. Off and on he'd come

back. He asked me: "Bob, I'm very tired. I want to stay out of here. What can I do?" I said: "When you went out, with all this clanging and all these things inside this institution, you know, you left something precious behind, what God gave you. That's that spirit. That's where that spirit lies. You have to go and see the elders and do your ceremony and ask your spirit to go with you."

Thinking about the many years when I worked with Carolyn, with Richard Cardinal – and they brought it up here today, when he hung himself. I've talked to elders from Sunchild O'Chiese. They said, "That was the same thing. That boy was placed so many times, but he was abused in one of those places, and that's where his spirit stayed." He made a lot of sense when he said that. He said, "That spirit stayed over there, and he had nowhere to go." That's all I'm saying. You know, I can't save anybody, but I'll sure help as much as I can. People save themselves.

We have to be responsible for these children also. I want to be responsible, and that's what these elders said the other day when I asked them for guidance. I was really happy to hear that. We have to be responsible. We can join and make this happen. "It's not going to be perfect," he said, "but it's going to help a lot of our young people."

Thank you.

2:40

**The Chair:** Ms Iahtail.

**Ms Iahtail:** Hi. You know, we just finished doing our research called Aboriginal Boys Matter Too! Through the research that we've been doing around aboriginal boys, also Aboriginal Fathers Love Their Children Too!, one of the things that we noticed within the research that we did is that there was not one word of love in any research, not a word of caring, not one word of sharing, not one word of understanding.

I think those key factors that Elder Bob talks about are so important. If you listen to Richard Cardinal's story, he says in that story: there was one parent who hugged me; I hadn't been hugged for so long that I'd forgotten what it felt like. But it also felt so uncomfortable because he had shut himself off. Too many times our young boys, you know, that we don't look at, don't have those kinds of things that make a human being recognize who you are as an individual, that you're loved, that you're cared for, that we share things with you: you're loved; you're precious.

One of the biggest things when we did – we helped the children's advocate when they were doing the research. We had a group of youths who came to talk, but we had one father there that brought his five kids with him because he wanted to be there. The father wanted to be there. He has five children. Now the oldest one is 18; when we first met him, he was 15. Anyways, this child said to his dad: it hurt me when you chose alcohol over me. It was so powerful – so powerful – that these young people had an opportunity to talk to their dad. They felt in a safe environment to say to their dad: "You know, you chose alcohol over me, but I love you. I forgive you." And you could hear a pin drop. I've still got shivers up my arms just listening to that. I thought: wow; what a beautiful opportunity it was for that family to be able to heal and to work together and to hear those words.

It wasn't all blaming – "Oh, you did this to me" – but it was like: "This is how I feel. This is how I felt." That opportunity, if we could provide that opportunity – yes, it's good to advocate for our children, but, you know, when parents are ready to parent their children, we need to keep that space open. We need to be able to provide that space for them because I see a lot of our families who are ready to take their children back.

When you start looking at the journey of healing as an individual – I have 31 years of sobriety this June coming up, 31 years. The reason why I say that is that it probably took me the first 15 years to really get my life together, mentally, physically, emotionally, spiritually. I'm really happy that Elder Bob brought that up because it is about that. Once you start collecting yourself and embracing yourself and realizing all the pieces of yourself that you've left behind, you can collect those and start that healing process.

Our families don't have that opportunity. They don't have that opportunity. We're not given that opportunity. We don't even have the funds to actually do that. So when we talk about having that bite of teeth: like, maybe, yes, we need to do that. Maybe we need to continue having these conversations and engaging our communities and involving our First Nation communities and our Métis communities and our Inuit people because there is so much to talk about.

But one of the biggest things is about love. It is about love. It is about having these young people tell their parents how they feel. Some parents are ready for that – some parents are ready for that – and they urge to have their kids back with them.

You know, I hear about these nine-year-olds and seven-year-olds saying: I don't want to go back home. Hey, I drove these kids to a home in Olds where when you drive in there, there are pillars and there are lions at the pillars and there's a beautiful house that's worth \$700,000. And then they come home to their community, where their families live in poverty. So there's got to be a balance to things, and there isn't.

I truly believe that there needs to be a place where we can work together, all levels of government as well as our community members, because our community members are the ones that have that voice. They're the ones who have that voice. They're the ones who are living through it, right? If we can provide that space for them, I think it would be different. It would be different.

**The Chair:** Ms Quesada.

**Ms Quesada:** Well, thank you. I really like your question. I just would like to flip it around. If we don't give teeth to the OCYA, how are they going to face institutions or advocate for children within institutions with full teeth like CFS or the justice system or the correctional system? We have heard here in this panel that we have institutions that need to hear the voice of children and families and communities, but we are giving them an institution that advocates for them that has no teeth. I understand the concern, and I do share the concern. That's why I keep insisting and why Elder Cardinal and Bernadette talk about that there has to be teeth in partnership with communities, teeth in partnership with newcomers and immigrants that can guide that institution into how to do things with them and for them and for their children. I think that's really, really important.

**Ms Kellett:** When you're talking about how we give capacity to act, the problem right now is that we do have CFS with capacity to act but no accountability, and the Child and Youth Advocate office was to be the one to hold them accountable. So they need capacity to act in order to hold CFS accountable, when they're questioning what they're doing and when they're investigating for a child, whether or not they're providing the proper services and whether or not they've thought about all of the things involved for this child. Right now we have CFS, who has capacity to act but no accountability and no way for families and others to address that capacity to act.

And they have the capacity to act in secret a lot of times, you know, claiming the privacy of the child even as against the family. While that may be important in some aspects, that's where we need

the Child and Youth Advocate office to have the ability and the capacity to hold them accountable for the decisions that they're making and how they're making their decisions. That's what I envisioned when it first started, and I think that's what those who first brought that office to bear were thinking: we need someone to oversee those people who failed with Cardinal so that we don't fail with the other children. But we have continued to fail since 1988 although we're trying not to.

If we don't have capacity to act as the Child and Youth Advocate office – and they need, of course, their capacity to act to also be accountable. Right now we have both of those offices and no one accountable for anything, any decisions that are made, things going forward. The only way to hold them accountable is in court, and by the time the families get them to court, they've lost their children because their children haven't been with them for so long that they don't want to go home. They've been living in a white, middle-class world or whatever world they've been living in, and that family has been giving money to help, to give them everything they want – the iPads, the iPhones, the computers, the clothes for when you go to school – and then they come home to a family that doesn't have those things, and they say: I don't want to go home.

They have no idea what home really is about because it's a materialistic thing for them. It's not about the family, the love, the healing circles that the aboriginal community has. Those could prove to be very beneficial for these kids even if you're never going to go home, at least facing your dad or your mom in a safe environment, in a healing circle, where you can say, "Why did you do this to me?" and get an answer. Then you can go your separate ways if you wish and never see mom or dad again. But so many of these kids are going their separate ways, having not seen mom and dad for a year or two. They don't even know their mom and dad, and they're saying, "I don't want to go home," because they don't know.

2:50

We need to have that sort of ability for them to be able to sit in a circle safely with their families and say, with the children's advocate advocating on their behalf: here's what you did to me, and I want an answer. In that I think they heal, and in that you might find that they're learning from the mistakes of their parents rather than having those mistakes just buried from them, so they're not learning from the mistakes of the elders that came before them. They're having to learn it all over again. Each new generation has to learn the same mistakes because they can't learn from their moms and their dads and their grandmas and their grandpas because they're gone.

Thank you.

