



Legislative Assembly of Alberta

The 30th Legislature
Fourth Session

Standing Committee
on
Legislative Offices

Monday, January 16, 2023
1 p.m.

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Standing Committee on Legislative Offices

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Terri Pelton	Child and Youth Advocate
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Monday, January 16, 2023

[Mr. Smith in the chair]

The Chair: Good afternoon, everyone. It's 1 o'clock. I'd like to welcome members and staff and guests to this meeting of the Standing Committee on Legislative Offices.

My name is Mark Smith, and I'm the MLA for Drayton Valley-Devon and the chair of this committee. I'd ask that the members and those joining the committee at the table introduce themselves for the record, and then we will hear from those joining us remotely. We'll start to my right.

Mr. van Dijken: Good afternoon. Glenn van Dijken, the MLA for Athabasca-Barrhead-Westlock, deputy chair.

Mr. Orr: Ron Orr, MLA for Lacombe-Ponoka.

Mr. Shepherd: David Shepherd, MLA, Edmonton-City Centre.

Mr. Dach: Afternoon. Lorne Dach, MLA for Edmonton-McClung.

Ms Pancholi: Good afternoon. Rakhi Pancholi, Edmonton-Whitemud.

Ms Cherkewich: Good afternoon. Teri Cherkewich, Law Clerk.

Ms Robert: Good afternoon. Nancy Robert, clerk of *Journals* and committees.

Ms Rempel: Good afternoon. Jody Rempel, committee clerk.

The Chair: Okay. We'll go to those that are online. Let's start with Mr. Loyola.

Member Loyola: Rod Loyola, MLA for Edmonton-Ellerslie.

Mr. Hunter: Grant Hunter, MLA for Taber-Warner.

The Chair: Mr. Panda.

Mr. Panda: Good afternoon. Prasad Panda, MLA, Calgary-Edgemont.

The Chair: Ms Lovely? She's disconnected.

Is Mr. Toor online? Okay. Thank you.

For the record I would note that the following substitutions have been made. Ms Lovely is substituting for Mr. Rehn, and Ms Pancholi is substituting for the hon. Mr. Ceci.

Now, there are a few housekeeping items to address before we turn to the business at hand. Please note that the microphones are operated by *Hansard*, so members do not need to turn them off and on. Committee proceedings are being live streamed on the Internet and broadcast on Alberta Assembly TV. Members participating remotely should ensure they are prepared to speak or vote when called upon, and videoconference participants are encouraged to have their cameras on, if possible, when speaking. Please set your cellphones and other devices to silent for the duration of the meeting.

Ms Lovely, would you like to introduce yourself?

Ms Lovely: Yes. Jackie Lovely, Camrose constituency.

The Chair: Thank you very much.

All should have received a draft agenda; it has been distributed. Does anyone have any issues to raise or changes to propose to the agenda?

If not, could I get a motion to approve today's meeting agenda? Mr. van Dijken moves that the Standing Committee on Legislative Offices approve the draft agenda for today's meeting as distributed. All in favour in the room? All in favour online? All opposed in the room? All opposed online? That motion is carried.

We're now on to item 3, adoption of the meeting minutes. Are there any errors or omissions to note?

If not, would a member move approval of the minutes as distributed? You all should have received them.

Ms Lovely: So moved.

The Chair: Ms Lovely. Moved by Ms Lovely that the minutes of the December 2, 2022, meeting of the Standing Committee on Legislative Offices be approved as distributed. All in favour in the room? All in favour online? Any opposed in the room? Any opposed online? This motion is carried.

We're now on to number 4, review of the office of the Child and Youth Advocate annual report 2021-22. The first step we have here is to review the mandate of this committee under Government Motion 18. Moving on to our main item of business, we have the review of the office of the Child and Youth Advocate annual report 2021-22. Our mandate for the review of this report is outlined in Government Motion 18, which was agreed to by the Assembly on December 14, 2022, and requires us to report back to the Assembly within 90 days of the referral. This committee has been tasked with this annual responsibility for several years now. Does anyone have any questions about the mandate? Online?

Hearing no questions, we're now ready for the presentation of the office of the Child and Youth Advocate. Ms Terri Pelton has joined us today – if we could have her come forward – and is prepared to provide us with a briefing of about 20 to 30 minutes on her annual report. Once her presentation is complete, I will open the floor to questions from the committee members.

Ms Pelton, when you are ready to begin, the floor is yours.

Ms Pelton: Thank you. Good afternoon, Chairperson Smith and committee members. Thank you for taking the time to meet with me today. As we begin, I would like to respectfully acknowledge that we are on Treaty 6 territory and that the work of my office extends throughout the province on the traditional territory of the many Indigenous peoples of Treaty 6, 7, and 8, the Métis settlements, and the Métis Nation of Alberta.

When we last appeared before this committee, on December 2, we presented our annual report, business plan, and budget estimates. We were pleased to learn that our 2023-2024 budget estimates have been approved. I'd like to thank you for ensuring that we have the required resources to continue to effectively advocate for young people.

Today I will share a bit about our office and some statistics from our work over the past year, deliver an update on our strategic priorities and critical issues facing young people, provide an overview of our recommendations, outline steps we are taking to enhance our public reporting, and discuss what could be done to create greater accountability for our recommendations.

Our role is to represent the rights, interests, and viewpoints of young people. We work directly with young people to help them exercise their rights and have a say in decisions that affect them. We also promote and raise awareness about children's rights through community education and systemic advocacy, investigate the serious injuries and deaths of young people as outlined by our legislation, and make recommendations to government about issues that affect the lives of children and youth. Our mission is to stand up for young people, and everything we do connects back to this

core focus. As we carry out our work, we do so with the goal of fulfilling our vision, that young people in Alberta succeed in their lives and in their communities.

This was another challenging year for the children and youth we serve. The ongoing pandemic and resulting public health measures amplified many of the issues and concerns they faced. During a time when change and uncertainty often felt like the new norm, I'm proud of how strongly we stood up for young people. We completed over 3,700 intakes. Over 2,400 young people worked with an advocate, and over 3,000 worked with a lawyer. In total we worked with almost 5,500 children and youth through our front-line services, of whom 58 per cent were Indigenous. We also released public reviews into the circumstances of 33 young people and made eight new recommendations to government.

Our 2022-2025 strategic plan outlines three priorities that help guide our work. While each is distinct, the work to achieve them is integrated throughout our office. They are aligned with our mission and values and reflected within our staff performance plans to ensure we are working collectively to advance them.

Our first strategic priority is that we are guided by both individual and collective rights. We believe it's important that young people know what rights they have, both as individuals and as members of larger groups that they may belong to such as the rights specific to Indigenous peoples. We've worked hard to expand our understanding of how these rights can be used together to have a positive impact. By engaging with communities and other groups, we're learning how collective rights can support a young person in their community while at the same time ensuring their individual rights are honoured and respected.

Over the past year steps we took to move this strategic priority forward included honouring the National Day for Truth and Reconciliation; hosting the best practices in legal representation online forum, which helped lawyers better understand and act respecting First Nations, Inuit, and Métis children, youth, and families and their role in representing young people in legal matters; and facilitating a discussion session at our youth advocacy forum that explored individual and collective rights.

Our second strategic priority is that we are a model of youth participation. Young people have a right to participate when decisions are made that affect them. They tell us that when they're involved in these decisions and processes, whether they get what they were hoping for or not, the decision and outcome is better for them. We need to be authentic and be a model of how we expect others to have children and youth involved and participate, so we involve them in the work of our office as much as possible.

1:10

This past year action on this priority included piloting a youth engagement co-ordinator position to connect with and support young people interested in getting involved with our office, building the capacity and profile of our Youth Council, gathering youth feedback about our work, and employing two youth engagement interns with lived experience, who worked on a number of projects.

Our third strategic priority is that we are meaningfully involved with communities. The communities young people come from and belong to play a vital role in their lives. Through building meaningful relationships with these communities, we can advocate more effectively and enhance the capacity of others to do the same.

Over the past year this work included 49 community and engagement activities, which included presentations, booths, and events; collaborating with over 40 organizations across the province to organize and plan National Child Day activities; and hosting OCYA office visits for postsecondary students to help

ensure students entering the human services field are aware of the role of our office and the importance of children's rights.

While some of our engagement activities were reduced due to public health measures, we worked hard to stay connected and maintain relationships throughout the pandemic. Since April we've had more opportunities to connect in person and are looking forward to continuing to renew and grow our community involvement.

Over the past year we continued to examine critical issues affecting young people. These included but weren't limited to the impact of the pandemic, youth housing and homelessness, and youth opioid and substance use. We collaborated with the University of Calgary on a research study focused on learning more about the experiences of children and youth during the pandemic. Young people involved with our office as well as our front-line staff were invited to participate in the project. Early findings of the research highlight that strong relationships were important to support young people through the challenges of the pandemic. We've presented on this research at several conferences and remain involved in the second phase of this project, which is looking at what is needed to help children and youth.

The issue of youth housing and homelessness was a topic of conversation at our youth advocacy forum in March 2022. The virtual event brought youth from across the province together to discuss issues that are important to them. I was alarmed to hear that many young people don't have a safe and stable place to call home, and it's critical that child-serving ministries address this issue.

I also remain deeply concerned about the number of young people passing away from opioid poisoning. In June 2021 we released *Renewed Focus*, a follow-up report on youths' opioid use in Alberta, which called for the development of a youth-specific opioid and substance use strategy. I'm pleased that the Ministry of Mental Health and Addiction has acknowledged and is taking action to address the impact of the opioid crisis on young people. In November the government announced additional funding for the virtual opioid dependency program, which hopefully is a positive step forward to help young people access the services and supports they need.

However, there's still more work to be done. I'm very sad to share that the latest statistics reported by Alberta Health show that between January 1, 2019, and August 31, 2022, 393 young people under the age of 24 passed away in Alberta due to opioid poisoning. The number of young lives that continue to be lost highlights the urgent need for a full spectrum of youth-focused services and supports, and I'm hopeful that the government will fully action our recommendation on this issue.

Many issues affecting young people are reflected in the themes we see through both our advocacy and investigations work. These include the importance of providing young people with a place to live where they receive the care and support they need; maintaining connections with significant people in their lives, with their culture, and with their communities; involving them when decisions are made about them; appropriately supporting their transition to young adulthood; and ensuring they have timely and effective access to services and supports for substance use, mental health concerns, and complex needs. The fact that these issues are prevalent both for young people who work with our advocates and those who have been seriously injured or have passed away underscores the critical need for our recommendations to be implemented. We must address the issues that are persistent among children and youth receiving services to ensure they have the brightest possible futures.

Recommendations are made through investigative review reports after a young person is seriously injured or passes away or through special reports focused on a systemic issue. We explore young people's experiences with government systems, identify whether

services and supports met their needs, and identify any systemic issues impacting them. Our recommendations are developed to be specific enough that progress can be evaluated yet not so prescriptive as to direct the practice of public bodies. We're pleased when our recommendations are accepted and implemented as they are intended to improve the experiences for young people in child-serving systems.

Based on information provided by the ministry or public body, we determine whether recommendations are meeting the intended outcome or whether further action is required. We typically evaluate recommendations for three years, at which time they're closed. Recommendations are closed at the status they were last evaluated, which is usually categorized as some or significant progress. When public bodies indicate no further updates will be provided, the recommendation must be closed. Since 2012 we've made 139 recommendations. Of those, 87 have been met, 18 are in progress, 30 are closed, and four have not been met.

I'd like to share examples of four recommendations: one met, one in progress, one closed with significant progress, and one unmet. In March 2016 we recommended that the government develop a provincially funded suicide prevention strategy. Three years later, in March 2019, this recommendation was evaluated as met following the release of *Building Strength, Inspiring Hope: A Provincial Action Plan for Youth Suicide Prevention*. A lot of positive work went into actioning this recommendation. For example, funding was provided to communities for services and supports through a youth suicide prevention grant program, and education and awareness work included the development of two graphic novels about youth suicide prevention for First Nations and Métis young people. This was a positive response to address an issue that's an ongoing concern, and I'm pleased with the work that was done.

Another recommendation we made, which is in progress, also relates to the youth suicide prevention strategy. In March 2021 we recommended that the government host a forum or other event to engage with stakeholders about actions taken over the first two years of the province's youth suicide prevention plan. In response, Children's Services and Alberta Health indicated that they're working together to update the plan, have publicly launched the youth suicide prevention grant program, and are providing training to family resource network staff across the province. While this isn't what the recommendation called for, we're waiting for the updated plan to determine if it meets the outcomes we were hoping to see from the forum.

An example of a recommendation that was closed after three years comes from March 2016, when we recommended that the government improve provincial services and systems to support community-led strategies aimed at addressing Indigenous youth suicide. We saw promising progress on this recommendation. In addition to developing the provincial youth suicide prevention plan, the government developed the honouring life program, which supports First Nations and Métis communities in suicide prevention by building capacity and mental health resiliency and healthy lifestyle promotion. Thirty-three communities applied for this program; however, at the time of our final evaluation only 15 communities had received funds. Funding was committed for the remaining 18 communities, so while significant progress was made, the recommendation has not been fully met after three years.

Our final example is an unmet recommendation that comes from March 2019, when we recommended that the government should provide financial and organizational supports to front-line staff to have timely access to a variety of subject matter experts as needed. We also noted that this resource should be regionally tailored to reflect a young person's community. The ministry's response

focused on policy and practice that was already in place and accessing 211. Although 211 is a good general tool, it will not give case-specific advice to help caseworkers address the needs of children and youth and meets neither the intent nor the goal of this recommendation. The ministry indicated that they would no longer be providing updates, resulting in this recommendation closed as not met even though the three-year time frame had not passed.

1:20

Our legislation requires that a ministry must publicly respond within 75 days of receipt of a recommendation related to a mandatory investigation. This is currently the only requirement for government-related recommendations made by my office. I believe this needs to change. I'd like ministries to complete an annual in-depth review of the actions they've taken to address our recommendations and present this information at a public forum. This could occur as part of the Legislative Assembly's review of our annual report, with representatives from child-serving ministries and public bodies joining us to engage in a discussion about the status of recommendations.

As I mentioned previously, we've made about 140 recommendations since 2012. As this number has continued to grow, we recognize the need to present their progress in an accessible and transparent format. We're currently finalizing a new evaluation framework that will refine what we expect from ministries and the process for evaluating information provided to us on how they're implementing the recommendation. This tool will also describe our public reporting and progress made. Along with this framework we're developing a new electronic tracking system to support this refined approach. The new database will simplify how we evaluate recommendations and actions taken and offer a user-friendly interface so that anyone can easily search our recommendations and see progress made. These new tools are important to increase transparency and strengthen our public reporting; however, we also believe action must be taken to increase government accountability in responding to and actioning our recommendations.

