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FAX NO. 7097533014

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Office of the Child and Youth Advocate
PROVINCE OF NEWFOUNDLAND AND LABRADOR

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To: Angela Bull	From: Colleen Meaney
Fax: 729-0121	Pages: Seven (including cover sheet)
Phone:	Date: November 4, 2004
Re:	CC:

Angela,

Attached is a letter to Minister Ottenheimer from Mr. Wicks as well as an outline of the issues for discussion at their meeting, which is scheduled for Monday, November 8th at 2:00 p.m.

Thank you,

Colleen

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Office of the Child and Youth Advocate
PROVINCE OF NEWFOUNDLAND AND LABRADOR

November 4, 2004

The Honourable John Ottenheimer, M.H.A.
Minister of Health and Community Services
P. O. Box 8700
St. John's, NL A1B 4J6

Dear Minister Ottenheimer:

In anticipation of our meeting on November 8th, I am forwarding to you a short resume of some of the items that need consideration. There are many others, however, I doubt we will even get through all of these. This information comes from our almost two years of experience, and as you can see, presents significant challenges for us all.

I am pleased that you have provided an opportunity for us to continue our excellent relationship in discussions that will hopefully lead to better lives for our children and young people.

Kind regards.

Yours sincerely,

LLOYD L. W. WICKS (Judge - Ret'd)
Child and Youth Advocate

Attachment

Meeting with Minister John Ottenheimer, November 8, 2004
Issues for Discussion

1. Residential Treatment needs of Children and Youth

In 2002, a Provincial Committee completed a review of the residential treatment needs of children and youth. The review was required because it was apparent that there are children and youth with complex needs which were not being met within the Province's continuum of care or through available health services. The Report was submitted to the Department of Health and Community Services, and it is currently with the Executive of the Department. At present, information on whether or not the Department plans to implement the Report's recommendations is unknown.

2. Children and Youth in Individual Living Arrangements

There are a number of children and youth who are being supported in individual living arrangements because appropriate residential options and treatment programs are not available to meet their complex needs. In the past, adolescents were the primary group requiring ILAs; however, more recently these arrangements are being used for children as young as 8 years old. According to information obtained by the Office of the Child and Youth Advocate, there are approximately 15 children/youth in such arrangements across the Province. These arrangements are very costly and often do not really meet the needs of the children/youth for whom they are set up to serve.

Please note: This issue relates to number 1 in that this Province needs to build the capacity to meet the needs of children and youth in a more efficient and cost effective way.

3. Children and Youth in Out-of-Province or Out-of-Country Treatment Programs

As of May, 2004, there were 15 children/youth from various Regions of the Province who were sent outside the Province or outside the Country because their treatment and/or residential needs could not be met in this Province. This number may have increased since that time. For many of these children/youth there appears to be "no plan" on when or if they will return to this Province. Feedback received by the staff at the Office of the Child and Youth Advocate from youth who had such experiences in the past indicated that this was not a positive experience for them. However, many of these children/youth do not have natural advocates (parents) who are following their placements or are

pursuing their right to receive services within this Province. The financial costs involved in supporting these placements are often staggering. In addition, it is not known whether or not the children/youth themselves make many gains by being sent away.

Please note: This issue relates also to number 1 and number 8.

4. Special Child Welfare Allowance

The Department of Health and Community Services has established a review committee to review the existing policies regarding the Child Welfare Allowance Program. This program is designed to support children and youth who have disabilities by providing financial support and/or services which enable them to meet their maximum potential while residing in the care of their parents. The program needs to be grounded in principles of equality, inclusion, and independence. The program also needs to be grounded within the vision, values, and goals of the National Children's Agenda. Of particular note are values related to protecting children's best interests, supporting children by supporting parents and families, and reflecting diversity by considering the unique needs of each child. At the present time, families have advised the Office of the Child and Youth Advocate that the reasons they are denied services are financial. They are either not approved because they are considered ineligible financially or they are approved and then denied service because the program is frozen. In such circumstances, it appears easier and more likely that children will receive services if they are taken into care. However, the resources required to support a child in care far outweighs the costs of supporting children within their own family.

At the present time, there is no Program Specialist dedicated to the Child Welfare Allowance program to keep it updated. This poses a significant barrier to ensuring the program is responsive to current needs. In addition, there appears to be no consistency across the Regions of the Province in how the program is delivered. While some families are able to access services, others are told they cannot because of a freeze in the program.

The Office of the Child and Youth Advocate anxiously awaits the conclusion of the current review in hopes it will close the gaps that currently exist so that children, youth, and their families will achieve the best possible outcomes.

5. Dental Services for Children

The issue of dental care for children is a significant concern. It has been noted that many children in their pre-school years do not access dental care, and children face longer-term consequences by not having their dental needs met in the early years. In particular, children from a low economic status often

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Association

Department of
Education

Department of
Government
Services and Lands

Department of Health
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Chair, NL Alliance for the Control of Tobacco

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experience poor dental health, and because publicly-funded dental programs are generally under funded, these children do not have access to dental services.