**The Chair:** Thank you, Ms Kellett.

**Mr. van Dijken:** Well, you know, I want to go a little further maybe with what was called proper services, appropriate services, that the OCYA was set up to ensure that proper services were being afforded to these children in care and those that are in the systems. Again, my concern is that we are then affording an agency to try and understand whether or not the proper services, the appropriate services, are being provided for these children without being culturally aware, culturally sensitive, and that we have the potential to actually create more of a minefield.

I thank Elder Cardinal for his comments with regard to coming from a position of addiction and being able to move forward in that. That took a level of humility, and you talked about that, that humility actually gave you a clearer picture of who you were in that position, and now you've moved beyond that, and that in that way, in your humbleness, you were able to see who you really were. And

we all have that. As a community we need to come to a position of humility in order to actually grow and to move forward in appropriate services.

I understand the feeling that we need to try and fix it through the office of the Child and Youth Advocate. But I don't want to go down a road that gives an office teeth without the appropriate ability to decipher what proper services and appropriate services are because there are many different measurements that we've identified, whether it's a measurement of material wealth, whether it's a measurement of family value and community and love and those types of things. So it becomes very difficult. Again, it still does concern me that we are maybe trying to fix it with possibly an office that does not have the ability to do that at this time.

I might have just confused everything.

**The Chair:** Thank you, Mr. van Dijken.

I'll just note that we are running over time. So just out of consideration, I guess, for our guests or others who may not have anticipated being here quite so late, while I do want to allow further questions, just because we do have some great dialogue, perhaps just keep in mind and see if we can keep our questions and answers suitably brief so that we can get everything else in.

That being said, was there anything further on that, then? Anyone wish to respond any further to Mr. van Dijken?

I do see that a couple of folks that are here in support wanted to make comments. Again, I'll allow that if we just keep them brief if we can.

Mr. Accord, if you'd like to make a brief comment.

**Mr. Accord:** I just want to admit that we don't want to create a monster out of the office. That's one thing. The other thing that I also want to comment on is resources, not only the teeth but also the resources. So what I'm saying is that the OCYA is required to work with the community. In terms of whether we have the means, those are the things that we wanted them to be accountable for, but at the same time it has to have a check and balance. I think that resources also are the one thing that we keep missing, that they have to have adequate resources in order to do the job that we ask it to do, but it has to work with the community. Those are the values that we submitted, the ones we want to be considered.

**The Chair:** Thank you, Mr. Accord.

At the back there, if you could just introduce yourself again for the record.

**Ms Hallock:** Hi. Kim Hallock with Red Dog Recovery Ranch and supporting Bob Cardinal. I just wanted to use the KISS rule. We use the KISS rule all the time at the ranch, keep it simple. The most important thing to all of our children regardless of race, the thing that they would want more than anything in the world – and I know this. I've been a foster parent of 25 children and raised five of my own. What they want is a healthy parent. They want a healthy family of origin. They want that family of origin's health to include that wraparound healthy community.

We kind of tippytoe around what's best for the child. What's best for the child is a healthy family, healthy parents, and if that is not possible, then we need to be able to give them the next best thing, and the next best thing is that connection to that extended family, to that supportive environment, to that community, that language, that spirituality that has been passed down through thousands and thousands of generations so that they feel like they're connected, like they're anchored in the world, and they can move on with their futures.

I just wanted to especially speak to Mr. van Dijken's comments. It is a simple thing and a difficult thing, but if we keep that in mind,

that that is what our children want more than anything in the world – that's what we want for our children.

**The Chair:** Excellent. Thank you, Ms Hallock.

I do have three more members on the list. Again, because we have such good dialogue here, I'd like to allow some time for those questions, but if we can keep the questions and answers focused so that we can make the best use of the time we've got left.

**Drever:** Well, thank you, everyone, for all your insight today. It was really an honour to have Elder Cardinal here. Thank you very much for coming. And I appreciate everyone else's comments. I'll keep my question very brief.

I do want to say, just coming from my own personal experience, that I grew up in the system. I know what it's like, so I'm very blessed to be on this panel, to be sitting on this committee, to listen to other people's stories and to share my own. So I just wanted to say that.

I do agree that emotional, mental, physical, and spiritual well-being is so important. I'm glad that we're talking about that because often that gets overlooked.

We talked a lot about age limits, and just going from my experience, I remember that I was cut off at 18, just point-blank. I didn't have any follow-up person come to me and ask me how I'm doing and what I need. So I think that's really important, that we do increase that age limit. I'm 28 years old and I'm an MLA, so that's a huge accomplishment for me. But, you know, you don't hear of a lot of kids who have been in the system that go that far in life, so it's something that I want to do, to use my voice to help other children.

Anyway, I'm dragging on. I just wanted to ask what you guys thought about the age limit?

**Ms Jahtail:** I just wanted to express that it's so important to up the age limit because I've seen so many times where at the age of 18 or even at the age of 14, you know, if they don't follow the rules, if they don't go to school, if they don't do this, if they don't do that, it's like: "Okay. Well, you're gone."

I've seen a lot of kids over the years. I call myself a lifer of children's services. As an adult now, you know, I've seen so many children and youth falling through the cracks and ending up on the streets and not having any supports.

3:00

I remember in Vancouver years ago there was a man that was there, and he looked at me and he goes: "Hey, Jeannie. Is that you?" That was my other name. I said: "Yeah. It's me." He said: "It's Leo. It's Leo." And I go: "Oh, my God, Leo." I grew up in care with him, you know. It was sad to see that some of the people that I knew when I was younger ended up on the streets with no support.

I always said that I'm blessed because I was born a woman. I mean, I got through life because I'm a woman. But I see a lot of men, you know, a lot of young men not having those kinds of opportunities that they need in order to grow. I go to the Bissell Centre, Boyle Street. I go to different places, youth shelters, and I see a lot of these young people. If they don't follow the rules, they don't follow the criteria – they need to have a place, again, a space where you accept them for who they are so that they don't end up on the streets and they don't end up thinking: "People don't care for me. I'm just a throwaway."

I really think that lifting up the age limit is so important because I see that men don't grow until they're 35. I see that women don't grow until they're 25. It's just that age that really needs to be looked

at. Being able to provide that kind of support that they need mentally, physically, emotionally, spiritually, you know, those compasses are so important. That's my take, anyway.

**Ms Peacock:** I'd like to comment that when I spoke – there are three things that I'd like to point out. The age of aging out is legally 18, but a year or two ago now they raised the age to 24. The office of the Child and Youth Advocate also stops at 18, but for those First Nation children living on-reserve, being provided a service, whether it's from the province or from the federal government, it stops at 18. There is no legislation in the Child, Youth and Family Enhancement Act or program or policy for those young people who are aging out other than the support and financial assistance agreement, which is really just a financial agreement. It's not for those young people who do not have the mental capacity to have some good decision-making to assist them. There are a number of things that are very inconsistent and need to be addressed, I believe.

**Ms Kellett:** If I may just comment with respect to most of the children – I guess that I won't say most. Many of the children in care come from or stem from alcoholism and whatnot. There's a lot of FASD coming there. There's a lot of mental illness. There's a lot of slow development for those children. So 18 doesn't do it, even for those children without all those problems and background. Even for those children without, 18 is a low maturity age, as we all know. We've all been there. We all know that we weren't quite mature enough at 18. Maybe 24, maybe. Maybe 30. But 18 is certainly not an age of maturity. Well, it might be, if you have a very healthy background and you have good family support, a good age to get out there and start on your own. When you haven't had that, 18 is a very frightening age to get out there and start on your own.