I'd like to provide an example to highlight why more accountability is critically important. In September 2020 we recommended that the Ministry of Children's Services re-evaluate and revise practice guidelines related to file transfers to ensure young people and their families continue to receive the services and supports they need when they move from one jurisdiction to another. In response, the ministry indicated they believed that the policies and practices that were already in place met the intention of this recommendation; however, the challenges with file transfers that this recommendation aimed to address continue to occur, which is leading to gaps in service delivery and has an adverse effect on young people and their families.

I know that child-serving ministries are deeply committed to supporting young people. However, when there are different perspectives about the status of a recommendation or the best path forward, we need to come together and engage in a thoughtful public dialogue. This increased transparency and accountability would ultimately strengthen our collective efforts to create meaningful change in the lives of children, youth, and families.

As we move forward, we will continue our advocacy work on the significant issues facing many young people in child intervention and youth justice systems. This year we've been analyzing the trends and themes we've observed over the past decade of completing investigative reviews. I anticipate this information will be released in a summary report within the next month or so. We're also in the initial phase of our work on a special report about the issues affecting young people with disabilities in the child welfare

and youth justice systems. I expect that this report will be released in December 2023.

Finally, planning is under way to develop a ceremonial room in our office where we'll be able to gather and learn from Indigenous elders, knowledge keepers, and community members. I believe that this will be of critical importance as we deepen our commitment to reconciliation. These are just a few of the highlights, and I'm optimistic about our path forward.

The mission of my office is to stand up for young people, and child-serving ministries are critical partners in this work. I'm dedicated to continuing to build strong relationships to help us move forward collaboratively while ensuring the rights, interests, and viewpoints of young people remain the core focus of everything we do.

Thank you for taking the time to meet with me today. I'm happy to answer any questions.

The Chair: Thank you, Ms Pelton.

We're now at that portion of our meeting where we are able to ask some questions of Ms Pelton. Is there anybody that has a question? Ms Pancholi.

Ms Pancholi: Thank you, Mr. Chair. I'd like to begin by thanking you, Ms Pelton, as well as the staff from the office of the Child and Youth Advocate, both for coming here today to present your annual report for our discussion and debate but also for the incredibly important work that you do. I know that you centre children and youth in everything that you do. For myself it was a great honour to meet with the Youth Council and get to hear from them directly, and I know that those are your guiding principles and the work that you do is representing and amplifying the voices of those young people. It is critically important, and I want to thank you for that work.

I have a number of questions, and I'm sure I'll look to the chair to say – I'm sure we're going to be doing some back and forth in terms of questions, so I won't try to get through them all right now.

The Chair: You'll have the time to ask your questions.

Ms Pancholi: I'm sure. Wonderful.

I'd like to begin. I actually really thank you for your presentation and how you went through the recommendations and gave examples of recommendations that were met, that were in progress, closed, and unmet. My questions relate to page 29 of your annual report, which goes through some of the recommendations that were closed during the 2021 fiscal year which is under consideration. You mentioned on page 29 that nine – so there were 24 recommendations that were evaluated during this year. Nine recommendations were closed, and six were closed as Children's Services considered them completed, and they would no longer be providing updates. However, your office does not consider them to be met. You don't need to, I guess, list them all out here, but I'm wondering if you could give – maybe table at another time for this committee or maybe give a brief overview of the recommendations that you closed under this category that Children's Services said were met but your office did not believe they were.

Ms Pelton: I will have to get a written response to that. I have the four that were not met over time, but I don't have the other two, and I'm not sure which two they were.

Ms Pancholi: Thank you. I appreciate that. So the four that were not met: would you perhaps go through those?

Ms Pelton: Sure. One was from a report, a young man named Lucas. Lucas was released – well, he was one of the mandatory reviews in June of 2020. The recommendation was for child intervention to increase the availability of a whole-family residential treatment program within the province for young people and their families. This young man and his family had attended a residential treatment program for their whole family out of province, and it was a very good experience for them. When the investigators talked with his family and with the caseworkers and we did some research, we really felt strongly that it would be helpful to have a resource similar to that within the province of Alberta, and Children's Services responded that they will not accept this recommendation. Their public response said that their preferred approach is to work with families in their community and with their natural support network, but they would continue to refer families to specialized programs where that type of program is suited to the specific needs of the child and family. Our practice is that our investigation managers meet with the affected ministries prior to making a recommendation so that we kind of talk through what we're thinking, but clearly they don't agree that whole-family residential treatment is required in Alberta. So that was one of them. He was 16, and he died of hypothermia.

The second one is from Cooper. That was in the mandatory report from September of 2020, and that's the recommendation that I spoke to in my presentation about file transfers. What we've seen over the years and continue to see, whether it shows up in an investigative review or if it's young people that advocates are working with, is for some reason, even though there are policies and practices in place, transferring files is not simple. Whether it's within the province, whether it's outside the province, whether it's in the city, there always seems to be some kind of little glitch even though there are clear practice guidelines. I believe they need to be revisited, and they felt that what they had was adequate. I don't agree with that.

The third recommendation was from a mandatory report that we released in March of 2019, and it was Andy. Andy was 15 years old when he died from fentanyl poisoning, and he'd been adopted by his foster parents when he was eight years old. The recommendation was that child intervention co-ordinate with family support for children with disabilities to implement a system that monitors the number of children placed in respite at any given time in a foster home so that young people receive the care they need and numbers of children should not exceed the caregiver's capacity.

1:30

What we found with Andy is that his adoptive parents were well known in their community, both through FSCD and child intervention, and frequently had children in place with them through respite, which isn't recorded in a formal way. At times there were up to 12 children in this home, and we believe and I believe as the director of investigations at this point that there needs to be a better way of knowing how many children are in a home at any time.

Their response was that they indicated that they wouldn't provide any further updates. They felt that the intent of the recommendation had been met, and they weren't providing any further updates, that the policy they had in place was adequate. Further, their response included that Children's Services and community and social services took some steps and reviewed policy and procedures with staff as well as a tipsheet for FSCD parents, and then they indicated that they had accepted the intent of the recommendation but would provide no further updates.

The final one is also one that I referenced in my presentation, and that was that we suggested caseworkers should have access to

experts as needed. When we do an investigation at my office, we pull a committee of subject matter experts together before we finalize our reports. We found over time that it's really, really valuable, because we're not psychologists and we're not Indigenous elders, so when we're able to talk to those folks, it informs our work. The suggestion is that that would be helpful for caseworkers, that we've been blessed with the ability to do this, and we believe that caseworkers should as well. Their response was that 211 and being able to call 211 should meet that.

So those are the four.

The Chair: Thank you.

I'm going to go to the government side here. Mr. van Dijken.

Mr. van Dijken: Okay. Thank you. Thank you for coming to meet with us today and inform decision-making going forward. I'm going to focus on the report, on the investigative reviews, pages 25, 26, 27, I believe. You discuss how your office conducts mandatory reviews when someone passes away while receiving child intervention services or is identified as a child in need of intervention at the time or within two years of their death.

Now, in 2021-2022 there was a significant increase, a 62 per cent increase, in mandatory reviews. I just wonder if you could speak to maybe what you see as some of the reason for the increase. I believe there was a change in metrics in how those were evaluated. Maybe you could explain what changes took place and how that influenced the reporting that was required.

Ms Pelton: Sure. I'd be happy to. In 2018 our legislation changed to include this review as well as made it mandatory that for any child who had an open child welfare file at the time they died or within two years, we had to release a mandatory report. Prior to that, the advocate had the discretion to release a report if he believed that there were systemic issues present. We continue to have that authority, to release a report when systemic issues are present, but with the number of young people who meet the category of having an open child welfare file, the numbers have really gotten tragically high. We did release one systemic review in this period – it was Strengthening Foundations – but we've really had to focus our work on those mandatory reviews.

Why do I think they've gone up? I think substance use and opioid poisoning are really very dangerous, and we're seeing a very high number of those deaths. It's not clear if they're accidental or intentional, but they are very high. We are also seeing a very high number of young people between 16 and 22 passing away, and I don't know if they're receiving the supports that they need as they transition to young adulthood. We're keeping an eye on it.

It's kind of interesting because the mandates don't cover young people who have support and financial assistance agreements if they're 21 and hadn't had an open child welfare file within two years. They also don't cover screenings or investigations, so unless a file is opened – it's interesting, because when we were here in December, we talked about that the media had recently released some numbers, that Children's Services had reported that they'd had 40 deaths, I think. I'm not a hundred per cent sure on the numbers. But at that time we'd had, like, 67 or 68. They're not reporting publicly on the two-year window, so our numbers are often different. I'm not sure if I answered exactly your question.

Mr. van Dijken: I just need a little clarification. You didn't really answer the question about the changes in the metrics, mandatory versus discretionary, and how that might have influenced the numbers that we're seeing, where now it's mandatory to actually report whereas previously the advocate had the ability to have discretion in what was reported. I'm just curious if you have any

kind of understanding, with the metrics changing, of how that influenced the numbers.

Ms Pelton: I don't believe it did. We would have received the same number of notifications of deaths. The metric that would have changed would have been the number that we're required to do a public report on. As we're looking forward into the coming year, though, we're looking at changing how we report on those mandatory deaths. We have a report coming out at the end of March that's got the highest number of young people yet. There are 18 young people who died in the period of time for this upcoming report, and I think it's important that the public really understand how many young people are passing away who have been involved in these systems and what the issues are that we're seeing for them. But I don't have – I don't think the metrics have changed.

The Chair: Okay. Thank you.

Ms Pancholi.

Ms Pancholi: Thank you, Mr. Chair. Just to pick up on that, I think what we're hearing, of course, is that the mandatory reporting of the deaths of young people and children who are receiving child intervention services has been required since the change in 2018, and that's when the mandatory reviews had to take place for the advocate's office. What we're seeing, of course, in the 2021 year, as you've noted, Ms Pelton, is that that number is extraordinarily high and tragically high and that your mandate is even broader than what is required by government reporting. So the government reporting that we see, that is publicly made available, only talks about those children and youth who died at the time that they are receiving services. Of course, your mandate is a little bit broader and includes a child or youth who would have been receiving services within two years, which is why we know that the numbers are even higher than the ones that are publicly reported by government.

I wonder if we can speak a little bit about that during this 2021 fiscal year, that you're reporting on here, and how extraordinarily high those numbers were. During that time, as you've noted, a significant portion of those young people were those who are aging out or transitioning out of supports or out of care, and – most of them were receiving supports and financial assistance under that program. Of course, 2021 is also the year where we saw a lot of fluctuation and change in that program, resulting from changes that began in 2019, right? The change in the eligibility age dropped down to 22. Then, of course, there were court proceedings which put an injunction on that and prevented that change from going forward. Then, of course, the pandemic hit, and while the injunction was lifted, you know, the ministry said: oh, no, we're not going to make changes to that program now, when we're in the middle of a pandemic. Six months later, which was the summer of 2021, was when they actually did start to transition young people off the program.

What we don't see – and I'm wondering. Because of your office's role as being a key place where young people go to be heard – and I know you speak with your Youth Council, obviously, quite regularly as well. What I don't know from the statistical reporting that we see is that because of that fluctuation in the programming and supports that were available, there may have been a lot of young people who – it's a voluntary program going on, the supports and financial assistance agreement program, right? They choose to be on it; they have to sort of initiate that with the ministry and their caseworker. Do you have a sense of how many young people were, for lack of a better term, sort of lost in that system, that may have been on the program, thought they were being transitioned off, and

then were not being on it? Like, were you hearing from those young people who were not sure, I guess, and unclear as to whether or not they would receive supports? What's the feedback that you heard from those young people?

Ms Pelton: At that time we certainly did hear from some, but you have to remember that my office hears about those who aren't happy with what's happening. Proportionally there clearly were some that were satisfied with the transition because there were many, many that we didn't hear from, but we did hear that there were some young people concerned that they might not have their rent paid the following month. It all seems to have been addressed at this point. The advocates are keeping a close eye on it. The TAP program – I think it was rolled out in October – is still a pretty new program, and we're waiting to see how it unfolds.

1:40

The Chair: A follow-up? Go ahead.

Ms Pancholi: Kind of a two-part follow-up on your response there. I'm going to sneak it in, Mr. Chair. First of all, you mentioned, of course, that one of the challenges is that young people may not know they can go to the advocate's office, and that's always sort of a challenge, though not hearing from them could also mean that they're just not feeling like they can access the supports. I'm wondering about your response to that.

Secondly, in terms of the TAP program, the transition to adulthood program, which was rolled out at the end of the fiscal year that we're talking about here, was your office involved at all in those discussions around what that new program would look like?

Ms Pelton: No. No, we weren't. We knew it was coming, but I believe that that was all internal ministry conversations. We were told that when the information was public, we'd have access to it, the same as everybody else.

The Chair: Mr. van Dijken.

Mr. van Dijken: Okay. Thank you, Chair. I've got a question with regard to the placement of young people who died while receiving child intervention services, page 27 of the report. We see there that the largest portion of those that have passed were in independent living situations, 24 in total. I'm just wondering if you could maybe allude to: why do we see a higher risk? Maybe it's not higher risk. Maybe the numbers would – there are more in independent living than are in other types of care, but we see more of the deaths occurring in independent living situations.

Ms Pelton: I think this speaks to the issues of young people transitioning to adulthood. This was also in the period during the pandemic where our services weren't – there was more isolation for everybody, but for young people who were maybe in an apartment on their own, they didn't have the same supports that they previously had had. So I think that, for sure, the pandemic impacted this. It's really quite striking and concerning, the number, because these would have been young people who had support and financial assistance agreements or were at the very tail end of receiving supports from the government. It's usually a stepped process, right? They're in foster care, and then they're moved into independent living as they're ready for it. Yeah, it is a very concerning number.

The Chair: A follow-up?

Mr. van Dijken: Yeah. Just in comparing that to parental care, we had 18 in parental care. I don't know what the percentage would be.

Of those that are receiving child intervention services, what percentage would be in parental care, what percentage would be in kinship care, and what percentage would be in independent living? The second-highest number is in parental care. Do we have any insight into possibly where we're falling through the cracks on the parental care side of things?

Ms Pelton: We have a high number of young people who died from medical causes. Like, they had cancer or congenital health problems when they were born. Often those young people are in parental care when they pass away. Some are in foster care when they need specialized placements. I think that sometimes children are returned to their parents or not taken from their parents – and I fully believe that children should stay with their parents as much as possible – but where we need to shore up services is to provide supports with their family rather than taking them away from their family. I think that sometimes assessments maybe haven't been regular enough or there's been, you know, a closed investigation and then another file opens. But without getting some more information for you, I can't say how those 18 young people passed away.