The Office of the Child and Youth Advocate has provided advocacy services on behalf of specific children on this issue. In addition, the Office has a systemic file and intends to research the issues with a view to making recommendations to Government.

It is our understanding that provincial funding for children's dental health services has not had an increase in many years and as a result, many dentists have not been able to provide these services to the children most in need without suffering personal loss in their practices. The dentists are now re-examining their ability to continue to meet the needs of the most vulnerable children based on the low level of financial support available to them.

6. Child Protection Services

A number of concerns have been highlighted regarding the delivery of child protection services in the Province. Included in these are the following:

- (a) Inconsistent application of provincial policies and standards across the Province.
- (b) A triage system for actioning child protection referrals (St John's Region).
- (c) An inability for staff to practice according to the principles legislated in the Child, Youth, and Family Services Act.
- (d) A lack of resources to meet the identified needs of children and youth at risk.
- (e) Permanency planning is delayed for many children.
- (f) Due to problems with the Courts, legislated time frames and legislated time limits as outlined in the Child, Youth and Family Services Act are not being met.
- (g) Some Regions of the Province report having difficulty retaining legal counsel for their Director of Child, Youth, and Family Services (Labrador).
- (h) Increased frustration is being expressed by professionals "outside" the Child, Youth and Family Services system because of what they perceive as a breakdown in professional relationships since the move to the Board structure.
- (i) Children and youth are being placed outside the Province due to lack of appropriate resources to accommodate them in this Province or due to poor planning.

Please note: Many of these issues will undoubtedly be highlighted when the Minister's Advisory Committee completes its report in December, 2004.

7. **The Provision of Child, Youth, and Family Services in Labrador**

There is significant concern about the provision of Child, Youth and Family Services in Labrador. While the Aboriginal Communities pose unique challenges in the delivery of these services, there are immediate child protection and safety issues which require a planned but immediate intervention. It appears many of the professionals working in the communities have not developed a collaborative approach to working on issues and alternatively "lay blame" on one another for the lack of success in providing comprehensive services. This is particularly so in the Innu communities of Natuashish and Sheshatshiu.

In addition, it is believed provincial policies guiding child protection practices are not being followed in Labrador. Of significant concern is the fact that foster homes are not being approved before children are placed in them. There is also concern about follow-up services for children once they are returned to parental care. The use of the Child Welfare Allowance program is also an area requiring review.

The number of suicides by youth in this Region of the Province also requires attention, particularly in the Innu and Inuit communities.

The number of children and youth with Fetal Alcohol Syndrome and Fetal Alcohol Effect in Labrador is significant. Most of these children and youth are not getting the support services they need. Many do not attend school and are involved in criminal activities and/or self-abusive behaviors such as drug or solvent abuse. Parents are unable to meet the needs of their children without supports, but the services they require are not being provided. The cost to respond to this problem is enormous. It is apparent that a strong education program on the effect of drinking alcohol while pregnant needs to be implemented as FAS and FAE are preventable outcomes if mothers do not drink while pregnant.

8. **Mental Health Services for Youth 16-19 years**

There are a number of concerns related to mental health services for children and youth. Included in these are the following:

- (a) There is a waitlist up to six months for adolescent out-patient services.
- (b) There appears to be no in-patient psychiatric services for youth ages 16-18 years. **Please note:** This issues is being worked on by Mr. Lloyd Wicks, Child and Youth Advocate and Mr. George Tilley, CEO, St John's Health Care Corporation.

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- (c) There is no in-patient addictions program for youth. This means youth from this Province must travel to programs outside the Province. In such circumstances, the youth do not have the involvement or support of their families while receiving treatment.
- (d) Some youth have not only been sent outside of the Province to have their needs met but have been sent outside the Country because of an inability to address their needs here. Such programs are financially costly, but almost of equal concern, is the emotional impact on the children who are separated from their families, friends and communities and often from their culture and language.

Plans for the Office of the Child and Youth Advocate:

The Office of the Child and Youth Advocate has plans to visit every Region of the Province to provide advocacy services through Advocacy Clinics. These clinics will provide outreach services to the children/youth and families in the Province who would prefer in-person contact with Advocacy Staff to address individual issues. In addition to the Advocacy Clinics, the staff will also be meeting with children and youth as well as child and youth serving agencies to talk about issues affecting children and youth and to promote the role of the Office of the Child and Youth Advocate. During the visits, staff will also visit children/youth in group homes. It is our hope to become even more familiar with the issues affecting children and youth throughout the Province by participating in this process. The first of these Advocacy Clinics took place on the North Coast of Labrador during the week of November 1st to 5th, 2004.

The Office of the Child and Youth Advocate will, at some future date, begin a process to review all children and youth in care.