Most of these kids have educational discrepancies. They have mental health issues. They have serious concerns that lead them at 18 to not be ready to be on their own. Whether that means they need some sort of supportive person rather than living somewhere, but some sort of supportive person that stems from what they know – it's like having your parent to call, to go back to, some sort of way of doing that. Increasing the age to 24, 27, whatever it is: some of these children will need that.

Right now what's happening is an automatic sort of throw over to the public guardian. That doesn't – the public guardian system even more cuts off families than does the child welfare system, so we're not getting that same help and we're not getting the follow-through of help from people they know when they're 16 that are there when they're 20, to call for advice or to get that sort of comfort or sort of follow-through when you're trying to make it.

And congratulations. I think a lot of people should know of your background and the fact that you have made it here. You're 27? I can't even imagine having done that, so good for you.

**The Chair:** Thank you, Ms Kellett.

We have one last question, then, from Mr. Horne.

**Mr. Horne:** Yeah. Just in the interest of time the question is very short. I don't know if the answer will likewise be short, so if there's a lengthy answer, I might recommend possibly submitting a written answer to the clerk, and then it can be distributed.

We've talked a lot about indigenous populations, and we talked about the African population, but the John Humphrey centre in their submission talked about the larger immigrant population and the newcomer population. If there are any identified unique challenges that that community faces, I was just hoping to give an opportunity to have those highlighted for the committee's consideration.

**Ms Quesada:** I think that in terms of the unique challenges of immigrants, as I said in my presentation, they're really similar to the ones that indigenous peoples have voiced, but also the relation with community is a bit different; first, because of the language barrier; second, because most of them, most of us, live in urban settings, sometimes isolated from the mainstream. Also, I think the understanding of the system is a huge problem for immigrants. We come from countries where there is no such surveillance or supervision of our parenting, where there is more support because there are families that surround the family that has a child. Economic situations are not favourable, so parents have to work two, three jobs. That restricts the amount of time they can spend with children, and that always considers putting children at risk.

Those are the challenges that are specific to immigrant communities. I think the language and the lack of knowledge of the system is – and also, we mentioned in the presentation how there are natural advocates that bloom within the communities here, but they don't have the support of the office of the Child and Youth Advocate to take over that role and be able to move within the system. I think those are the main challenges that are specific to immigrant communities. I hope I'm not forgetting anything.

**Ms Kellett:** I have to ditto everything she has said, and I'm really glad that you have commented in that way. With immigrant families and the language barrier, there is not an automatic interpreter. When they come to apprehend your children, you don't get an interpreter, and you really don't know what's happening. That in and of itself – the office of the Child and Youth Advocate as well as CFS interpreters should be there, handy right away and always, always there. The language: even when I have an interpreter, in trying to speak to my immigrant clients, I'm still missing a lot of stuff. But without an interpreter, you're not getting anything.

**The Chair:** Thank you.

Well, I'd like to thank everybody on the panel for your input today. There has been some excellent dialogue. Thank you for your patience in staying a bit longer than had been anticipated. Wish you all the best. Thank you very much.

Again, as has been noted, if there are any further questions or any further comments you'd like to submit, that can be done through the committee clerk. We have that option there.

At this point, then, why don't we take a few minutes to allow our guests to make their way out, and then we'll return to the agenda.

[The committee adjourned from 3:09 p.m. to 3:18 p.m.]

**The Chair:** All right. Welcome back, everyone. Over the past two days we have received a lot of input regarding the Child and Youth Advocate Act. Of course, we also have the written submissions sent in to the committee over the fall and all the other briefing documents now that have been provided by LAO research services and the office of the Child and Youth Advocate and the Ministry of Human Services. As we're getting ready now to move into the deliberations phase of the review, I believe it's standard practice, then, to have research services prepare an issues document for the committee that would summarize all of the input that we've received throughout the review to sort of flag larger trends and issues that have come up.

Do we have any thoughts, comments on the issues document? Excellent.

If everyone is okay, then, with simply moving ahead with that, we just need a member to make the motion to proceed with that. Ms Drever. Excellent. We have a motion from Ms Drever, then, to ask the LAO to prepare the issues document.

Any further questions or discussion? Mr. van Dijken, go ahead.



**Mr. van Dijken:** Thanks. One thing: we've had a lot of submissions from many, many different organizations. We started with, essentially, the advocate's office, and I think it might be appropriate – I don't know if it's been considered or if we need to make a special point of inviting the advocate's office; I see that they've sat through many of the presentations – to invite the advocate's office to come in response to the issues document. It might be helpful to get their perspective on things as we move forward.

**The Chair:** Okay. Thank you, Mr. van Dijken.  
Mr. Nixon.

**Mr. Nixon:** Yeah. I'd speak in favour of Mr. van Dijken's comments. I think there was a lot of information that was provided where, if members had known in advance, they maybe would have asked some different questions of the Child and Youth Advocate. There is also some stuff that has come up during discussions that I think it would be valuable to get that office's feedback on. I don't know what the process would be, Mr. Chair, to do that. Maybe Parliamentary Counsel could advise us on that.

**The Chair:** I believe the committee clerk might have some advice.

**Ms Rempel:** Thank you, Mr. Chair. Just a few clarifications as far as, you know, what would normally happen and, in fact, direction that the committee has already made. Representatives from both that office and Human Services will be invited and, essentially, expected to attend all future meetings of the committee during your deliberation stage to provide you with any technical support or expertise you may need. Because of another decision made at the beginning of the review, we do work with both offices when we are preparing these documents. They do have access to them as well, in much the same way that committee members do prior to the meeting. If it was the will of the committee to either request a written response or provide time on an agenda for an oral response, that could certainly be done.

**Mr. Nixon:** Mr. Chair, if I could.

**The Chair:** Yes.

**Mr. Nixon:** There may be just some ignorance of the process, so maybe this will help clarify for Mr. van Dijken and myself and maybe some other members. Are we saying, then, that Human Services and representatives from the Child and Youth Advocate's office will be here when we deliberate on the discussions to do with the act, similar to what we did with Ethics and Accountability, when Ms Littlewood chaired that? Would it be the same type of thing? So as we are deliberating, we could then ask Mr. Graff or whoever is representing the office questions on the pieces of the act that we're discussing?

**Ms Rempel:** Yes. If you needed any sort of clarification, you know, or their thoughts on perhaps something that you were thinking of proposing, they would be there and available to do that at the time.

**Mr. Nixon:** Well, with that said, Mr. Chair, I withdraw my support of Mr. van Dijken.

**The Chair:** Understood. Excellent.  
Any other thoughts, comments?

I guess the motion that we have on the floor at the moment is still the motion to request that research services draft an issues summary for the committee. Any other further thoughts or comments? Yes, Dr. Massolin.

**Dr. Massolin:** Thank you, Mr. Chair. Just to be absolutely crystal clear as to what the issues document is that research services will prepare, pending the appropriate resolution of the motion on the floor, it's just a summary of all the issues, proposals, recommendations that the committee has heard to date, so all of them organized in an appropriate way. Of course, the committee is free to use the document as it will and to deal with the issues and summaries and, you know, proposals as it will.

Thank you.

**The Chair:** Thank you, Dr. Massolin.

**Mr. Nixon:** Mr. Ellis has a question.

**The Chair:** Yes, Mr. Ellis.

**Mr. Ellis:** It's just that it had come up over the last couple of days regarding the Auditor General and, of course, his recommendation of a standing committee. I was wondering if, certainly, we have the opportunity – I don't know how the process works in regard to that – to ask him his thoughts. Again, I don't know if there's a way that we can do that.

**The Chair:** Okay. Yeah, the AG has made a submission to the committee, and certainly I believe that if it's the will of the committee, we could ask him to come in and provide further information and answer questions on the submission that he's made, much as we have with the panels over the last couple of days. But that would be separate from the motion that's currently on the floor.