The Chair: Thank you.

Questions? Ms Pancholi.

Ms Pancholi: Thank you. I want to go back to the 2021 fiscal year, which is what the annual review is looking at. As we've discussed, of course, this was a year where there was an extraordinarily large increase in the number of children and youth who died while receiving intervention services. During that time, and I'm kind of going to – I realize this is predating your role as the advocate, but I know, Ms Pelton, of course, that you were heavily involved in the office for quite some time. During that year are you aware of, like, conversations that were initiated from the ministry as those numbers were increasing? Like, was there any sort of increased engagement? I know that there is regular communication that happens, just standard communication that happens between the advocate's office and the ministry, but did the issue of the increased number of deaths in children in care become something that was either, you know, a subject of a stand-alone conversation, or were measures considered that were extraordinary? Were those conversations happening between the advocate's office and the ministry?

Ms Pelton: That's a difficult conversation because – or answer. From an executive director role to the senior leadership at the ministry: no. I think at one point there was certainly an acknowledgement of the high numbers, but I don't know if there was a conversation about, you know: is there something that we can do differently to reduce this?

Ms Pancholi: Thank you. So given that – and of course we've noted already the increased number of young people under the SFAA program. You know, I guess I'm wondering: were there further conversations – again, maybe you can't speak to this – about the question of whether it was the right time to be lowering the age of eligibility for the SFAA program? Some jurisdictions, you may know, have discussions about: should we increase the age? I've heard some discussions in other provinces where they're talking about the age actually isn't really – setting one age is not actually the ideal cut-off. I mean, we should be talking about: where is that young person at? We know that the brain is developing differently, and especially for young adults who didn't have access to supports and may have witnessed trauma and addictions and all those issues, they need more time. So were there conversations, given the numbers that were rising, between the advocate's office and the

ministry about re-evaluating the eligibility age of the SFAA program?

Ms Pelton: I believe that we expressed our concern about the age being lowered, but I don't know that it was resolved. There was a decision made, I think, where we ended up that we'd keep an eye on it, and as we were concerned, we'd raise more issues, but it wasn't a decision that we were part of. We were told that it was a decision that was made.

The Chair: Okay. Thank you.

Is there anyone else with a question? Mr. Hunter, I think I heard that you were wanting to.

Mr. Hunter: Yes, please. Can you hear me, Mr. Chair?

The Chair: I can. Yes.

Mr. Hunter: All right. Thank you, through you, Mr. Chair, to Ms Pelton. Any overrepresentation of Indigenous peoples in such tragic situations is of great concern for not just our government but every Albertan, and I was deeply saddened to read that 74 per cent of those who were injured or died this past year were Indigenous, constituting a 38 per cent increase from the year prior. So one of the questions that I have is, you know: do you believe that – first of all, what do you think is the cause of that? I notice that Ms Pancholi is trying to make some kind of connection to the TAP program, but my question to you is that I know in Statistics Canada they talk about an exponential increase in 2021, due to COVID, to the increase in drug and alcohol abuse amongst Canadians. Where do you think this increase, this 38 per cent increase, is coming from?

Ms Pelton: Thank you for that. I'm not – it's really just an opinion. One of the things is that 70 per cent of the children involved with child welfare are Indigenous, so I'm not surprised that 74 per cent of the young people we investigate are Indigenous. I was actually more surprised that it was lower the previous year. I think our report says that 58 per cent of all young people we serve through our office are Indigenous, which is 10 or 12 per cent less than those involved with Children's Services.

I think that as – I think the pandemic had a huge impact on young people. In fact, I know it has. When we, you know, participated in that research study, their sense of isolation increased, and the drug use clearly has risen. We have never had this amount of opioid deaths prior.

1:50

I think, too, that some of the work that's being done through truth and reconciliation, the unmarked graves that are being found – I think there is a heightened sense of sadness. We as non-Indigenous people will need to work even harder to connect these young people to their communities and to their families. That's where they belong, and that's where they're going to find their healing. I think we need to be grounding more in ceremony and really acknowledging that as non-Indigenous people we shouldn't be the decision-makers for these young people and their families. So how we move forward in this journey of reconciliation, I think, is going to make a difference. We've hired a knowledge keeper at our office who is teaching us a lot. He talks about the journey from our head to our heart and becoming more heart focused and that it's going to take time for us to understand and support young people to be reconnected to their communities and to their identity.

I think that one of the things I learned early on in doing death reviews was that if a young person doesn't have a sense of identity

or a sense of belonging, their outcomes are less positive. Does that help answer that question?

Mr. Hunter: Yeah. I do appreciate that, Ms Pelton. I think that, you know, any culture needs to have the grounding, and the traditions need to help any culture. That's important, what you just said there.

I want to go back to the issue, though. You know, we don't want to see this 38 per cent increase next year. My question is: have you seen any studies that have been done anywhere that would show that as we move away from lockdowns with the pandemic, people being depressed because of those lockdowns, not being able to go out and be with their friends and neighbours, family, going to weddings and funerals – as we kind of segue away from that, do you believe that we are going to be able to see these numbers come down as they start to get back to more of a normalcy in their lives?

Ms Pelton: I haven't seen any research. I am hopeful. I think that this year we're going to see – when I'm back before this committee next January, I don't think it's going to be a very positive conversation. What I'm seeing for this fiscal year is that the numbers are actually going up. I'm hopeful that as we have conversations about why we're at the numbers we're at, which – just for your information, between April 1 and the end of December we had 67 notifications of deaths and serious injuries with still three months to go in this fiscal year, and of those 50 were Indigenous. I'm very, very concerned about this year and the opioid use particularly, which is why it seems like I'm raising it at every opportunity I get, because I really do believe that young people need a different strategy than adults. I'm hopeful. So the short answer to your question is: no, I haven't seen any research, but it's something that we'll be looking into.

The Chair: Ms Pancholi.

Ms Pancholi: Thank you, Mr. Chair. I just actually would like to pick up on that line of discussion. Certainly, as we've noted before, you've mentioned 67 notifications so far, and formally on the government website we're already up to 36 deaths. So, yes, it looks like this year is not going to be much better. In fact, it looks like it's going to be worse.

Let's go back to that conversation around the youth opioid strategy, because that was a recommendation that your office made. You mentioned in your opening comments, of course, that there has been a program that has been announced by the government. It still is an important step, for sure, but your office has been pretty clear about the need for a youth opioid strategy, and the questions we're hearing coming from the government side reinforce that. There are all these questions about: well, what's the cause, or what's happening? What we're seeing is and the stats have been – and I think Albertans have been speaking out, and I know we as the Official Opposition have been raising the alarm on this, that it is about drug poisoning significantly, not solely but significantly.

I wonder if you could tell me in terms of the response, because you would have, I guess, received by now a formal written response within the 75-day requirement from the government – I know Children's Services had said in response to this recommendation for a youth opioid strategy: this is not our responsibility; it's Alberta Health's responsibility. So I'm wondering if you can share: what has been the response from Alberta Health around why they are not accepting and moving forward on a youth opioid strategy?

Ms Pelton: Just give me a second on that. On their website and on ours is their first response, which they do within 75 days. We then give another six months to provide what they're doing to show that progress, and I would need to get – I can send you a note about

where the government is at with that. We haven't evaluated it yet. I can see that it's because it was new within that period of time. So at the end of the month we're evaluating recommendations.

I spoke with I think it was the chief of staff for the Mental Health and Addiction ministry, and he was sending some information. I have not had a sense that there is a youth opioid strategy that was going to be adopted. When we met with the original report, the Minister's Opioid Emergency Response Commission – this was several years ago now – indicated that the work that they were doing for adults should be sufficient for young people, so we'll see what comes in at the end of the month.

The virtual opioid dependency program: I'm hopeful that that will be good for young people. The commercials I'm seeing on TV seem to be pretty targeted on adults, so I'm not sure. That's why I say that I am hopeful.

I think for young people we need to have that full spectrum of services. We need to be talking to them in schools at a very young age about what drug use is, and whether it's their parents that they're seeing or their friends at school, we need to have education for young people from a very young age. Also, then, you know, from prevention we need education. As a grandmother I stumble on this one because I think harm reduction also has to be part of the full spectrum of services, but it worries me because if that was my grandchild, I'd be horrified that we'd be considering harm reduction. At the same time, if it kept my grandchild alive, I guess I'd want to consider it. So I don't know all the answers, but I would hope that we could have that full spectrum.

Then, you know, recovery-oriented treatment: for sure, we need that, too, and then we need aftercare, and we need to support young adults to be successful and to feel positive about themselves. So I am hopeful that we'll get to a provincial strategy.

The Chair: Ms Pancholi, just if I could intervene, and then I'll let you have your follow-up here.

If you are going to be sending forward a written response, could you please put it through our committee clerk, and then she could put it on the website so that all could have it, okay?

Ms Pelton: Yes. I'll send it to Ms Rempel.

The Chair: Go ahead.

Ms Pancholi: Thank you. It remains a little baffling to me as well as to why there wouldn't be full embracing of the idea of developing a youth opioid strategy, particularly as you've identified in your opening comments, too, about, you know, the number of young people who have died since 2019. When we're all sitting here concerned very much about the rising number of deaths of children and youth in care, we are talking about specifically youth who are dying because of drug poisoning, as you mentioned, intentionally or unintentionally. So I guess this actually – and I know I'm going to run out of time on my follow-up, and I'll come back to it in my next round of questions. This speaks to, I guess, if there's a written response that comes from the Ministry of Health on this recommendation. Like, why, in your view, is the written response that's provided in 75 days – you've made it during your opening comments; you talked about how important it is for there to be accountability. Why do you feel that that 75-day written response that we see, that's publicly posted, is insufficient for this recommendation or perhaps for other recommendations as well?

Ms Pelton: I believe that the response that's posted within 75 days, from my experience, basically says, "We agree with the intent of the recommendation" or "We agree with the recommendation," but

it doesn't speak to what they're doing to implement the recommendation. It's the progress that they send us in every six months: that's the piece that I'd like to see more transparency around.

That would help, if we put that on the website. On my website we have what we've evaluated it as, not what their response is because that's an internal document. I think that would help increase accountability, too, if those updates on progress, the actual work that was being done to implement the recommendations, was public.

2:00

Ms Lovely: Ms Pelton, thank you so much for the work that you and your team do. I have a high regard for the level of difficulty, and every time I read one of your reports, I just cry, so I just wanted to thank you so much for your difficult work.

A question for you. As you are aware, many vulnerable Albertans turn to drug and alcohol abuse to help cope with past and current trauma and feelings of hopelessness. You state on page 27 that one-third of deaths in 2021-22 were alcohol and drug related. Our government is very concerned about the opioid crisis in our province and is working hard to support Albertans who are struggling with addiction. Have deaths due to alcohol and drugs increased when compared to previous years?

Ms Pelton: Yes. I felt pretty confident saying it, but I thought I should check with my director who's behind me. Yes, they have definitely increased.

Ms Lovely: What services does your office offer to help young people who are struggling with addiction issues?

Ms Pelton: My office are advocates, stand up with young people, so we don't offer any addiction services, but what we would do is support young people in having their voice heard with decision-makers that they need access to substance-use treatment.

What we've seen in investigative reviews is that young people don't get – I think this happens for adults, too, which is why the virtual opioid dependency program is such a positive move forward, at least for adults. They need the services when they're ready. When a young person comes to us and says, "I want to go for treatment," they need to have access to that treatment on almost that very same day because by the time the afternoon comes and their buddy hands them a drink, you've lost them again. So what the advocates would do is talk to caseworkers or parents or somebody in that decision-making realm to help get the young people the services that they need, but we don't provide the services ourselves.

Ms Lovely: Thank you. What efforts are being undertaken to improve these services?

Ms Pelton: From my perspective and from my office it's really raising the issue over and over again with government and talking through possible solutions. I do see that that virtual program is a positive step forward because it sounds, from what I see on TV, that somebody can phone a number and get access to some kind of help immediately. I think that that's a big thing for these young people.

The other thing that we recommended in the Into Focus report was that family needs to be involved in their treatment. It's a bit of a struggle for an advocate who really stands up for the rights of young people. One of those rights is their privacy, but when they're in treatment for drugs and substance use, their support comes from those people closest to them, and they have to be part of the treatment plan.

The Chair: Okay.

I believe, Mr. Shepherd, you're next.

Mr. Shepherd: Thank you, Mr. Chair. Thank you, Ms Pelton. I've really appreciated your presentation today, the report and everything. I wanted to follow up on some of the questions from my colleague Ms Pancholi regarding, I guess, your conversations with Alberta Health regarding a youth-specific opioid strategy. I'm curious. In those conversations what is your sense or do you have a sense of what some of the specific needs for youth would be, or what it is that causes you to call for a youth-specific strategy? I know we have a number of tools that are at our disposal. We have harm reduction supports and other services. Are there concerns or barriers you think that youth face perhaps in accessing some of those or, likewise, you know, investments that are made in recovery in some of these other services throughout the health care system? I recognize that perhaps it's a bit of a broad question, but I am just curious sort of what your thoughts are on some of the things that need to be targeted in a youth-specific strategy to address those concerns.

Ms Pelton: I believe that one of the things it needs to be, first and foremost, is the developing brain. A young person's brain is at a different place than yours or mine, and that brain is still developing until about 30. They don't have the same sense of consequences that adults do. What we heard about a lot when we were doing the opioid reports, both of them, were things like pill parties, where they would go to a party and everybody threw pills in a bowl. Well, I know I'm not going to a party and taking a pill when I don't know what it is; young people will because it's a sense of daring and adventure.

Some of those things if we don't – and it goes back to that early intervention, prevention stuff, like talking to young people when they're in grade 2 and grade 3. I'm not saying that they need to have the same level of information as a young person in grade 10, but they're living in some of these homes where these drugs are available and just to be aware of what the consequences are.

So I believe that adults' brains are different, and that's why we need a different strategy for young people.

The Chair: Did you have a follow-up?

Mr. Shepherd: Thank you, Mr. Chair. In that development – and, obviously, the government has indicated they believe that's the responsibility of Alberta Health. You don't seem to have a sense that Alberta Health is sort of working on that at the moment, but I guess what other government ministries do you think should be at the table here? Is this something, then, that should be a collaborative process, to your view? I mean, we have a Ministry of Mental Health and Addiction, so obviously they should be at the table. Is this something maybe you think where Children's Services should have a role? Obviously, your office: would you like to be at the table for those discussions?

Ms Pelton: I would like to be at the table. I believe Justice, like the young offenders branch, which doesn't exist anymore – the branch of Justice that deals with young people who are incarcerated and on probation. Education, for sure, because they've got those young people in their care for eight hours a day. So Justice, Education, Health, community and social services, Mental Health and Addiction, for sure.