**Mr. Nixon:** Okay. So let's deal with that motion.

**The Chair:** Okay. Why don't we deal with the motion that's currently on the floor, then? That's for the drafting of the issues document.

3:25

**Mr. Nixon:** Just a point of clarification, Mr. Chair. Sorry for bringing your attention to Mr. Ellis. It's just that I make a better door than a window, so I didn't know if you could see him.

**The Chair:** That's quite all right.

**Mr. Nixon:** If we deal with this motion, we could still, then, do another motion to bring in the Auditor General, right? This is not stopping us from doing that? Okay. Feel free to call the question then, Mr. Chair.

**The Chair:** Okay. Thank you, Mr. Nixon.

All those in favour of having research services draft the issues summary? Any opposed? On the phones? That motion is carried.

All right. I understand that there's interest in another motion.

**Mr. Nixon:** I would like to move that we ask the Auditor General to come and both have an opportunity to present his written submission in a verbal way if he would like but also give us the opportunity to ask some questions if he's willing. I don't know what the appropriate wording would be. I might look to the clerk for some help on that, but I would like to move that motion.

**The Chair:** Certainly. Okay. Thank you, Mr. Nixon.

I think that although we don't have the specific wording, everyone is clear on the intent. With that, we'll open the floor to any discussion or questions regarding the motion.

**Mr. Malkinson:** Just so I can get the full spirit of the motion, you would ask the Auditor General to either come in and present orally or do additional written submissions? Is that correct? Am I understanding the spirit?

**Mr. Nixon:** No. I think the intent of the motion is to invite the Auditor General to come and be with the committee. My point was that it would be optional if he chose that he wanted to present his written submission or make an oral submission but that he would be willing to come to committee to hear our questions and advise us on some of the thoughts that might have come from his written submission.

**The Chair:** Excellent. Thank you, Mr. Nixon.

Yeah, the intent of the motion, then, appears to be to have a personal dialogue with the Auditor General at the committee.

**Mr. Nixon:** That's the intent, Mr. Chair, yes.

**The Chair:** Excellent. Mr. Nixon, do you wish to indicate specifically the next meeting of the committee, or is it open to any future meeting of the committee?

**Mr. Nixon:** I would not want to stop the work of the committee, and not knowing the Auditor General's schedule, I recognize that we may need to meet in between. I don't know. I don't want to lock in that detail without being able to look at the schedule.

**The Chair:** All right.

**Ms Rempel:** You know, obviously, correct me if I'm not on base with this, but I believe that Mr. Nixon is moving that the Standing Committee on Legislative Offices invite the office of the Auditor General to make an oral presentation to the committee as part of the review of the Child and Youth Advocate Act.

**Mr. Nixon:** I am. It's like you read my mind.

**The Chair:** Excellent. We have good support.

Dr. Massolin, you had a comment?

**Dr. Massolin:** Thank you, Mr. Chair. I was thinking in terms of the timing. If the next step of the committee is to truly look at and deliberate, I suppose you could set aside this issue that the Auditor General has raised, but perhaps you might want to listen to what he has to say first, before you start your deliberations. Just a consideration.

Thank you.

**Mr. Nixon:** Mr. Chair, I agree, and I'm totally open to changing the wording of the motion. I think that should be the intent and that we let the clerk know in that communication but that we still provide enough flexibility to the chair given what may or may not come based on scheduling and stuff. I don't want to limit the chair's ability to move us forward. You know, maybe the Auditor General is going on vacation for a long period of time. I don't know what's going on. I think the intent is that we would like to speak to him before we proceed, but I would like to keep Mr. Shepherd's ability to make the best decision for the group.

**The Chair:** Thank you, Mr. Nixon.

**Mr. Horne:** Just a question of clarification, I suppose: are you intending that the Auditor General's oral presentation and any questions we have of him would then go into the issues document, or would that be a separate consideration?

**Mr. Nixon:** Well, I think what the Auditor General will have to say will have input or bearing, certainly for myself, on what decisions we'll make in regard to the act. Whether or not we need to hold up the issues document or just have the information you provide as separate, I'm totally open to your feedback on that. I don't see the issue of continuing with the issues document and bringing in the Auditor General. The reason I say that, Mr. Horne, is because I think we know what he's going to say because he's already presented his issues in writing. The reason that I would like to see him come: as a result of what he's presented, I think there is a tremendous number of questions that I would have before I could proceed with reviewing the act.

**The Chair:** Thank you, Mr. Nixon.

Yeah, I think we've got a number of issues that we're able to begin discussions on, you know, that don't relate specifically to the proposal put forward by the Auditor General. Certainly, I think he's a man who expresses and communicates quite well, and I think that probably his written submission stands quite well on its own without needing to be further summarized into the issues document. So I don't think it should impede our work on either of those fronts.

That being the case, we have a motion on the floor from Mr. Nixon that

the Standing Committee on Legislative Offices invite the office of the Auditor General to make an oral presentation to the committee as part of the review of the Child and Youth Advocate Act.

Any further questions or discussion?

Seeing and hearing none, I'll put the question to the committee. All those in favour of the motion? Okay. Any opposed? All right.

It appears we have agreement.

Excellent. Thank you.

Well, that brings us, then, to the opportunity to pick up a piece of business that we have remaining from our last meeting. At this point in the agenda we'll switch gears to consider the 2017-18 budget submission of the office of the Chief Electoral Officer. We'll invite him and his support to join us at the table. Of course, committee members will recall that a budget submission for the office was considered at our meeting on December 2, 2016. However, we had concerns that Bill 35, the Fair Elections Financing Act, which was before the Assembly at the time, would have some significant impact on the budget for this office, so we decided at the time that we would defer our decision on that matter until today.

If there are no specific questions at the beginning of our deliberations here, I'd like to invite Mr. Westwater to proceed with his presentation regarding the office of the Chief Electoral Officer 2017-18 budget as well as any additional information he wishes to add specific to Bill 35.

[The committee adjourned from 3:33 p.m. to 3:38 p.m.]

**The Chair:** We'll call the meeting back to order. We've got our technology sorted out. We have the presentation ready to go, so at this time, then, we'll invite Mr. Westwater to go ahead and make his presentation.

Just a note for members on the phone and others: the presentation is available on the committee website.

**Mr. Westwater:** Thank you and good afternoon, Mr. Chairman and members of the committee. My name is Drew Westwater. I'm the Deputy Chief Electoral Officer, and I have with me today Kevin Lee, our director of finance, to do our presentation for you.

It's our pleasure to be here today to present our revised budget estimates for the fiscal year 2017-18. Today we have a PowerPoint presentation for three budget areas: corporate services budget, elections budget, and the Fair Elections Financing Act budget. In

addition, we've provided to the committee in advance – and you should all have that before you – the consolidated 2017-18 budget estimates on pages 7, 8, and 9 for your consideration.

The corporate services program is the only area that remains constant over the four-year election cycle and which we can directly compare from year to year. Corporate services provides all our permanent staffing at Elections Alberta. We have 23 full-time positions responsible for general administration, operations, finance, information technology, geographic information systems, and the register of electors maintenance. For 2017-18 we're projecting an increase of \$14,000 to the corporate services budget. Under elections, with the exception of a general election year, we budget for three by-elections, whether one is to be held or not. If no elections are called, the funds are left unexpended.

Supplies and services is increasing by \$674,00 over last year's budget. Just for your information I can give you background on what those increases are. The increases in by-election costs are based on the actual costs expended in the 2016 Calgary-Greenway by-election. There is a \$105,000 increase in advertising. This line item has been previously underbudgeted as actual advertising costs per by-election are approximately \$65,000. Under rentals we have a \$28,000 increase for by-elections. The rentals include the cost of the returning office, office space, furniture, and polling places. There is a \$3,000 increase in telephone expenses for the by-elections. There is a \$10,000 increase in election officer payments in order to comply with the new minimum wage standards. Finally, there is an increase of \$8,000 in election materials and supplies. This amount varies depending on the inventory levels in our warehouse.

We will also be conducting a province-wide recruitment of 87 returning officers, which will cost approximately \$89,000. This amount is broken down as follows: \$29,000 for recruitment travel across the province, \$40,000 pertains to advertising the positions, and \$20,000 for HR recruitment services and returning officer fees once they've been hired.

Finally, the boundaries commission is currently under way and have had their first two public hearings this week, yesterday and today here in Edmonton. Once the boundaries commission is completed and all 87 returning officers are hired, they will be tasked with reviewing over 6,600 polling subdivision boundaries and redistributing 2.8 million electors within the new boundaries. This is estimated at approximately \$431,000 in contract services to accomplish that.

On to the next slide, the Fair Elections Financing Act: Key Changes. The legislation that has been passed contains several key changes that will impact our office. First is the regulation of nomination contests. We are estimating a 250 per cent increase in the volume of registrations and financial reviews for approximately 403 candidates plus a thousand contestants across the province for those positions for the next election.

Secondly, there is the introduction of spending limits for parties, candidates, nomination contests, and third parties. This will result in expanded financial reporting and review requirements of our office and our staff.

There has also been introduced an aggregate contribution limit of \$4,000, as you are aware. This will require an ability to data match contributions across all political entities and political events in the calendar year. As you know, a resident of Alberta or an elector can contribute to one party or all parties or any variation thereof on an ongoing basis.

The next item is the regulation of third parties between elections. As the definition of political advertising includes issue advertising, this will capture a broader reach of individuals, unions, advocacy

groups, and organizations, and the last item is quarterly reporting for those registered third parties.

To understand the actual budgetary impact of those main issues that I've identified, in order to accommodate the significant increase in volume of registrations and financial reporting, we are looking to implement an electronic reporting system and the hiring of four permanent staff. There will be costs for recruitment. We will deliver, obviously, several information sessions across the province, working with our stakeholder groups, including the parties, on an ongoing basis. We will contract with an audit firm to assist in developing the new reporting standards, guides, and define the system specifications in consultation with the political parties. We're going away, as a result of the changes in the implementation of this new legislation, from a simple two- or three-page financial reporting document to a more complex financial reporting mechanism that's going to require some input from accountants and from the parties and the systems that they currently use to regulate and monitor the campaign expenditures and contributions of candidates and contestants for leadership and what have you.

There will be a reprint of warehouse supplies, forms and guides, additional fees for legal counsel and investigations associated with the increased reporting from third parties, and capital funds for the development of a registration and financial reporting system. Although there are significant one-time costs in the first year, they are offset in subsequent years by the need to hire an additional four temporary staff during the peak election periods of the registration, nomination, and reporting process. Based on the legislation that's been tabled or passed now, we are estimating the cost in the year 2017-18 to be approximately \$1.2 million.

We thank you for your time and attention to our budget presentation, and we'd be pleased to answer any questions that you may have. Thank you, Mr. Chairman.

3:45

**The Chair:** Thank you, Mr. Westwater.

First up I have Mr. Nixon.

**Mr. Nixon:** Thanks, Mr. Chair. I have several questions. I'll just ask one and maybe follow up and then wait in the queue, but let me know when I can keep going.

First of all, to both of you, it's great to see you again. We spent lots of time together this summer in ethics and accountability, so it's always a pleasure. Through you, Mr. Chair, to our guests from Elections Alberta, please give my best to Mr. Resler.

On page 8 of your submission – I want to be real specific here for a minute – is the supplemental budget for the Fair Elections Financing Act, and the total amount for 2017-18, as you said, is \$1,203,000. There you go. That's real specific.

Now, at the September 8, 2016, meeting of the Select Special Ethics and Accountability Committee the MLA for Vermillion-Lloydminster, Dr. Starke, as well as the Member for Bonnyville-Cold Lake, Mr. Cyr, asked about the increased costs that your office would incur from the government's proposed changes to filing requirements. The CEO stated that Elections Alberta may need as many as five more full-time equivalents in that meeting. On page 8 of your current submission, under the line Total Manpower, your office anticipates \$345,000 for this year, followed by an approximate \$600,000 for the following two years if I'm reading this right. I'm wondering if you could explain what this extra manpower will be dedicated to. I'm also wondering what that staff will be doing. Lastly, exactly what changes made to the Election Finances and Contributions Disclosure Act reflect the increased need for staff?

Did you follow all those questions? I gave you lots at once, but the chair isn't going to let me do all of them one at a time, so I'm trying to work around it a little bit.

**Mr. Westwater:** Through you, Mr. Chairman, to the member, I'd be happy to answer those questions. The staffing that we've identified as a result of this that we would require in the first year: three full-time equivalents would be solely dedicated to the additional financial reporting that's going to be coming in as a result of the changes in legislation because of the sheer volume that will occur as a result of that.

In addition to that, we will have one full-time investigator who will be there to assist us when we're going through those financial statements, that are filed by, as you're aware, volunteers from the CAs and the parties, when there are discrepancies or issues associated with those filings to determine what those issues are, and to try and work with the parties and the candidates and the CAs to see if there are any issues there we can resolve without going to a full investigation. We require a full-time person for that, particularly for third parties because that's new in their world, that outside the election period they'll have to register for political advertising as opposed to election advertising. We anticipate a fair amount of volume related to that, that would require a full-time investigator on staff to deal with that.

Those are the four full-time staff that we've asked for associated with the legislation that's been enacted.

The next part of your question?

**Mr. Nixon:** I think you answered it.

I just have one small follow-up to them, Mr. Chair, and that is: will those full-time equivalents and the budget as a whole that you've provided cover all the data-match process issues that I, without a doubt, know you're either going through or about to go through in regard to the \$4,000 donation limit across the board?

**Mr. Westwater:** Through you, Mr. Chairman, to the member: well, hopefully, that will be alleviated somewhat once we complete our system development, where we're going to get an online reporting system mechanism – that's our long-term goal – with that to assist all our stakeholder groups, not just our office but the parties and the CAs when they're filing their statements, in a format that allows for more real-time or an easier way of submitting their financial reporting to reduce the workload that's in our office manually, to make it an automated process. With the development of the new forms and the mechanism of reporting to us on those financial statements, hopefully there'll be less need for manual time to review them and go through them afterwards.

This is an estimate based on what we anticipate the volume to be. Obviously, in subsequent budget submissions in the next year or so we'll know what the actual work volume is.

**Mr. Nixon:** I'll be happy to wait in the queue, Mr. Chair.

**The Chair:** Thank you, Mr. Nixon.

To Mr. Ellis, then.

**Mr. Ellis:** Thank you, sir. Gentlemen, thank you for being here. A question as per page 7, equipment and inventory purchases, \$490,000. Maybe you can just expand on that a little bit. I guess my question is: is this specific to the quarterly constituency reporting, or does it include more?

**Mr. Westwater:** Well, through you, Mr. Chairman, to the member, we already have quarterly reporting for CAs, as you are aware, and parties, but we've expanded it to now include third parties on a

quarterly basis on their political advertising. They will be required when in an election period to do weekly reporting of their spending on election advertising, which is basically real-time reporting of what their spending is. So that's the development of the system to accommodate all that, the new reporting requirements, the new rules and regulations and limits associated with that. It's going to take significant time and effort to adapt our existing system, legacy system, to accommodate all that. That's what that cost is for.