They haven't out-and-out said that they don't agree with it, but it just seems to be sitting kind of in this nebulous: "Is it Health that should take the lead on this? Is it Children's Services?" There just needs to be some co-ordination to move it forward, I believe.

The Chair: Okay. Thank you.

Mr. Orr.

Mr. Orr: Yeah. Thank you, Chair, and thank you very much for the work you do. I really understand the emotional strain that it can be and the challenge, especially long term, working in those kind of contexts. It can definitely be challenging.

A couple of different questions. I suppose we'll start with the first one. On page 23 you mentioned that your office held a number of workshops and presentations and other forms of direct stakeholder and public engagement over the past year. I just wonder how you measure your success level of that and how you feel – you know, maybe you could just elaborate a little bit on what you feel are the successes there with regard to those public engagements and whether you see that increasing or decreasing over previous years, that kind of thing.

Ms Pelton: Okay. I'm happy to answer that. During the pandemic our number of public engagements reduced pretty significantly, and all of our presentations were virtual up until the end of March of this year. This annual report covers that period of time when we were only doing presentations virtually.

Since getting back to the office in April, we have been doing a ton of in-person presentations and booths. How we measure it? We certainly do questionnaires, like surveys at the end of every session about: was this helpful? Would you come again? Would you recommend it to somebody else? What was your greatest learning?

The area of child rights is probably one of the areas where we do most of our work, talking to community members about children's rights and the importance of children's rights. Today our engagement folks were at School at the Leg. with the grade 6s. We're there every time they're there, and it's very positive feedback that we get from that.

The other area that we do a lot of is advocacy 101. That's just basic advocacy and self-advocacy. We really try to teach communities and the public about what they can do to advocate, one, for themselves and for others and what's entailed in that. Primarily, you know, you're not a decision-maker, but you're raising the issues that your person wants raised and you're standing up for them and with them. Our advocacy 101 workshops are very well attended and sought after, so we're doing those fairly frequently.

We're also at teachers' convention, the foster parents' conference. We were at the youth care conference. Wherever young people have some involvement, we try to have some presence as much as possible.

The Chair: Did you have a follow-up?

2:10

Mr. Orr: Briefly. I would assume, then, especially with COVID passing, you'll see an increase or plan for an increase in those.

I guess in some ways I'm always interested in the hard-to-measure things. I mean, what really interests me is: how do you know what impact those are having? I understand – I mean, the process of doing them is easily measurable, but how do you measure the impact in terms of the kids themselves and the service providers, the stakeholders? How is it improving the whole relationship, I guess? I don't know. It's a hard question to answer. I get it.

Ms Pelton: It is a hard question to answer, and it's kind of like herding cats. Mostly I think where we hear the most beneficial kind of feedback is when young people or their families come to us and say: "I went to one of your sessions, and you know what? I didn't get what – like, my caseworker wasn't involving me, and I was able

to stand up and say, ‘Hey, it’s my right to be involved.’” So we don’t have a way of measuring those. We hear about them through our youth surveys, and sometimes young people will stop by and talk with us at a booth, and that’s where we hear the most rewarding stories.

The Chair: Ms Pancholi.

Ms Pancholi: Thank you, Mr. Chair. We see in your report eight new recommendations were included. This is on page 28. Eight new recommendations were included in the 2021 year, and of course there was a mention as well of another 10 recommendations that are in the process of being evaluated, so 18 overall. When we look at these recommendations, they highlight work that’s being done by a number of child-serving ministries.

I know it’s common for people to assume Children’s Services is obviously the primary ministry with whom you interact, but as you’ve outlined in the discussions we’ve just had, particularly around things like opioid use – and you highlighted the value of the education system being involved as well as, obviously, Health and Mental Health and Addiction and community and social services. So you have recommendations here for many different ministries, and I think the office has been quite consistent in terms of recommending that those ministries come before a committee to have in some respects, I believe, the conversation we’re trying to have right now, when we’re saying: what does Health say about that and what does Education say about this?

Really, as I understand it, the goal is to have those ministries come themselves and speak to the recommendations. Do you think it’s important, I guess, that all of these child-serving ministries have this opportunity to have this public discussion about their work, or would you say that just one ministry, Children’s Services being the primary one that, you know, you interact with – or would you say that all ministries should be coming before a committee?

Ms Pelton: If we were going to have a public dialogue, whether it be at a committee or some other format, I think any child-serving ministry if they’ve had a recommendation that’s their part of it. It would be interesting to have that conversation. You know, the conversation around 211: well, really, why does that ministry feel that that meets the intent of that recommendation? I think that thoughtful public dialogue is really all we’re looking for. I’m not looking to cast blame because our reports don’t find blame but just a conversation.

Ms Pancholi: Thank you, Ms Pelton. You know, not being a member of the Legislative Offices Committee, but I have had the opportunity to be involved every time the Child and Youth Advocate has come before this committee because of the relationship to my critic portfolio. I’ve been here in this committee a number of times now where the opposition side has supported the recommendations made by the Child and Youth Advocate to have that public reporting, and in fact I believe the former advocate mentioned last year when we were at this committee that when this change in process evolved in 2018 and the role of the advocate’s office expanded, it was contemplated at that time that ministries would come before a committee to report on their work to implement recommendations. So this goes back quite a ways, this intention to do this sort of work.

Given that these are just the recommendations that you have on the books right now for these ministries but, you know, should there be some consensus that ministries should appear before this committee, it’s sort of setting a precedent – right? – to some extent because this will be the first time in the three years since the committee has been reviewing the annual report that ministries

come forward. Would you agree that it’s important that any child-serving ministry who has a recommendation come before a committee and that perhaps your office should be at the table as well to sort of be a technical support or to be able to flesh out those conversations and the intent of the recommendations for that discussion at a committee hearing?

Ms Pelton: I think the more public transparency and accountability that are available for Albertans is a good thing, so how this committee or the Legislative Assembly decides what would be good: I would be happy to be part of that. I don’t have all the answers, but I think it would be a good thing to have those conversations in a public way.

The Chair: Okay. Thank you.

Ms Lovely: Aside from substance abuse, mental health is another crucial issue that disproportionately affects vulnerable Albertans. I was very sad to see that many young people passed away tragically due to suicide over the past year. In your report I didn’t see a share of total deaths attributed to suicide, and I was wondering if you could provide more information on how many of these deaths occurred in ’21-22 due to suicide.

Ms Pelton: Yeah. We’re just going to have a quick look for that. One of the things that’s also in the annual report is, at the back, all of our investigative reviews in a brief format. I’m not sure that I can quickly find the suicide numbers.

Ms Lovely: It’s not something that we need to have right now.

Ms Pelton: Okay.

Ms Lovely: If that’s something that you want to bring forward later for us, that would be great.

Ms Pelton: Sure. We’ll put that in the briefing that we’ll put forward and send to Ms Rempel next week.

Ms Lovely: One more question: what services does your office help with to offer young people who are struggling with issues related to mental health?

Ms Pelton: It’s the same, similar to what we would do for young people with substance use. We would support them to access those services. Often our advocates find that when young people are contacting them and looking for advocacy, sometimes they’re not getting the supports or the services that they need, so the advocate then would help that young person raise that with their caseworker or service provider. Again, while we’re not in a decision-making role, we do have influence, and that’s where we can help those young people access those services.

The Chair: Okay. Ms Pancholi, go right ahead.

Ms Pancholi: Thank you. We had a discussion earlier on about sort of the number of deaths, let’s say, when a child might be in the intake or assessment stage. We know, looking at the 2021 statistics that are publicly reported by Children’s Services, that the number of intakes that was begun for Children’s Services dropped by 17 per cent. Those numbers are even lower this year: they’re 33 per cent. My understanding is that if a call or report is made to Children’s Services and there’s a determination made that there’s going to be an intake or an assessment, then a file is opened, right? Then, of course, if the ministry decides that no intake is required, there’s no real record of sort of what happens after that, and I confirmed that

when the ministry came before our Public Accounts Committee just before Christmastime. They said: no; really, there's no record of what happens.

Does your office at all get involved or get notified – I guess you wouldn't get notified – or get contacted by any young people or even, you know, caring adults who are concerned that they've approached for intake and intake hasn't happened? Would you be involved with any children or youth who haven't been accepted for intake or assessment?

Ms Pelton: Yup. Our policies and our legislation allow us to support young people who are seeking services, so they don't already have to have an open file. I couldn't give you the numbers; I could find them and put them in the same briefing that I send forward. But, yes, we do help young people get their files opened or try to.

Ms Pancholi: Right. I guess on that note, I mean, seeing those numbers drop in terms of intakes – and we would like, of course, to be thinking that it's because there are fewer children who are in need of intervention and supports. The concern, of course, is that we have other statistics out there that suggest that children are not faring better than they were, and most obvious are the statistics that we're looking at in terms of deaths and serious injuries both of children that are in care, seeking care, maybe individually or independently living. Do you see a concern in the drop in intakes? You mentioned that you're being contacted by young people who are seeking to have a file open. Is that a growing issue? What kinds of concerns are you hearing from young people who are trying to get a file open but are unsuccessful in doing that?

2:20

Ms Pelton: Those calls are generally coming from older adolescents who are seeking supports. Yes, I'm concerned with the drop in intakes. It's one of those things that – it's hard to really understand what the consequences will be over time until we see what's happening. In my past experience I was an intake worker, and we always documented intakes, so I've been a little bit surprised that not all calls are being documented. That concerns me because if there's a pattern, you don't see it.

I've said a number of times – we did a report a few years ago called Catherine. She was a young woman who died by suicide, and her family was seeking services and just being, you know, sent back to the hospital. The recommendation we made was that if families don't have anywhere else to turn and Children's Services is where they turn, they should get help. I've said for years, and you know this: nobody wants Children's Services involved in their family. So if they're calling Children's Services for help, it's because they're on their last – they really need help when they're making that call, because nobody wants the government involved in their lives.

The Chair: Thank you.

I believe Mr. Hunter – are you next?

Mr. Hunter: Yeah. Can you hear me?

The Chair: Yes, we can. Thank you. Proceed.

Mr. Hunter: Thank you. Mr. Chair, through you, my last question that I have for Ms Pelton is that really I wanted to understand – I was asking you, you know, if you knew any studies or saw any patterns in the past about how COVID has affected drug abuse, alcohol abuse, suicide amongst youth and whether or not, as we move away from COVID lockdowns and get back to some normal life, we would be able to have a better situation for our kids and for

our youth. I guess my question is: have you done any crossjurisdictional analysis of other provinces, other areas in terms of child-in-care death stats? The reason why I ask that is that you didn't really know whether or not our COVID responses had a big effect or not a big effect. But is this happening globally? Is it happening across all the provinces? These are some of the questions that I'd like to know.

Ms Pelton: Okay. We have a community-of-practice group for our investigations, and they're in regular contact with their colleagues across the country around numbers. I haven't seen a recent jurisdictional scan. Anecdotally, in talking to the advocates from the other provinces, it is a concern across the country. In our conversation today, though, I think that there is value in us having – we have a team of researchers and analysts, and I'll be asking them to follow up on a jurisdictional scan just so that we have a better understanding of how we fit with the rest of the country and, you know, other first-world countries.

Mr. Hunter: Yeah. To be clear, I want you to know that one death is too many deaths and one injury is too many injuries, so we want to be able to obviously decrease this. Obviously, the reason why I asked that question is because governments all over the world had to make policy decisions about, you know, lockdowns, and I wanted to know: are there other jurisdictions that did it better than we did so that their numbers were lower than ours? You don't have any of those statistics for other provinces?

Ms Pelton: I don't today, but I will get some, and I'm happy to share that when we get that from our team of researchers.

Mr. Hunter: All right. Thank you so much.

The Chair: Okay. Just prior to Mr. Dach I want to give Mr. Toor an opportunity to introduce himself to the committee.

Mr. Toor: Good afternoon. Devinder Toor, MLA, Calgary-Falconridge.

The Chair: Thank you very much, Mr. Toor.
Mr. Dach.

Mr. Dach: Thank you, Mr. Chair, and thank you, Ms Pelton, for your in-depth responses so far today. I do have some questions that I think might be occurring to members of the public as they are also listening today, and it's quite often the standpoint that I take when I do listen to presentations to this committee: what would the public be thinking when they're listening to these responses or reading the reports that have been produced that we're considering today? One of the things that came out and struck me that I think might be striking the public as odd as well is that the government – as you say, the only requirement of government is that they respond within a 75-day period, and beyond that there's no requirement. There's no requirement to dictate how, what that response is or that they respond in any clarity or directly to the issues at hand.

What leads me to question more in depth is the further comments that you made about how the recommendations need to be responded to. For example, you indicated that after three years evaluations are closed. In other words, whether progress has been made or not, whether the recommendations have been met or not, the recommendations are therefore closed. Also, you indicated that when a body indicates that no further update will be provided, then the recommendation is closed. In other words, a ministry says: well, we don't have anything more to offer; hmm, goodbye.

I think the public would be astounded to know that a legislative officer has no teeth to enforce the accountability of the ministry. One of the themes of your presentation today that's screaming out at me is that the ministries have no shame in either disregarding you or not responding to your recommendations, and that, I think, defeats the purpose of your office. I've served on a Public Accounts Committee, and certainly the Auditor General wouldn't take no for an answer. Those recommendations of the Auditor General from his or her annual reports go on and on and on, and they stay on the books until there's a response. Sometimes five to 10 years later there are outstanding recommendations, and there's a bit of a shame game going on there to in fact get the ministry to finally respond.

Like, one thing we talked about today in the committee would be to have ministries appear before this committee so that we can hopefully enforce some greater level of accountability in response to your recommendations. That's one element we've discussed. We could maybe expand on that a little bit. What other things can we do, should we be making recommendations for government to do to ensure that the ministries are more accountable? Certainly, disregarding the recommendations has no value. It's a waste of everybody's time. These ministries need to respond. Getting them to appear here may be one way to help do that. What other teeth would you like to have in your arsenal?

Ms Pelton: One of the things with our legislation is that our recommendations are nonbinding. I don't know if the answer is to make them binding. I think another place that governments could respond to our recommendations is in their own annual reporting or in your Public Accounts Committee.

The problem with making a recommendation binding is that if it isn't implemented kind of in a timely manner, times change, policies change, the recommendation may not be as relevant as it was when it was made, which is why we determined that after three years we should probably close them, because what we see in our work is that the same themes emerge over and over and over again. It's, you know, risk assessment, permanency planning, relationships, collaboration. Like, those are probably – when this 10-year summary comes out next month, you'll see that those are the themes that we see over and over again. When we had all of the recommendations open for 10 years, we ended up getting the same response for a number of recommendations, so it just got really muddy. It seemed to make more sense to pick an arbitrary date, and we chose three years and then to close it at the progress that was made. Clearly, all of our recommendations prior to 2016 and the *Toward a Better Tomorrow* report were met or met the intent of the recommendation.

This is just within the last six or seven years, a new thing that we're seeing, that the ministries are saying, "We don't agree with your recommendation," or "We agree with the intent, but what we're doing is already okay," when what we've seen in our reports or in our investigation was that it really wasn't what we were hoping to see. So some kind of more public conversation is, I think, where we need to end up. I believe that child-serving ministries are doing what they can to support young people. We just need more public dialogue, I think.

2:30

Mr. Dach: A quick follow-up in the same vein. I think the public would find it kind of astounding that the ministries themselves are able to universally or unilaterally declare, in their view, that a recommendation is closed and has been satisfied or has been met. That's certainly not something that happens in Public Accounts. It's the Auditor General who decides and has the authority to declare an outstanding recommendation met or satisfied. I'm wondering if

there is anything in the legislation that gives this unilateral authority to the ministries to declare unto themselves that they've satisfied the recommendations that you've issued. Where does that unilateral authority come from, or is it just made up?

Ms Pelton: I honestly don't know. I think it's just because the legislation is silent on it, so if it's silent and there's no requirement, it just has been that way.

Mr. Dach: So I guess it's up to us as committee members and legislators to perhaps think of other measures that would improve the accountability or make enforceability more pressing to ministries to actually have them respond to the recommendations in a meaningful way and publicly respond. I certainly look forward to any recommendations from yourself that would assist us in identifying ways that we could do that.

But I find it intriguing to note that with respect to your office versus the respect that the ministries have for the office of the Auditor General, your office doesn't seem to have the same clout and respect from ministries. I think that's something that needs to change. No matter who the legislative officer is, recommendations coming from a legislative officer should be given the same level of respect and accountability. That's something that I'm seeing implicit in your report, and I'm determined to do what I can as a committee member to ensure that we look for more ways of improving that accountability and respect level for your office and making sure that these recommendations are taken seriously and acted upon before that three-year time window is stalled out by a ministry that doesn't want to respond to your recommendations.

The Chair: Thank you, Mr. Dach.

We'll move on to Mr. Orr.

Mr. Orr: Thank you very much. I'd like to pick up a little bit where Mr. Hunter left off. I actually was planning to sort of approach the same subject anyway. We've seen an increase – of course, this is a little bit of a lagging report, from 2021 to the first quarter of '22. When I look back and I wonder what could cause the increases that we're seeing, clearly the greatest social disrupter has been the pandemic, as you mentioned, the lack of services that was partly a consequence of that, the isolation that, then, comes out of that.

From '21 to the first quarter of '22 really was the depth of COVID restrictions: closures of schools, no sports activities. Indeed, in fact, many community sports volunteers quit and disappeared and have yet to return, so those kinds of activities aren't available. Those are important social meeting places for kids, where they get meaning, where they build relationships, where they feel accepted, where they attain some sense of achievement and self-worth. From the mental and emotional stress, with many people actually almost exhibiting PTSD symptoms, somewhat like symptoms anyway, to I'm going to call it the tragedy of COVID overall – nobody wished it, nobody wanted it, but it left us with that.

My real question is: do the increases that we're seeing indicate in some way the costs or the impacts, I guess, of governments being forced to put in place responses to COVID? I would really like to know that maybe in the future you'd be planning to create some sort of a report to identify the impacts of COVID, all of those costs that I just kind of briefly skimmed over there. I think it's something that we really do have to identify and somehow quantify, so I would hope that your department will be somehow in the cross-jurisdictional conversation looking at: how do we analyze that, and how do we define the impacts of all of that on the lives of kids that we're seeing in your data?

Ms Pelton: I think that that's something that we can certainly look at. That's why we were involved with the University of Calgary research. They've collected the data that found that, yeah, relationships were impacted and that that was a really big deal for these young people. Now, the second phase of the research is: "What now? So what? Like, we know this. Now what are we going to do to make it so that young people can be healthy again?" As that research evolves, we'll make sure that it's available on our website, and perhaps it will merit a report. We'll see how that goes in the coming months, for sure.

The Chair: Did you have a follow-up, Mr. Orr?

Mr. Orr: No. I think I'll leave it at that. Thank you.

The Chair: Ms Pancholi.

Ms Pancholi: Thank you, Mr. Chair. I'm just going to take a moment to comment that the government members appear to be quite eager to attribute what we're seeing here solely to the limited periods of time that things were shut down in Alberta but without taking responsibility and acknowledging the impact of things like cuts to AISH and the child and family benefits and income supports and education and health and the failure to build affordable housing and health care and how all of those measures have impacted children and youth in Alberta. So I'd remind the members to look in the mirror a little bit and take a look at the actions of their own government before they're quick to attribute the complex issues and the impact that they've had on children and youth solely to one thing.

I want to just ask a quick question in terms of the capacity of your office to do reviews, mandatory investigations or systemic, when the office of the Chief Medical Examiner has not yet determined a cause of death. We have seen that since 2019, for 47 of the deaths of children and young people that are still being reported – at least, again, just the ones that are reported on the government site – there's still no cause of death, and the determination is still pending. Those numbers seem to be growing each year, which suggests that there is some backlog at the Chief Medical Examiner's office in determining those. Does that impact your investigation at all?

Ms Pelton: Not generally. If the Crown or the police request a stay, then that will impact our reviews. We have to release those mandatory reports within one year of being notified of the young person's death. What we are able to do: usually the police or the Chief Medical Examiner gives a preliminary cause of death, and we indicate that in our reports, that it appears that this is the cause of death but that it has yet to be confirmed. I don't think it's created a huge problem, because we don't investigate the cause of the child's death. We want to look at their life experiences and how systems and supports supported them or didn't support them. So the cause of death is relevant, but it's not what we are focusing our work on.

Ms Pancholi: Thank you for that.

You know, as you mentioned, it looks like the upcoming year, the current year that we're in, has seen a significant number of notifications as well. I know that in your report you highlighted – I'm just going to go back, on page 27 of the annual report. We've already addressed this a little bit, about the number of children who have died receiving services who were in care versus independent living or parental care. In care, of course, would include foster care, kinship care as well as group care. We're now seeing in the current year a significant increase, actually, in the number of deaths that are taking place in care, which suggests in one of those three areas: foster care, kinship care, group care. Does that surprise you? I don't know if

you've been keeping an eye on that and receiving notifications that are more from children who are actually in government care.

Ms Pelton: It does surprise me a little bit. I kind of hold off until the end of the year to see what the trends and themes are for the whole number. What we've seen in this number of young people that we're doing in the upcoming report is that a number of those really had medical issues and were in care to help support the family and deal with their medical issues. So I think it depends on – like, there was a little boy who had cancer and needed a medical foster home because his family didn't have the resources locally to have him for that period of time. Then he went home, and he passed away at home, but he had been in care.

I think each young person's circumstances are so unique, and until I read and really understand what happened for each individual young person, it's hard for me to comment on it as a larger group at this point.

2:40

Ms Lovely: On page 11 I noticed that there was a 26 per cent increase in general inquiries year over year for your office. Can you give the committee a more detailed breakdown of the types of cases that contributed to that increase?

Ms Pelton: Yes, I absolutely can. A very high percentage of our general inquiries are related to high-conflict custody and access disputes. When families are struggling, they reach wherever they can for help. We provide help and support, so many, many of our general inquiries are related to that. We did a resource sheet last year, that's on our website as well as available for us to e-mail to them if they're in a high-conflict situation.

What else could we get general inquiries about? If young people are trying to access a special education program but aren't receiving services from youth justice or Children's Services and it doesn't fit within the scope of our mandate, then that's a general inquiry. So we do have some where we have to spend some time and help them get to the right place where the right resources are for them. Those are our general inquiries.

The Chair: An additional follow-up?

Ms Lovely: A follow-up as well, please. Also on page 11 there's a figure stating that there were 571 self-referrals by young people seeking advocacy in 2021-22. Was this an increase from previous years, and is there any difference in how your office handles self-referred cases as opposed to other cases?

Ms Pelton: I don't know if it's an increase; I'd have to find out. But they are treated differently. When young people call our office, our receptionist prioritizes their place on the list. So if you phoned, we guarantee that we call you within 24 hours. If a young person is on the other end of the phone, regardless of whether an intake worker is on the phone, the receptionist will find another intake worker or an advocate or somebody to talk to that young person. So we really, really prioritize those calls.

Like I said, when families call Children's Services, they don't call just because they're looking for whatever; they're desperate. So when young people call our office, we feel like they're desperate and we need to be able to respond immediately to their calls.

The Chair: Thank you.

Mr. Dach, I believe you're next.

Mr. Dach: Thank you, Mr. Chair, and thank you once again, Mme Pelton. A follow-up on a line of questioning that I was on earlier just to finish it off. You mentioned that the legislation is silent on

who actually gave the authority to ministers to determine that a recommendation was indeed closed, that they can unilaterally determine it, and you indicated that you couldn't point to some place where that authority devolves from. Would it be your recommendation to this committee that we recommend that the ministries don't have that authority and that it's only you who would have the authority to close recommendations?

Ms Pelton: I think that would be reasonable.

Mr. Dach: Okay. Sounds good.

Now, on the same line of questioning, you indicated that "different perspectives [on] the status of a recommendation" may be had. I guess this relates to what I was talking about on the authority to close a recommendation unilaterally just because a ministry may have a different perspective on it and they believe it's been met and you don't, so it may be going a long way to making sure that your office has a bit more power to actually have you alone as the designated authority to determine whether a recommendation is indeed met or not. Would that not be the case?

Ms Pelton: I think so. It's one of those things that I'd like to take some time to think about. Certainly, over time it's apparent that recommendations can be – we've worked really hard for them not to be ambiguous. We have expected outcomes. When we state a recommendation, why is it that recommendation, and what are we hoping to see? Over time we've seen an evolution. We used to do two-part recommendations, and now we're very clear that we do one so that they're easier to address, and we try to simplify so that you can see the outcomes. They're framed in such a way that they are manageable and doable. So I think anything that we can do to give the recommendations more teeth is a good thing.

Mr. Dach: In the same vein, you mentioned, of course, that currently you've gone to a three-year time frame for a recommendation to die a natural death if indeed they have not been met or satisfied by that time frame. I'm still not understanding exactly why indeed – you said that the recommendations became muddy, sort of muddy the waters, if they were left to be outstanding for a longer period of time. You landed on a three-year period as a sufficient time frame or adequate time frame arbitrarily, and I'm not sure why indeed you determined that it muddies the water for recommendations that continue to be outstanding.

As I mentioned before, when I was on the Public Accounts Committee, recommendations of the Auditor General are outstanding for numerous years, and that indeed is part of the pressure that is put upon a ministry to actually respond and finalize the requirements of the Auditor General; otherwise, it remains outstanding. So why indeed do you consider it to be sort of muddying the waters and of no value to continue those recommendations beyond a three-year period?

Ms Pelton: I don't think that it has no value. The conversation first came about because of the Voice for Change report, where we had made – and it was on Indigenous child welfare. There were a number of recommendations based on governance, and then the federal legislation came in, making all of our recommendations kind of moot because the federal legislation dealt with it. Then as we were going through the older recommendations, we were finding that for the most part the intent of the recommendations had been met, and for some, where we gave significant progress, it was almost met. Then we'd find another investigation where similar issues were coming up, so we wanted to raise it again.

So instead of having three recommendations that were all the same, we wanted to make a brand new recommendation that was

relevant to the current policies and procedures of the day, that was reflective of, really, what was happening now rather than what was happening in 2012 – maybe there'd been a new act, or there'd been other things that had happened – that while it was significant progress, perhaps it wasn't completed, knowing that we were probably going to make another one.

Mr. Dach: Thanks for that.

Finally, Mr. Chair, if I may.

The Chair: Okay. You're sneaking it in there, Mr. Dach.

Mr. Dach: Thank you, Mr. Chair. I'll be brief, and it does relate to the chair as well. March 14, 2023, I believe, is the deadline to report for this committee, correct?

The Chair: I'm sorry. Could you . . .

Mr. Dach: March 14, 2023, the deadline to report?

The Chair: Yes.

Mr. Dach: Mme Pelton, you had indicated that you had some responses that would be provided in writing to this committee to some questions that were made today. Will that be provided with enough time to meet that deadline of March 14, 2023?

Ms Pelton: I believe so. Yeah.

Mr. Dach: Okay.

Ms Pelton: We should be able to have it to you by the middle of February, for sure.

Mr. Dach: All right. Thank you.

Ms Pelton: Most of it is easy to access when we get back. The jurisdictional scan will be a little bit more challenging.

Mr. Dach: I was wondering about that one.

Ms Pelton: Yeah. That one I can't promise by March 14 but most of the other ones. Yeah.

Mr. Dach: Thanks so much.

The Chair: Thank you, Mr. Dach.

Okay. I believe Mr. Hunter is up next. Can you hear me, Mr. Hunter?

Mr. Hunter: Sorry. I thought that Ms Lovely was up next, but you betcha. I'd love to ask my question. Can you hear me?

The Chair: Yes, I can. You're on the floor.

Mr. Hunter: All right. Page 13 of the report details the top three advocacy issues that your office worked on this year, these being connections, placements, and case planning. With all of the issues that your office deals with, can you expand on why these were defined as the top three issues? Is it because of the frequency, their importance, or a bit of both?

Ms Pelton: It's the frequency. Our electronic case management system identifies that these were the top three issues that were reported to us last year. When an advocate works with a young person, their electronic recording includes what their advocacy issues are that they'll be following up on.

Mr. Hunter: Okay. Have these consistently been the top three issues that your office deals with?

Ms Pelton: For as long as I can remember. Yeah.

Mr. Hunter: Okay. All right. Thank you.
That's all I have, Mr. Chair.

The Chair: Okay. Just for the committee's knowledge here, we have a stop time of 4 o'clock. We have business that is going to have to be attended to after we're finished questioning Ms Pelton. I want to make sure that we get as many questions in as we can, so what I'm going to suggest as the chair is that when we hit 5 to, I'm going to let each side have one more round of questions. Then once we hit 3 o'clock, if there are any other questions from a member, they can give them in writing to Ms Pelton and then she can, through the clerk – or give them to the clerk and then to Ms Pelton. We'll read them into the record, and then they'll respond in writing, okay? Thank you.

Okay. I believe it's Ms Pancholi.

2:50

Ms Pancholi: I was wondering when I was going to get cut off. I could go all day, you know.