**Mr. Ellis:** Thank you.

One follow-up, sir, if you don't mind.

**The Chair:** Certainly, Mr. Ellis.

**Mr. Ellis:** As I look at the top of that same page and talk about the three full-time employees – you know, of course, the way you were explaining it to me sounds very complex. You guys are doing your best. You're doing your best estimates and stuff like that. In a situation where the investigator, your one investigator, may be having some issues, we'll say, keeping up with possible complaints coming in, would you hire somebody just on a contractual basis, or do you come back to us seeking another employee, for example?

**Mr. Westwater:** Through you, Mr. Chairman, to the member, we currently don't have a full-time investigator. We contract those services out to retired police officers and RCMP officers. So if the work overload for that one individual becomes such that we need additional services, we would contract it out, as we do currently. If it becomes a necessity for additional full-time staff, then obviously in future budgets we would identify that to you and make the request to you.

**Mr. Ellis:** Thank you.

Thank you, sir.

**The Chair:** Thank you.

Mr. Malkinson.

**Mr. Malkinson:** Thanks so much, Mr. Chair. Just as you mentioned right there, I think it's very much a good thing that you are now going to be having a full-time person on your staff who will be doing investigations should there be any irregularities from, you know, a submission being filed. I think, from my time substituting on the Ethics and Accountability Committee, that that came up a lot, and I think it was the desire of all parties to do that. I think that's, you know, money well spent in your budget.

I was also going to ask my question. I had a question about, you know, what exactly it meant, those equipment and inventory purchases, but Mr. Ellis got there before me. With that, I don't have any follow-up questions at the moment.

Thank you.

**The Chair:** Thank you, Mr. Malkinson.

**Mr. Nixon:** I've got a couple of questions, Mr. Chair, so just tell me to stop if you have somebody else on the speakers list. I want to just talk about IT real quick. When the CEO was here, particularly, actually, on September 19, there was quite a discussion in the committee about the need for IT infrastructure based on the changes that would be coming to the act. In the CEO's submission now we see there's \$28,000 for the next two years if I'm reading this right. My question, actually, is just pretty simple. Mr. Chair, through you to Mr. Westwater: does that reflect the expected cost that the CEO

was outlining in the conversations with the committee in September, or is that something different in the new cost because of the act on the IT infrastructure side or elsewhere within the budget?

**Mr. Westwater:** Through you, Mr. Chairman, to the member: you're talking about the costs we've identified there for technology services or materials and supplies?

**Mr. Nixon:** It's \$28,000.

**Mr. Westwater:** That's materials and supplies.

**Mr. Nixon:** Okay. Then I guess my follow-up question would be, because I'm reading it wrong, then: what is the number for the increase to IT infrastructure specifically because of the changes to the election finance act?

**Mr. Westwater:** Perhaps Mr. Lee can answer that one for you.

**Mr. Lee:** Sure. Thank you, Mr. Chair. The IT infrastructure that we're looking at building for the online filing and handling of this would be a capital expenditure, and that's what we are quoting under the equipment and inventory purchases. In the first year it's the \$490,000, and the \$250,000 and the \$100,000 would be the follow-up and maintenance as time goes on. The \$100,000 would be more to handle the things through the election period and stuff like that. Basically, the \$490,000 and the \$250,000 are to get it built, hopefully, in time for the next election, to have all the online filing done well before that.

3:55

**Mr. Nixon:** The \$490,000 and the \$250,000: through you, Mr. Chair, two simple questions. One is: are you anticipating that that will completely deal with the infrastructure requirements that you will need, you know, for the foreseeable future as a result of the changes to the act? That's question one. Two is: are you anticipating any more changes from the government in regard to the act that are going to require more infrastructure costs on the IT side?

**Mr. Westwater:** Through you, Mr. Chairman, to the member, those are the actual costs that we believe it will cost us to upgrade our existing legacy system for financial reporting with the legislation as it was passed this fall. Should that change in the future, we would come back for adjustment to the budgeted amount for next year and the future years. Certainly, it's enough for this current year to get the thing up and running for everyone within this calendar year so that they can have it running for the year-end financial filings. We have no knowledge of any anticipated government legislation coming forward that might impact this in the future.

**Mr. Nixon:** Thanks.

I've got another one, but if there's somebody else waiting, Mr. Chair . . .

**The Chair:** Any other members?

Seeing none, please proceed, Mr. Nixon.

**Mr. Nixon:** Through you, Mr. Chair, of course, to both of the people here from Elections Alberta, the way I'm reading it is that the increase because of the changes in Bill 35 is going to be about a million dollars a year, or at least that's what it looks like for this year. I was paying attention during your presentation where you were showing that there'll be some big upfront costs as a result of it. Then you think that some of the operational costs will make it a wash and that you can keep that number, you know, projected through several years within the system. As all of us know, of

course, in your cycle, the closer you get to the election, the more expensive operations become. Because of the nature of it, you can't budget based on one year at a time. In general do you feel that because of Bill 35 the main costs will be about a million dollars a year and that you'll be able to keep that across your full election cycle? Bill 35 is done. It's going to cost about a million dollars a year, \$1.2 million. Or are you anticipating more costs associated with the changes to the Election Act as we get closer to an actual election?

**Mr. Westwater:** Through you, Mr. Chairman, to the member: the changes to the finance act that we're talking about today . . .

**Mr. Nixon:** Yeah. Sorry.

**Mr. Westwater:** . . . that would impact on the election: clearly, we would get some staffing costs associated with the election as a result of this because of the increased reporting during the election period. There's weekly reporting from third parties during the election period. There's more urgency to find any issues relating to spending on election advertising and what have you during the election period that we'd have to staff up and ramp up for during the election period. They're unique to the election. Those would be additional costs during the election itself that are not in here because we don't have our election budget before you today.

**Mr. Nixon:** Right. Through you, Mr. Chair, I understand that. You're going to have to come with a different budget for the election year. I recognize that. What I'm asking is: in that additional budget, as we go through the four or five years of an election cycle, specific to the election finance portion of this that's changed, that's required an increase to your office to be able to accommodate that, will it stay at about a million dollars each year through that, associated specifically with the act? I understand that we'd have to bring on more people for the election. I'm with you on that. Through you, Mr. Chair, to Mr. Westwater: is that million-dollar number kind of the number that you think is going to be associated with the changes that we did in Bill 35?

**Mr. Westwater:** Yeah. Based on our projections in the budget documents before you, that's what we're projecting on an annual basis. That's correct.

**Mr. Nixon:** Anybody else, Mr. Chair? Can I go again?

**The Chair:** I do have Mr. Malkinson now.

**Mr. Nixon:** Okay.

**Mr. Malkinson:** Thank you very much, Mr. Chair. Through you, I was wondering if you had any ideas when you were producing this budget on how the costs with the electoral changes match up sort of with per capita spending in other equivalently sized provinces, if you had a chance to do that comparison at all when you were doing your budget, and whether we're doing more or less.

**Mr. Westwater:** Mr. Lee may have some comments related to that if I may, Mr. Chair.

**The Chair:** Certainly.

**Mr. Lee:** Yes. We had discussions with New Brunswick, who's just recently adopted legislation for nomination contestants as well. I also talked to British Columbia quite a bit. Two years ago British Columbia took on the local or municipal elections, so we talked to them about the costs of, you know, upgrading their system – what

they spent, how many people they had to hire to do it – and did some comparables that way. We talked to Manitoba because they have spending limits; Manitoba and Saskatchewan about their spending limits; and also Manitoba about the aggregating and how they go about doing it, how long it takes. It's a very manual process there.

I did have a lot of discussions with the different jurisdictions about what's involved in the work, how many people it takes, how to budget, that kind of stuff.

**Mr. Malkinson:** May I follow up, Mr. Chair?

**The Chair:** Absolutely, Mr. Malkinson.

**Mr. Malkinson:** Thank you very much for that answer. I mean, it's good to hear that you're working with your colleagues from other provinces.

You know, I don't have a full crossjurisdictional either, but I did have the library quickly pull a couple of numbers based on British Columbia, Saskatchewan, and Alberta, and on a per capita basis the thing that came up is that we're spending about \$1.80 per elector, and in Canada the average is \$3.50. Looking through that data, I think we're doing pretty good, actually, as far as getting a lot of democracy for our dollar. I remember from the special ethics committee that transparency costs money, so I think that the budget that you have here seems to be money well spent.

Going into that, I was wondering. When you were here in November, you had a budget based on what you thought was going to happen in the legislation. As far as I can tell, it seems like this budget has the same overall number that you thought may happen, when this was before the Legislature, as the budget we have now. Am I correct?

**Mr. Lee:** It's pretty close. The first six pages of the document are what you received back in November for our initial budget presentation. When we presented, Mr. Resler gave an indication of what we thought at that time would be the cost. Since that time, in doing an RFP to contract for a firm to help us with the forms and guides and audit procedures and the consultations, the costs that we had projected were a little higher than what the bids were coming in at, so we've adjusted this to account for it. We're actually about a hundred and some thousand dollars less than what we had thought at that time.

**Mr. Malkinson:** Perfect. Thank you for that clarification.

**The Chair:** Mr. Nixon.

**Mr. Nixon:** Thank you, Mr. Chair. I'd just like to really quickly go back to my last question, through you, to Mr. Westwater and Mr. Lee. I think that I didn't quite get, after I thought about that, the answer that I wanted, and that's entirely my fault. That means that I wasn't asking the question right. I just want to try to rephrase it.

What I'm hearing, Mr. Chair, is that the department is expecting a roughly \$1 million increase as a result of the changes to legislation over the year, but during a writ drop, during an election period – Elections Alberta would need more money, obviously, to run an election, and I understand that – there will actually be increases above what you would normally have paid in previous election periods to operate an election; i.e., the next election will be more expensive or will cost your department more money to run as a result of the act changes. What I'm after is: do you have an idea of what that number is going to be in addition to the million-dollar increase that we're going to see in a year and in addition to the capital increases that we've seen, well over a million dollars, as a result of the computer systems needed?

I don't know, Mr. Chair, through you, if I'm making sense with the question. Mr. Westwater, I'm sure, will tell me, though. I've never known him to be shy.

**Mr. Westwater:** Through you, Mr. Chairman, to the member, thank you again for the question. I'm sorry if I didn't clarify that in my first answer. During the election we'll ramp up, primarily with staffing resources, to support the increased reporting, so we'd have technical support for those trying to work with the financial system and having troubles and difficulties with it. We'll also have some temporary staff onboard to deal with the volume of the reporting and the number of questions that we get through our call centre. I estimate that we'd probably bring in maybe four temporary staff during the election in addition to what we've asked for, and the cost for them during the election period and the lead-up to it is approximately for probably 10 months of the 12-month cycle.

**Mr. Nixon:** That answers my question, Mr. Chair. I've got another one, but I don't know if there's somebody else waiting.

**The Chair:** I currently have no other speakers on the list. Please go ahead.

4:05

**Mr. Nixon:** Mr. Chair, if I could, I'd like to actually just change completely from the financial side of it to education, and it applies to the budget. I think you'll see why in a moment.

My concern is what's currently happening, right now. There are some pretty big changes to the act for constituency associations and for parties as a whole. There will be for nomination candidates as those start in the near future and for third parties, which was one of the biggest things that has changed, certainly for your side of it and certainly for the third parties, who haven't participated in this process the way that we have or that our political parties have to date.

Are you getting enough resources within this budget, and is there a plan in place to handle the immediate educational requirements? Also, once we start to have well over 400 and some candidates or more, once the nomination process has started and leading into a general election, we're still dealing with people who are largely volunteers. Most of them will not be successful enough to come to be a member of the Legislature like us here. I think that it's very important – and I think this committee would agree – that we're making sure you have the resources to educate these people so that they can do their roles right and that we're not making democracy tough for people to participate in.

**Mr. Westwater:** Through you, Mr. Chairman, to the member, thank you for the question. Clearly, we do on an ongoing basis. We have outreach to the parties. We offer and provide workshops on an ongoing basis for quarterly reporting, at their annual general meetings, or on any invitations we get from them to attend any of these sessions they have with their CAs or their financial officers. We do that on a regular basis now. Certainly, that invitation will be extended throughout the period leading up to the election this time and throughout the election period again. I anticipate there will be better attendance at the sessions in the future, and we receive more requests than we've had in the past, obviously.

Our goal is to reach out to all our stakeholders to educate and inform them about the process and to help them with it. That's why we're designing the systems in tandem with representatives of each of the parties to find out how their systems operate currently and about the system we're building and how they can integrate to get the financial reporting and the format, something that we can all work with and live with in the future, including third parties.

In addition to that are the education and workshops we put on for parties and CAs. We're available, upon request, to come out and talk to anybody at any time to educate and inform them about that. We've anticipated that the volume will increase leading up to the next election, and our budget, we believe, covers that for the time being.

**Mr. Nixon:** Just a real quick follow-up on that, Mr. Chair, if I may. As we head towards the election, it sounds like you have a pretty good plan or process in place with regard to those of us that will participate in this process daily and, you know, for years. As we anticipate having a pile of candidates who will participate in the nomination process, which will be the largest number, and then still a very significant number that will participate in the general election, have you guys put any thought into whether you need to beef up packages, how we're going to communicate with those candidates? I mean, I think we want to make sure that there's transparency in the process and that everybody is following the rules, but we also don't want to set people up for failure. We truly want people to participate in this process.

You know, I'm concerned about the rules. I remember the first time that I ran. It's a pretty intimidating process, and the rules were not nearly to this level. We've got this exempt, that not exempt. If you read certain parts of the act, you don't quite know when a nomination will be declared, or there's certainly a lot of room for interpretation. Are you guys starting to look at a way that you will start to help interpret the process for these people and be able to communicate it to them?

**Mr. Westwater:** Thank you, Mr. Chairman, through you to the member again. Clearly, the game plan for us is to work with our stakeholder groups, which are the parties and the CAs currently, to develop the forms and the guidelines and the guides that will be necessary for the next election, to understand what the rules are for financial reporting, to keep track of contributions and expenditures and all that and how they can do it, and to educate and inform them on how to access the systems to do so.

We're going to work in partnership with the parties. This is the first time that we've been engaged in the actual nomination process at the party level, so we're going to work in partnership with the parties and their executives to find out how we can integrate with you to get that information to your candidates when they wish to stand for nomination, to your members who wish to run and stand for nomination as your elected representative. We would hope that in partnership with the parties we would give you the information and build the tools you'd need to inform them of what the rules are and what the regulations are so that you can disseminate to them when you find out who they are and who wishes to participate in the nomination process in each of your 87 ridings and electoral divisions and get that information to them. We would certainly be willing participants to do that for you or work with the parties in whatever works for each party based on their structure and their organization.