The Chair: I was beginning to get that feeling.

Ms Pancholi: Yeah. You know.

Anyways, I just wanted to ask. We recently saw a news release from the AUPE which indicated that in northern Alberta they have a vacancy rate of front-line child intervention workers of 45 per cent and that there have been a number of communities around the province recently that have had no staff at all in their regional offices. Staffing is a challenge that we have heard about significantly over the last little while in Children's Services, particularly recruiting and retaining staff. Obviously, your office gets calls from young people who are either engaged in the system or looking to get engaged in the system. Have you heard? Have those staffing challenges been an issue that's been raised, maybe in terms of caseload for particular caseworkers, or just overall have you seen any implications of those staffing challenges within Children's Services on the children and youth who are contacting your office?

Ms Pelton: Anecdotally, I can think maybe about one or two cases, but I don't hear about them all. That would be just in an advocacy meeting. I have heard more from the advocates across the country that it's an issue. I've asked Children's Services, and the last I heard, they felt they had it under control. So I can't really comment on staffing.

Ms Pancholi: Thank you.

Perhaps not on staffing particularly but in terms of – you know, I've heard from young people who are in the system and who talk about challenges with: they need to get their ID set up before they can go access the service, and they can't find their caseworker or their caseworker is not available for a period of time, and it's hindering their ability to sort of access certain supports and services. In that way, have you heard about concerns, maybe just availability and accessibility of caseworkers? Is that an issue that's come up?

Ms Pelton: I haven't directly. I've heard about it in the coffee room, so for an answer to that, I'd like to talk to our intake team and provide it in my written response to the other questions. I'll let you know whether intake is encountering that.

Ms Pancholi: Thank you very much.

Ms Pelton: Okay.

The Chair: Okay. Thank you.
Mr. van Dijken.

Mr. van Dijken: Thank you, Chair. I'm going to refer to page 14 of the report with regard to lawyers that you provide for young people in some child intervention court matters. I see that there are 66 roster lawyers across the province, with 70 per cent operating out of either Edmonton or Calgary. I guess my question is: is that pretty static, that number, 70 per cent, in Edmonton or Calgary? How do we ensure that Albertans' children living in rural areas are being able to access the legal services they need?

Ms Pelton: I think that's been pretty static. I started with the office in that program. We used to have about 95 lawyers. When a lawyer is offered an appointment, they commit to being in whatever court, city that young person is at. In the last five years or so there has been a lot of energy put into trying to recruit more rural lawyers so that they are actually in the community, because we know that community lawyers know the standards within their community. They know their judges. But the way that we have managed to work around the – I don't want to say lack of interest, but there aren't as many lawyers practising rurally who want to do child legal representation. We used to have two in Grande Prairie, but there are – I hate to say it – lots of divorce matters and family court matters that took those lawyers' focus away from this.

Through the program there's lots of training, and really we focus on child legal representation and the role of counsel. We are always trying to bring in more rural lawyers, but if an Edmonton or Calgary lawyer accepts a case in Grande Prairie or Red Deer, they commit to being in court for that matter.

The Chair: A follow-up?

Mr. van Dijken: Yeah, just a follow-up to that. Like, you mention that they're putting a lot of effort into trying to recruit more in rural areas, but I guess what I'm hearing does concern me a little bit, that possibly we haven't found the magic solution to ensure that availability is secured in rural – I guess my question would be: do you have any other plans to further improve accessibility of lawyers in rural Alberta?

Ms Pelton: It is a priority for us. On a regular basis the manager of the program sends letters to, like, the bar that's in that local area asking if there's any interest. We try to do presentations as much as possible. Again, during the pandemic we didn't. We weren't making – we weren't able to get into communities in the same level that we are now, so we have a ton of road trips to do for all purposes, talking about why advocacy is important but also: are there lawyers who are interested in child legal representation? We also have a high standard, so they have to have five years' experience. Not every young lawyer passing the bar can just come and work on our roster, so that presents another challenge, but we have expanded our policy so that some students can get some experience and work with our more senior lawyers.

The Chair: Thank you.

Now, for those of you that may still have some questions, we've reached that time where, if you'd like to read them in – so we'll start with the opposition if you've got some questions you'd like to read into the record for Ms Pelton to be able to answer.

Ms Pancholi: Thank you, Mr. Chair. I only have one question to read into the record. I know; shocking. So as part of your written

responses, if you could address: in March 2021 your office took the unprecedented step of issuing a statement of concern calling for the government of Alberta, with leadership from the Ministry of Justice and Solicitor General and support from child-serving ministries, to take action to ensure that formal and informal supports are readily available to families in high-conflict custody disputes. If you have had any response from the government or from ministries related to that statement of concern, I would appreciate if you would table it with the committee.

The Chair: Thank you.

Is there anybody on the government side of the benches? Thank you very much.

I would like to thank Ms Pelton for joining us today. We truly do appreciate how busy you are and the time you've taken. You're welcome to stay and to observe the remainder of the meeting from the gallery. However, if you have other commitments to attend to this afternoon, please feel free to take your leave instead. Thank you very much for your service.

Ms Pelton: Thank you.

The Chair: Okay. I would like as the chair to make a suggestion that we take a five-minute biobreak. We've been at it for quite a while here. So if we could return at – what's the time in five minutes?

Ms Rempel: At 3:03.

The Chair: At 3:03. If we could return at 3:03, that would allow us to be able to have a biobreak.

Thank you very much.

[The committee adjourned from 2:58 p.m. to 3:03 p.m.]

The Chair: Okay. We're going to call the committee back in.

This committee has just heard from the advocate as part of its consideration of the office of the Child and Youth Advocate annual report 2021-22. We are now at the point where we need to decide what is next in terms of our review under Government Motion 18. Does anyone have any thoughts in this regard? Mr. van Dijken.

Mr. van Dijken: Good. Thank you, Chair. I guess, considering the responsibility that we have been given and based on the experience with other reviews from other committees, I think that one of the first steps this committee should consider is to invite briefings from the relevant ministries. I take a look at the mandate of the youth advocate. The office of the Child and Youth Advocate is an independent office of the Legislative Assembly of Alberta mandated to work with vulnerable young people. The OCYA provides individual and systemic advocacy for children and youth receiving designated services as defined under the Child and Youth Advocate Act.

With that mandate in mind, I believe that when we talk about children and youth receiving designated services under that act, then I would move that the Standing Committee on Legislative Offices invite officials from the Ministry of Children's Services to provide a briefing on the ministry's response to the recommendations in the office of the Child and Youth Advocate 2021-2022 annual report at an upcoming meeting of the committee.

The Chair: Okay. Do we have a motion that's going up? Patience, everyone.

Okay. We have a motion by Mr. van Dijken that the Standing Committee on Legislative Offices invite officials from the Ministry of Children's Services to provide a briefing on the ministry's

response to the recommendations in the office of the Child and Youth Advocate 2021-22 annual report at an upcoming meeting of the committee.

Is there any discussion? Ms Pancholi.

Ms Pancholi: Thank you, Mr. Chair. I just wanted to clarify some of the language in the motion. The motion speaks to the Ministry of Children's Services providing a briefing to the committee. I just wanted to clarify whether or not a briefing includes an opportunity for committee members to ask questions of the ministry officials.

The Chair: It normally would, yes.

Ms Pancholi: I just wanted to make sure that that was clearly onboard. You know, obviously, we have been very clear from the Official Opposition side. We've been calling for many ministries – but we'll begin with the Ministry of Children's Services – to come before this committee or another committee of the Legislature to report on the recommendations made by the office of the Child and Youth Advocate. This is the third meeting at which this has come up as an issue. I'm certainly pleased to see that the government members have finally come around, to some extent, on that because certainly, as we've heard here, it is critically important for public accountability and transparency, particularly at a time when we are seeing the heartbreaking increase in the number of children and youth in care and receiving services who have died or been seriously injured under this government's watch. We certainly need more accountability now more than ever.

Certainly, we will be following up, I believe, with another motion because we believe it's important to make sure that all ministries who receive recommendations from the Child and Youth Advocate should also come before this committee. But, speaking directly to the wording that is provided here and the assurance by the committee members and the chair that we would have the opportunity to ask questions of the ministry officials, I certainly think we can support this motion.

The Chair: Any other discussion? Online?

Hearing none, I'm calling the question on the motion from Mr. van Dijken. It reads that

the Standing Committee on Legislative Offices invite officials from the Ministry of Children's Services to provide a briefing on the ministry's response to the recommendations in the office of the Child and Youth Advocate 2021-22 annual report at an upcoming meeting of the committee.

All in favour? Online? Okay. Any opposed? Online?

I call that motion carried.

Any other motions? Ms Pancholi.

Ms Pancholi: Thank you, Mr. Chair. Given what we've just spoken about as well as the presentation, more importantly, that we just heard today from the advocate as well as presentations that have been made to this committee by the previous advocate multiple times about the importance of all child-serving ministries coming and reporting to a committee publicly about their work that they have done to implement recommendations from the Child and Youth Advocate, I'd like to move the following motion.

I'd like to move that

the Standing Committee on Legislative Offices invite officials from the ministries of Health, Education, Justice, and Seniors, Community and Social Services to report progress on recommendations made to them as part of the review of the office of the Child and Youth Advocate 2021-22 annual report by the office of the Child and Youth Advocate at an upcoming meeting of the committee.

The Chair: Okay. Can we get that put up on the screens, please?

Ms Pancholi: If I may, Mr. Chair.

The Chair: Yes.

Ms Pancholi: If I could just speak to the motion a little bit more while it's being put up on the screen.

The Chair: Okay. Go ahead.

Ms Pancholi: Thank you. As we see in the annual report that we're looking at today as part of this meeting, for example, on page 28 of the annual report the office of the Child and Youth Advocate has outlined eight new recommendations that they made in that fiscal year. We've seen more recommendations since, and those recommendations relate to very important things that other ministries outside of Children's Services do to support children and youth. I want to note for the record that the mandate of the office of the Child and Youth Advocate also includes children who are involved in the youth criminal justice system, so it's not simply just those children who are receiving services from Children's Services but actually those who are involved in some way with the youth criminal justice system as well. That speaks to, of course, the need to include the Ministry of Justice.

3:10

But, again, going back to these eight recommendations simply from 2021-22, they address important issues that speak to the whole of the child and youth. We have talked about already in this committee meeting and heard from the advocate and had this conversation here about all these interplays of issues that influence a child and youth's safety and well-being and health and, in some cases, their very life. Those relate to issues that are not solely the responsibility of Children's Services; they relate to issues that are the responsibility of Justice.

For example, one of the recommendations that the Child and Youth Advocate made was that "the Ministry of Justice and Solicitor General should reassess the risk offenders pose and offer to safety plan with victims of family violence when offenders are released from incarceration." That's critically important. The reason that recommendation came about was because of the deaths of children who were killed by a family member who was released from the criminal justice system and there was no safety plan in place. This is a critically important recommendation. We deserve to hear from the Ministry of Justice as to what work they're doing to implement that.

We had many questions from the members of this committee, from all sides, speaking about youth opioid use. We know that, yes, there is the Ministry of Mental Health and Addiction, but they report to the Ministry of Health. We talked about the importance of education and kids learning about the safety of drugs and asking questions and understanding the importance of knowledge about drug poisoning as part of their education system. It is equally important that we have the Ministry of Education come before this committee.

I appreciate that it is easy to suggest that Children's Services is the only ministry to come before this committee, but we can't keep thinking about these children and youth in isolation as having interaction with only one ministry because, as we know, these children, their families, are interacting with all forms of government. The office of the Child and Youth Advocate has recognized that in the recommendations that they have made, and therefore all of those ministries should come before this committee

and answer for the important work that they're doing to protect children and youth in this province.

The Chair: Thank you, Ms Pancholi.
Anyone else? Mr. van Dijken.

Mr. van Dijken: Yes. I understand the desire to hear from all of these different ministries. We are working within a 90-day limit, and we will be getting into a busy time in the Legislature with budget estimates and the like. Given that it would be important for us to learn what these ministries are doing to address the recommendations from the advocate's office, I think that I would like to move amendments to this motion if that's okay.

The Chair: Is it the amendment on notice?

Mr. van Dijken: The amendment on notice? Well, let's see if it's on notice. That would be accurate.

The Chair: Okay. Would you read the motion?

Mr. van Dijken: I would make an amendment that the motion be amended as follows: (a) by striking out "invite officials" and substituting "request officials;" (b) by striking out "Justice and Seniors, Community and Social Services" and substituting "and Justice;" (c) by striking out "report progress on recommendations made to them as part of the review of" and substituting "provide a written report to the committee with respect to the recommendations made to ministries in;" and then finally (d) by striking out "at an upcoming meeting of the committee" and substituting "on or before February 6, 2023."

The Chair: Okay. Mr. van Dijken moves the amendment that is on the screen.

Discussion? Mr. Dach.

Mr. Dach: Thank you, Mr. Chair. Once again we see government members looking to limit discussions that may be had around the issues that are raised by the recommendations brought forward by the office of the Child and Youth Advocate. The advocate spoke clearly today in her recommendations and presentation to this committee about the need to improve transparency and to improve accountability of ministries in responding to her office's recommendations, and everything about this amendment to the initial resolution is about limiting that desire of the office of the Child and Youth Advocate to improve accountability. Having ministries appear in person allows this committee to speak directly to them and, in fact, implore a response publicly. Simply allowing ministries to respond in writing is a way of once again ensuring they have the ability to ignore the office of the Child and Youth Advocate and the recommendations she seeks to have them implement.

I am disappointed by the government's desire, the government members' desire to water down the hope that we have on this side to improve accountability. This amendment is certainly something that I would oppose.

The Chair: Thank you.
Any other discussion? Mr. Orr.

Mr. Orr: Yeah, Mr. Chair. Thank you. I think the members opposite are posturing a little bit here. They want to try and make it sound like they've done everything and we're not. The truth of the matter is that they had their own set of recommendations in 2017, a review of the act, and they didn't even follow up on them when they were in government.

Back in 2017 as well UCP MLA Mike Ellis tried to pass Serenity's law with an NDP government, and it did not receive the support it needed from them. At the time the NDP children's minister voiced concerns about unintended consequences and confusions. Serenity's mother met with the minister and is quoted afterward as saying: every time I asked her if she supported Serenity's law and the children of Alberta, she refused to say yes every time. She basically made up excuses. It took a UCP government to actually pass that important act.

And I think that considering the amount of time we've got – this is time limited to get this report in. Asking for written submissions actually requires a more carefully thought out and thorough response from various departments. So I think every member should support the amendments.

Thank you.

The Chair: Ms Pancholi.

Ms Pancholi: Thank you, Mr. Chair. Jeez, I really have to say that I think that hon. member and whoever wrote his speaking notes for him should be ashamed of themselves.

Let's go back, Mr. Chair. This committee needs to understand a little bit about – or at least the government members need to understand what this committee's work is doing. The first time that the office of the Child and Youth Advocate came before this committee to have their annual report reviewed was in 2020, to review their 2018-2019 annual report, so under this government was the first time that the advocate came before this committee and presented their annual report. At that time the opposition members said that we wanted to see other ministries come before, as the advocate recommended, to speak to the recommendations that they have or have not implemented. This came before this committee again in 2021, 2022, and now here in 2023. Consistently the advocate has indicated that they believe all ministries should come before this committee and speak to the implementation of the recommendations.

The member over there can talk about what happened beforehand. The fact that we are here right now and we are facing the past two years and a current year looking forward where we have seen an astronomical increase – a heartbreaking, devastating increase – in the number of children and youth in care: that is not partisan. Those members on the government side should be equally interested and engaged and passionate about understanding what work these ministries are doing to address that very grim reality.

I think the members of the government caucus should ask themselves: do they have the information they feel they need to explain why we have seen such an increase in the number of deaths of children and youth in care, and do they have the information that they need to feel confident that these issues are being addressed? What we know is that there are a lot of questions. We've raised them in this committee already to the advocate. We are going to continue to raise them. We've heard the advocate say that the numbers are going to be worse in the upcoming year. She's already seen an increase in notifications.

3:20

This is not about partisanship; it's about saying that there are children and youth who are dying, and it's unprecedented. We should all – it's not partisan – be interested in knowing what work is being done, what actions are being taken, what more could be done, where there are opportunities for collaboration to address that. That affects all of the other ministries for which recommendations have been made by the advocate. It addresses the ministries of Health; of Justice; of Education; of Seniors,

Community and Social Services. The member's amendment would suggest that those ministries would simply have to submit a written report. They've already done that. They've already done that in how they have responded to the advocate's recommendations. It's publicly posted.

And those recommendations, as you've heard from the advocate – and the reason why we're here today to talk about this is because they are woefully inadequate, because they don't allow for an engaging back and forth to say: why do you feel that the intent is met, that what you're doing is currently enough? What are you doing that is currently enough? Does it address this part of the recommendation? If we had the advocate here to provide some technical support, they'd also be able to say: this is what we meant by the recommendation; maybe that's something different than what you think we meant. It is to allow for that transparency. I don't understand why the government members would be hesitant to have that transparency when they clearly have questions as well for these ministries.

In fact, the only explanation we've heard is because there's not enough time. I think that is very, very poor solace for the children and families and youth who are being affected, who have died and are seriously injured. We have been calling for this for three years. We realize it's a busy time. It's a busy time all the time, but our number one job is to look out, at the very basic level, for the most vulnerable, which in this case are children and youth who are engaged in the child intervention system and the criminal justice system. That is our job. I know I am and I know my members of the opposition caucus are very willing to put in the time to do that work. If we're saying the only reason we are not bringing – and this is what the government is saying. The only reason they don't want to bring those other ministries to this committee to ask these very important questions is because it's too much work at a busy time. Well, I'd ask those members to reflect a little bit on that rationale.

I can already see the member – yeah, hon. Ron Orr is shaking his head. He's not going to reflect on that. He's not going to reflect on his commitment to children and youth. He wants to play politics with this. This is really about transparency, Mr. Chair. I urge the government members to take pause. I know how this works. I've sat on committees. You're likely all going to vote the same way. This is not too much work. We can do this. We can listen and get some feedback and ask some great questions and get a better understanding of what's happening and what could be done. This is something we can all agree to do together, and it's not for partisan reasons; it's about helping the children who we are mandated to protect and keep safe.

The Chair: Thank you, Ms Pancholi.

Anybody on the government side? Go ahead, Mr. van Dijken.

Mr. van Dijken: Yeah. Reflecting on the comments just made, in some of the comments and questions that were presented to the advocate from the opposition side, I have a concern that possibly there's a misinterpretation of the role of the advocate in our province and in presenting to our committee as a committee of legislative offices. She did say a number of times that she reaches out to experts to try and get an understanding but that her office is not necessarily the expert.

We have a duty, absolutely, to try and get the information necessary to ensure that the government is doing everything they can to meet the needs of the children in care in this province, vulnerable children in the province. I believe that the amendments put forward will allow us to actually get the information back in a timely manner to actually accomplish what we're trying to do. I think it's an important part of getting the work done and in a

reasonable time frame. I don't want to be sitting here and saying: well, we're not going to get it done then.

That's all.

The Chair: Thank you, Mr. van Dijken.

Mr. Shepherd.

Mr. Shepherd: Thank you, Mr. Chair. I appreciate the opportunity to speak to the amendment. It's interesting to me that Mr. van Dijken is now deeply concerned about having the time to do this work when that concern was not present for the many opportunities that we had over the previous years, as outlined by Ms Pancholi. We've brought this to this committee. We have asked for the opportunity to hear that expertise that Mr. van Dijken just said.

The Child and Youth Advocate is not the expert on all things. Indeed, we recognize that. Indeed, she recognizes that. But that is precisely why multiple times over the last three years we have brought it to this committee that we bring that expertise to the table to speak to the questions and concerns and recommendations that have been put forward by the Child and Youth Advocate. Every time we have done so, the members of the government on this committee have voted it down. And now – now – suddenly they say: "Absolutely. We want to hear from those ministries. It's absolutely important that we hear so before we finish this review, but we just simply don't have the time."

Mr. Chair, that is incredibly, incredibly disingenuous. When I think about – I recognize this is a busy season. Absolutely. We know we have an upcoming Legislature. We have the budget, and then we're going to find ourselves going into a provincial election, certainly. But if we are short of time, it is because these members have refused to take any step towards doing this crucial and important work until this last minute. That was their choice.

It is not a question of the ministry's capability. It is not a question of whether we have enough time to do the work. It is a question of their willingness to do so. Clearly, they are showing that they are more interested in continuing with the sorts of political games, infighting, other issues that have led us to this point while over the last three years we have lost so much opportunity. We could have been doing good and diligent governance on behalf of the people of Alberta, but instead government members have been so wrapped up in their own drama, political infighting, and other issues that we have lost the opportunity to do good work on behalf of the people of Alberta, something that Mr. Orr seems to find quite amusing, Mr. Chair. I don't.

Now, Mr. Chair, I would note that in regard to this particular amendment and the request that we have in front of us – the Child and Youth Advocate: today I had the opportunity to chat with her a bit about her recommendation, for example, that there be a youth opioid strategy, specifically youth oriented. I had the chance to ask her about why that was necessary and what that would involve, and she was quite clear that that would be a multiministerial effort that crosses many boundaries and involves many things.

The fact is, as my colleague Ms Pancholi noted, that the work that the Child and Youth Advocate does touches on many areas of government, so we should have the opportunity to have those areas of government come and speak to us at the committee to follow through, to have the chance to follow up on these recommendations. Mr. van Dijken says that a written submission should simply be enough, a restatement of what we already know and of what is already out there and available. The fact is, Mr. Chair, that we need to have an interactive opportunity, and there is no reason why in the next 90 days we could not do so to have the chance to ask questions, to engage in discussion, and to work with those ministries here in the room.

Fundamentally, Mr. Chair, I am against this amendment, and I will be voting against it.

The Chair: Thank you, Mr. Shepherd.

I am beginning to hear some common themes being reiterated. Mr. Hunter is next on our list, but please be aware that we're starting to repeat ourselves, I believe.

Okay. Mr. Hunter, go ahead.

Mr. Hunter: Thanks. Can you hear me, Mr. Chair?

The Chair: I can.

Mr. Hunter: Okay. Good. Yeah. I just wanted to point out that as I listened to Ms Pelton when I asked a question about, in my opinion, a very key part of trying to figure out, you know, where these problems and the increase in deaths and injuries are happening, whether it be through drug or alcohol abuse or suicide, and figuring out whether or not there was a crossjurisdictional analysis that could be done, she said she would get that back to our committee.

Then when it was stated, I think, by Ms Pancholi that, you know, she needs to get this information and does she have the time, it was said that she didn't think she was going to be able to get the crossjurisdictional analysis done. They talk about being able to get all this stuff done in the 90 days. In reality it sounds to me like Ms Pelton said that she couldn't get that crossjurisdictional information to us. It's very difficult to be able to make those decisions when we don't have a very key part of what's happened over the last two and a half years.

So I'm very much in favour of these amendments. I think that they do address the issue of: we need to have Justice in in order to be able to speak to these issues. I think that that is something that this addresses, and it addresses the timelines, the time constrictions that we have.

3:30

The Chair: Thank you, Mr. Hunter.

Is it time to call the question? Have we got any more discussion?

Mr. Panda: Call the question.

The Chair: Okay. The amendment by Mr. van Dijken to the motion reads that

the motion be amended as follows: by striking out "invite officials" and substituting "request officials"; by striking out "Justice, and Seniors, Community and Social Services" and substituting "and Justice"; by striking out "report progress on recommendations made to them as part of the review" and substituting "provide a written report to the committee with respect to the recommendations made to ministries in"; and (d) by striking out "an upcoming meeting of the committee" and substituting "on or before February 6, 2023."

All in favour of the amendment as read? Online? All those against? Online?

I declare that amendment passed.

Ms Pancholi: Chair, I'd like a recorded vote, please.

The Chair: A recorded vote? Okay.

For a recorded vote, all those in the room in favour of the amendment as read, please indicate so.

Mr. van Dijken: In favour.

Mr. Orr: In favour.

Ms Lovely: In favour.

The Chair: All those online, please indicate if you are in favour. Let's start with Mr. Hunter.

Mr. Hunter: In favour.

Mr. Panda: In favour.

Mr. Toor: In favour.

The Chair: Okay. All those against in the room?

Ms Pancholi: Against.

Mr. Dach: Opposed.

Mr. Shepherd: Opposed.

The Chair: Online, any opposed?

I declare that amendment passed.

We are now on the motion as amended. I believe that was put forward by Mr. van Dijken, was it not?

Mr. van Dijken: No.

The Chair: The original motion?

Ms Rempel: The main motion was by Ms Pancholi.

The Chair: The main motion was by Ms Pancholi. That's right. I'm sorry.

The main motion, by Ms Pancholi, is that the Standing Committee on Legislative Offices request officials from the ministries of Health, Education, and Justice provide a written report to the committee with respect to the recommendations made to ministries in the review of the Child and Youth Advocate 2021-2022 annual report by the office of the Child and Youth Advocate on or before February 6, 2023.

Did I get that right, Jody?

Ms Rempel: Yes, with the amendment.

The Chair: With the amendment. Okay.

All in favour of the motion as amended? We'll start with the room. Online, all in favour? Okay. All against in the room? Online?

I declare that motion as amended passed.

That brings us to other business – does it? – unless there are any other motions.

Mr. van Dijken, did you have another motion?

Mr. van Dijken: This is not a motion that was submitted earlier, so I think I need permission to have a motion from the floor. I'm not sure.

The Chair: Okay. Well, I think we probably need to have the motion read to us and then a vote from the floor as to whether or not we will accept that motion. Is that correct?

Ms Rempel: Whether it can be discussed.

The Chair: Whether it can be discussed. Yeah. Okay.

Why don't you read the motion to the committee, and then we can maybe post it so that everybody can see it, and then we'll make the decision as to whether or not that can hit the floor.

Mr. van Dijken: I think we have a couple of other ministries that we should probably hear from and that are relevant. I would move that

the Standing Committee on Legislative Offices invite officials from the ministries of Mental Health and Addiction, Indigenous

Relations, and Seniors, Community and Social Services to each provide a briefing on the ministry's response to the issues raised or recommendations made pertaining to the mandate of that ministry and the office of the Child and Youth Advocate 2021-2022 annual report at an upcoming meeting of the committee.

The Chair: Can we get that put up?

Does that read as you read it, Mr. van Dijken?

Moved by Mr. van Dijken that the Standing Committee on Legislative Offices invite officials from the ministries of Mental Health and Addiction, Indigenous Relations, and Seniors, Community and Social Services to each provide a briefing on the ministry's response to the issues raised or recommendations made pertaining to the mandate of that ministry and the office of the Child and Youth Advocate 2021-2022 annual report at an upcoming meeting of the committee.

Mr. van Dijken: That's accurate.

The Chair: Okay. In order for us to be able to discuss and debate this motion, we have to first have a vote on

whether or not this committee is prepared to do so.

We will start with a vote in favour. In the room, all those in favour of addressing this motion, please say aye. Online? Any against in this room? Any against online?

I declare that passed.

We will now have the capacity to debate this motion. Anybody that would like to speak to it? Mr. van Dijken.

Mr. van Dijken: Yeah. I believe that these ministries reside in the fact that a third of the deaths were alcohol and drug related and that many others were the result of suicide, so that would fit within the mandate of the Ministry of Mental Health and Addiction. Additionally, increases in Indigenous injuries and deaths make it necessary for us to invite the Ministry of Indigenous Relations to understand the relevant background information around the children in our province who are struggling the most and that the report talks about. Finally, the Ministry of Seniors, Community and Social Services is relevant to the matter at hand. It is directly mentioned in the recommendations in the report. So I think that to get a briefing at committee from these ministries would be in order.

The Chair: Mr. Dach.

Mr. Dach: Yes, Mr. Chair. Thank you. I just wanted to clarify once again that the briefings contemplated in this motion would also allow us to question those officials attending from each ministry.

The Chair: I believe it's a briefing. It's not a period of time when you would be able to question. [interjections] Oh, okay. I'm sorry. I stand corrected here. Sorry about that.

Mr. Dach: So questions would be allowed?

The Chair: Yes, questions would be allowed.

Any other questions? Go ahead, Ms Pancholi.

Ms Pancholi: I do wonder, Mr. Chair, sometimes if the members of the government side get cognitive whiplash from the positions they take. I mean, it must be very hard to be them sometimes and to read what you're told to read and then get to do something else.

To be clear, despite just mere moments ago the members of the government side saying that we did not have time to call various ministries to come and report to this committee, they can now, with a semistraight face – I see some smiles – say that there are other ministries that they are okay with and that we do have the time.

Well, I'm certainly glad that in the last 10 minutes the government members have suddenly realized their jobs and are willing to do them.

Certainly, what we can tell from this motion is that the members are not interested in hearing from the ministries of Justice or Education, because those are the two that were included in the briefing before, which, as I mentioned, is a bit confusing because there are specific recommendations from the advocate for those ministries. I understand that the member had indicated that, yes, of course, we did see, unfortunately, an incredible increase in the number of deaths as a result of drug poisoning, so that speaks to Mental Health and Addiction coming and reporting to this committee.