**Mr. Nixon:** For my last one – and I look forward to discussing the motion on the budget – I just wanted to clarify, through you, Mr. Chair, to Mr. Westwater. When Mr. Westwater was presenting, I heard something about a 250 per cent increase because of the nomination process. I didn't quite follow it, so I just wonder if you could elaborate a little bit on that number.

**Mr. Westwater:** Certainly, through you, Mr. Chairman. Our slide indicated that we anticipate we will have approximately, if I can just go back to my slide, a thousand contestants across the province. We'll end up with 403 candidates, probably, across the province, but we'll have a thousand contestants for those 403 positions across

the province that we'll have to deal with and file financial statements for and work with during that short period of time leading up to the election.

Clearly, we have no control over when the parties hold their nomination contests. They could be holding them now. They could wait till the election is called. We'll have to adjust our work schedule and timelines, working with you to get the information out to the candidates when you hold your nomination contests. That's what we're working on developing now, a process and a communication system with the parties to advise and so that we're aware when you're holding the nomination contests and where they're being held so that we can get the information to the candidates and the contestants well in advance of that and so they know what the rules are.

**Mr. Nixon:** Thank you, Mr. Chair, and again, through you, to both our guests, thank you for your time and patience in answering my questions. I look forward to the discussion on the motion.

**The Chair:** Excellent. If there are no other questions, then, or comments from members?

Hearing none, I'd like to say thank you, then, to Mr. Westwater and Mr. Lee for attending today. I appreciate your patience in coming back and presenting to us again. The committee's written decision will be forwarded in the next few days.

**Mr. Westwater:** Thank you, Mr. Chairman and members. Have a good afternoon.

**The Chair:** All right, then. Do we have a member that would like to move a motion, then, in regard to the budget that we've had presented? Mr. Malkinson.

**Mr. Malkinson:** Thank you very much, Mr. Chair. You know, having heard the questions that we had of the Chief Electoral Officer and his representatives and having gone through what we did in the Legislative Assembly, I think there's been a desire from all parties that we wanted to take big money out of politics. We have a new piece of legislation that does this, and the increase in budget the Chief Electoral Officer is asking for I think allows him to do that. As I noted earlier, at \$1.80 per person here in Alberta I think the cost is quite reasonable, and this new law brings Alberta in line with other jurisdictions. The spending limits, you know, are going to ensure that ideas, not big banks, determine the next election outcome.

As a result, I would like to propose a motion that the Standing Committee on Legislative Offices approve the 2017-18 budget estimates for the office of the Chief Electoral Officer in the amount of I believe it was \$6,356,000 as submitted. Make sure I'm getting that number correct for the estimated amount.

**The Chair:** I believe the total for what was presented today was \$7,436,000.

**Mr. Malkinson:** Okay. In that amount as presented.

**The Chair:** Thank you, Mr. Malkinson.

Any questions or discussion on the motion? Mr. Nixon.

**Mr. Nixon:** Yes. Thank you, Mr. Chair. To the motion, of course, first of all, just in regard to what the last member said, I want to assure him that the constituency volunteers all across our province, that work so hard all day, are not what he determines are big bankers though I'm sure some of them do work at a bank. I think that's an unfortunate description of the people that make our democracy work.

4:15

Moving on, we have a situation here where, you know, I've been very outspoken, as you know, Mr. Chair, about the concerns about the government's direction on Bill 35, particularly in areas where they were adding legislation that was going to make it harder for the volunteers that I spoke about. We've debated that in great detail, and I just want to say again that, clearly, based on the answers from the guest here from the Chief Electoral Officer's office, you know, that's come true.

We see a situation where we're going to see millions of taxpayers' dollars used that did not have to be used in some cases. The main goal of all parties was to get big money out of politics, and we can see from, again, the answers that we received today, the increased costs that we're seeing have nothing to do with the decrease in donation limits. They have to do with the problems with the reporting periods, adding nominations, and those types of things that we're just beginning to see the nightmares of.

Now, the reason I'm bringing this up, Mr. Chair, is because we're now being called upon to vote for this increase to the budget. The presentation was very reasonable. Actually, I think I have to salute the Chief Electoral Officer and his team for being able to limit the costs as much as they have been able to, given the drastic increases that we've been bringing forward. The reality is that I and all of us represent constituents that are losing their jobs, losing homes, and are struggling across this province, and we are now about to have to vote to spend more of their money on something that essentially has no value for the components that cost more money.

I want to stress that the reduction of the donation limits does have value, and it's something that I support very, very much. But, again, the presentation is very, very clear that the extra costs are not coming from that. It's coming from, you know, what I see as the attempt of the government and the governing members who have participated in this process to cause other political parties trouble, and that's a shame.

Now, the reason that I am going into this detail, Mr. Chair, at this hour is because I want to explain the decision that I'm about to make because I have to explain it to my constituents. I have to now be in a position where I have to cast a vote to cost them money. The reality is that the Chief Electoral Officer is now being forced to go do a whole bunch of stuff that he did not want to do in the first place and now has to do, and I can't see that I would want his department not to have the resources that they need to be able to protect and operate our democracy. So I reluctantly will cast a vote in favour of the budget because I want the Chief Electoral Officer to be able to do his work, but I do want the record to show that that is the only reason why and that in no way does it support the unfortunate decisions that have been made by the government over the last little while in regard to Bill 35. I am confident that my constituents and constituents across Alberta will articulate that to this government in 2019.

**The Chair:** Thank you, Mr. Nixon.

Do any other members have a comment? Mr. Ellis.

**Mr. Ellis:** Thank you, Chair. I'd like to as well echo the concerns of Mr. Nixon. I see layers of red tape. I see the costs increasing, and I see a lot of stress being put on volunteers, which is what I'm really noticing. I would like also to just take a moment to commend the Chief Electoral Officer and his team in doing their best, you know, given the legislation that was put in for them. I believe that they, certainly, have done what they could to reduce the costs.

I along with my colleague Mr. Nixon will vote in favour although reluctantly. I do believe that necessary resources need to be in place so that the Chief Electoral Officer can do his job.

Thank you, sir.

**The Chair:** Thank you, Mr. Ellis.

Do any other members have comments, questions before we vote on the motion?

All right, then. If the committee clerk perhaps would read the motion that we're voting on.

**Ms Rempel:** Thank you, Mr. Chair. Mr. Malkinson has moved that the Standing Committee on Legislative Offices approve the 2017-18 budget estimates for the office of the Chief Electoral Officer in the amount of \$7,436,000, as submitted.

**The Chair:** Thank you.

If there are no further comments, then, I'll call the question. All members in favour of the motion? On the phones? Thank you. Any opposed? Hearing none, that motion is carried.

As the last thing, then, we come to other business. We have one item here, the update on the RFQ for the auditor of the office of the Auditor General. Now, before we adjourn, just to give everyone a quick update on the progress of that RFQ to find an auditor for the office of the Auditor General, the RFQ for the contract is currently posted on the Alberta purchasing connection, with a final submission date of February 1 of this year. If we proceed as planned, we'll be meeting around this time to continue our work of reviewing the Child and Youth Advocate Act. We'll be having some discussions, I guess, or looking at when the next meeting might be. At any rate, once we have a better idea of the number of responses that come in for the RFQ, we can make a decision as a committee on the best way to organize the selection process. Does anyone have any questions regarding how that's proceeding at this point?

Seeing none, the next meeting date will be at the call of the chair. We'll be in touch with members on that point.

Do we have a member that would like to make a motion to adjourn? Ms Woollard. All those in favour? Any opposed?

Thank you, members, for your good work. Enjoy the rest of your week.

[The committee adjourned at 4:21 p.m.]