3:40

Of course, as I mentioned, one of the recommendations that came to Alberta Justice from the advocate was specific to children who had died as a result of a criminal justice failure, ultimately. Again, I think that would justify and merit having that ministry come before this committee as well. There were specific recommendations that are about keeping children and youth safe.

You know, I look to the government members and ask them – it feels like we're going through circles. I mean, I'm tempted to ask for an amendment to include Justice, but I don't know if that's in order considering that the government caucus just struck that down. But the compelling argument that the member made as to why these ministries should come forward would include, in my mind and, I think, the members' minds, the Ministry of Justice coming forward as well.

I maintain that the Ministry of Education should also come forward. They have specific recommendations that are key to the implementation of a youth opioid strategy, which the members seem to care about.

I guess I would say that we're willing to do the work. We're willing to hear from these ministries; we think it's important. I would be also willing and my colleagues are to hear from those other affected ministries. Why not since we're having all these ones come forward? But, more importantly, because it is doing our jobs to make sure that we are getting some clear information. Perhaps I'll leave it to the government members to seek to amend their own motion if they seek to align with the motion that we currently voted down, apparently. I'll let the government members deal with their own dissonance there, but I'm glad to see that we'll be hearing from some ministries.

The Chair: Okay. We'll go with Mr. van Dijken and then Mr. Shepherd.

Mr. van Dijken: Thank you. Just to be clear, the ministries of Health, Education, and Justice will provide a written report on the recommendations made to them. They are going to report to us with a written report, and these ministries will come to us with briefings to the committee.

The Chair: Mr. Shepherd.

Mr. Shepherd: Thank you, Mr. Chair. To be honest, most of the comments that I think I wished to make were covered by Ms Pancholi. I'll just note that it's, as she noted, a bit ridiculous that we are doing this little dance. It would have been quite easy for Mr. van Dijken to simply amend the previous motion, if he had felt that was necessary, rather than going through this little sort of charade of making rather circular arguments – well, not circular but, frankly, just empty arguments that they are now contradicting – around there

not being enough time, not being enough opportunity, and now precisely doing exactly what they said was not possible to do.

Certainly, I'll support hearing from these ministries, but again I would join Ms Pancholi in questioning why they feel that Justice and Education simply don't rank the same opportunity as these others as they also have been clearly identified by the CYA, the Child and Youth Advocate.

Thank you.

The Chair: Thank you, Mr. Shepherd.

Any other comments either in the room or online?

Mr. Orr: Mr. Chair, I don't think the other members opposite caught what happened in the first amendment. It does say in part (b) "and Justice." Justice was included in the first part. They missed that. I don't follow their concern. They're not paying attention. Justice was included in the very first amendment, and, yeah, it's there in writing.

The Chair: I'll just let everybody know that we have other business and another motion to discuss. We're coming close.

Mr. Shepherd: Just to clarify for Mr. Orr, the concern we're raising, Mr. Chair, is that Justice is not being brought in to give a briefing and answer questions. We are not questioning the fact that they are listed along with the Ministry of Health to provide a written submission, but they are not being given the opportunity to present in person and answer questions.

Thank you, Mr. Chair.

The Chair: Thank you, Mr. Shepherd.

Anybody online? Any other discussion?

Okay. Then we'll call the question on the motion here. The motion reads that Mr. van Dijken moved that

the Standing Committee on Legislative Offices invite officials from the ministries of Mental Health and Addictions, Indigenous Relations, and Seniors, Community and Social Services to each provide a briefing on the ministry's response to the issues raised or the recommendations made pertaining to the mandate of that ministry and the office of the Child and Youth Advocate 2021-22 annual report at an upcoming meeting of the committee.

All those in favour of this motion in the room, please say so. Online, all those in favour? Any against in the room? Any against online?

That motion carries.

I believe that takes us, unless there are any other motions, to item 5, other business. Okay.

Ms Pancholi: Oh, wait. Sorry. My apologies. I did have another motion.

The Chair: Okay.

Ms Pancholi: Thank you.

The Chair: Hopefully, this will be a quick one.

Ms Pancholi: Yeah. Well, we'll see. I'd like to bring forward . . .

The Chair: Is it on notice?

Ms Pancholi: It was on notice. Yeah. I'd like to move that the Standing Committee on Legislative Offices invite officials from the Ministry of Children's Services to report on addressing the volume of serious injury and death reviews conducted by the office of the Child and Youth Advocate for the period 2021-22 resulting from the significant increase in the deaths of children and youth who are receiving or have received services from the

ministry, as detailed on pages 26 and 27 of the office of the Child and Youth Advocate 2021-22 annual report, at an upcoming meeting of the committee.

The Chair: Okay. Can we have that on the screen, please?

Ms Pancholi: Okay. Maybe I'll speak to that?

The Chair: Yeah. Just let me read through it very quickly. Moved by Ms Pancholi that the Standing Committee on Legislative Offices invite officials from the Ministry of Children's Services to report on addressing the volume of serious injury and death reviews conducted by the office of the Child and Youth Advocate for the period 2021-22 resulting from the significant increase in the deaths of children and youth who are receiving or have received services from the ministry, as detailed on pages 26 and 27 of the office of the Child and Youth Advocate 2021-22 annual report, in an upcoming meeting of the committee.

Go ahead, Ms Pancholi.

Ms Pancholi: You spoke almost as fast as I do, Mr. Smith.

To clarify, as we've already passed a motion that Children's Services would come before this committee to report on the specific recommendations that have been made in the annual report, this is to go broader than that. This is to say – and we heard loud and clear from the advocate. We've all spoken about it, and we've heard about it in the news. We've talked about it. The Official Opposition has stood up multiple times to talk about the significant increase of deaths and injuries in the 2021 fiscal year. We heard about the impact that this is having on the advocate's office in terms of the number of investigative reviews they're doing, mandatory reviews as well as systemic reviews. We all – I believe that we've expressed it in this meeting – have questions to the Ministry of Children's Services as to what was happening at that time and why, in their view, as the people who deal most directly with those children and youth, we saw that increase.

This is, again, to provide transparency, that has been woefully inadequate, I have to say, up until now. What we see posted publicly are, really, just statistics. We don't know the why or understand the why and what could be done to address it in terms of: is it staffing? Is it expertise? Is it more supports? You know, we talked about opioid use. There are so many elements to this, but we have been sorely lacking in transparency. Albertans have been lacking in transparency and understanding the why behind these alarming increases in the number of deaths of children in care.

We are asking for Children's Services – they may not be able to answer the question entirely, because we know all the various factors that influence these situations. But they have cases with these children, they have files with these children, they have caseworkers that work on the front lines with these children and their families. We need to understand, from their perspective, what has been happening. This motion is to seek that Children's Services not just speak to the specific recommendations from the Child and Youth Advocate but also speak to the issue of the increase in the number of children and youth who have died in care and receiving services.

The Chair: Thank you, Ms Pancholi.

Is there anybody else who would like speak to this motion?

Mr. van Dijken: I'll speak.

The Chair: Okay. Mr. van Dijken.

Mr. van Dijken: Yeah. I see a fair bit of redundancy in moving in this direction. We are receiving a briefing from the ministry. We

will have the opportunity to ask questions. It has been identified, even from the advocate, that we don't have a true or complete understanding yet of the increase and how it compares to other jurisdictions. Are we failing to provide in a way that can be identified at this time? I look at this as: we have opportunity to ask questions when the ministry comes to brief us on the recommendations made by the advocate, and I would encourage those questions at that time.

3:50

The Chair: Any other discussion?

Mr. Dach: I just want to make very sure that when the advocate is before us, we won't get ruled out of order should we bring questions forward such as these to broaden the scope. I think that's exactly what will happen if indeed this motion doesn't pass. This is one of the reasons we want to make sure this is on the record, so that we do have in scope the opportunity to ask the ministry to respond to these broader questions.

The Chair: Thank you, Mr. Dach.

Any other questions or discussion?

Okay. I'm calling the question on the motion moved by Ms Pancholi that the Standing Committee on Legislative Offices invite officials from the Ministry of Children's Services to report on addressing the volume of serious injury and death reviews conducted by the office of the Child and Youth Advocate for the period 2021-22 resulting from the significant increase in the deaths of children and youth who are receiving or have received services from the ministry, as detailed on pages 26 and 27 of the office of the Child and Youth Advocate 2021-22 annual report, at an upcoming meeting of the committee. All in favour in this room, please say aye. [interjections] Somebody online is not muted. Thank you. All those online in favour of the motion as read, please indicate so. All those against in this room, please indicate. All opposed online?

Then I declare this motion defeated.

Okay. Any other motions before we go to other business, item 5? Thank you.

Just over a week ago we received correspondence from the new Ombudsman, Kevin Brezinski, requesting approval from his committee for him to delegate to any person holding any office under the Ombudsman any of the Ombudsman's powers under this act except the power of delegation and the power to make any report under this act. Our approval of this ability to delegate powers is required under section 27 of the Ombudsman Act. It is a matter that this committee deals with each time a new individual is appointed to the role of Ombudsman. Committee members may remember that we passed a motion in this regard, less than a year ago, when we recommended that Peter Sherstan be appointed as Acting Ombudsman. Does anyone have any questions on this matter?

Mr. Orr: I'm prepared to make a motion.

The Chair: Okay.

Mr. Orr: This is fairly straightforward and procedural; therefore, I move that

the Standing Committee on Legislative Offices approve Kevin Brezinski in his capacity as Ombudsman to exercise all powers of delegation provided to the Ombudsman under section 27 of the Ombudsman Act.

The Chair: Can we get that up on the screen? Okay. We have a motion moved by Mr. Orr, that the Standing Committee on Legislative Offices approve Kevin Brezinski in his capacity as

Ombudsman to exercise all powers of delegation provided to the Ombudsman under section 27 of the Ombudsman Act. Discussion?

Okay. I'll call the question. All those in favour in the room? All those in favour online? Opposed in the room? Opposed online?

I call that motion passed.

Thank you very much.

Are there any items for discussion under other business?

Ms Pancholi: Can I just ask a process question? When we've got these other ministries coming before the committee to speak on the recommendations, will we be inviting the office of the Child and Youth Advocate as well to be technical support to those meetings? Is that something that we . . .

The Chair: That would be a decision of the committee.

Ms Pancholi: Can I put that forward, that we invite the office of the Child and Youth Advocate?

The Chair: We're still at other business, so if you would like to put forward a motion – but it's not on notice . . .

Ms Pancholi: Right.

The Chair: . . . so we'd have to agree to it after you've put forward the motion.

Ms Pancholi: Can we agree . . .

The Chair: And we've got exactly four minutes left.

Ms Pancholi: All right. I'd like to put forward a motion that the office of the Child and Youth Advocate be invited to attend as technical support at the meetings of all the ministries that will be reporting to this committee on the recommendations from the office of the Child and Youth Advocate.

The Chair: All right. I think you're going to have to give our clerk a couple of seconds here.

Ms Pancholi: Yeah. Something to that effect.

The Chair: Okay. We can have the discussion. Could you state it once more?

Ms Pancholi: That the office of the Child and Youth Advocate be invited to provide technical support to the committee when it hears from the ministries previously invited to report on recommendations on the 2021 annual report of the office of the Child and Youth Advocate.

The Chair: Okay. Discussion as to whether or not we are prepared to bring this to the floor?

Mr. Dach: I think it's a good idea.

The Chair: Okay. Anybody else?

Okay. Let's put this to a vote. All those in favour of allowing this motion onto the floor? Online? Anybody against in the room? Anybody against online? This motion is now on the floor.

Discussion of the motion?

Ms Pancholi: I think it's pretty straight straightforward . . .

The Chair: Oh. Just a second.

Ms Rempel: I'm sorry. Thank you, Mr. Chair. I just want to make sure that the wording that's up on the screen accurately reflects the

intention of the member. I can read it out loud for those who are listening: that

the Standing Committee on Legislative Offices invite the office of the Child and Youth Advocate to provide technical assistance to the committee when the ministries of Children's Services; Seniors, Community and Social Services; Mental Health and Addiction; and Indigenous Relations appear before the committee regarding the office of the Child and Youth Advocate '21-22 annual report.

Ms Pancholi: Yes.

The Chair: You're good with that?

Ms Pancholi: Yes.

The Chair: Okay. Discussion, very quickly?

Mr. van Dijken: Yeah, if I may.

The Chair: Mr. van Dijken.

Mr. van Dijken: Yeah. "Provide technical assistance" I guess I'm trying to understand. The advocate's office is an office that reports to us; they don't necessarily provide technical assistance. I don't know if Parliamentary Counsel has any words to try and help us understand if this is in the scope of the office, if that meets it okay.

The Chair: Yes. Go ahead, Ms Robert.

Ms Robert: Thanks, Mr. Chair. What I will say is that in other reviews by other committees, like, the legislative officers have been invited to provide technical support to the committee.

The Chair: Any other questions or discussion?

Okay. I'll call the question. All those in favour of the motion as it reads? Online, all in favour? Okay. In the room, any opposed? Online, any opposed?

I call that motion carried.

Okay. The next meeting date. The next meeting will be at the call of the chair. But maybe just to give you some idea of where I'm thinking of going with this, as the committee members are aware, we are required to report back to the Assembly on our review of the Child and Youth Advocate's report by March 14. We also have the start of session and consideration of main estimates coming up quickly. With this in mind, I think we should schedule our next meeting the same week that we are expecting written responses from the ministry. That would be March 6 or, rather, February 6. Likely between February 8 and 10 would be our next meeting, where we would have the ministries coming in and the briefings. After that meeting we can have a few days to consider the information received and to put motions on notice so that we can potentially complete our deliberations the following week.

Thank you very much. Would a member move a motion to adjourn?

Mr. Orr: Actually, just a question. Is there an issue with us meeting while – you're doing this in February or March? I didn't quite follow you.

The Chair: It would look like we'd probably do a meeting between February 8 and 10.

Mr. Orr: Okay. If it's February, I'm fine. I was going to say that you can't be doing this during estimates.

The Chair: No. The whole point of this was to try to make sure that we're done before estimates.

Mr. Orr: I thought you said “March.” Sorry.

The Chair: Okay. Any other questions?
Can I have a motion to adjourn?

Mr. van Dijken: So moved.

The Chair: Moved by Mr. van Dijken.

Ms Rempel: Vote.

The Chair: All in favour? No vote. No vote. Thank you.

Ms Rempel: Yes, vote.

The Chair: Yes, vote?

Ms Rempel: We need to vote, yes.

The Chair: Okay. All in favour? Online, all in favour? Any opposed? We are adjourned.

Thank you very much for your hard work today, ladies and gentlemen.

[The committee adjourned at 4 p.m.]

