



## RESPONSE TO BILL 14 – AN ACT RESPECTING CHILDREN, YOUTH AND FAMILIES

Choices for Youth celebrates the delivery of Bill 14 as an important milestone in evolving how our province provides children, youth and families with the support they need to lead safe, healthy and engaged lives as citizens of our shared community. We applaud the commitment to targeted prevention and the provision of services to ensure that children and youth can make healthy transitions to adulthood, alongside the continued and expanded protection measures.

As an agency that has been working with vulnerable youth and families for over 25 years, this document articulates our response to the legislation and focuses on three main areas:

- New Legislation Feedback
- Policy Recommendations
- Creating A New Culture

We are excited about what lays ahead and trust that government leaders, elected representatives and community agencies can continue to work together in building vibrant communities across the province.

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*“The need to provide young people with opportunities to succeed as emerging adults remains a challenge to the Child Welfare system. While society has embraced families to support their offspring well into the child’s twenties and beyond, youth dependent on the guardianship of the province have had to accept something far less.”*

*- The Children’s Advocate 1998-99 Annual Report, p.17*

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## A. NEW LEGISLATION FEEDBACK

The following should be addressed through legislation amendments or policy measures:

1. While “child” is defined as “a person actually or apparently under the age of 16”, equivalent definitions for “youth” and “family” are not specified.

The legislation implies that youth are between the ages 16-18, however this should be stated explicitly. Additionally, the expanded provisions to 21 requires either expanding the youth definition to be 16-21, or to define the individuals aged 18-21 as a distinct group.

2. The term “family” should be defined to be inclusive of natural support networks (aunts, uncles, grandparents, etc.).
3. It is unclear if Youth Services are available to all youth up to the age of 21, or only those who had a Youth Services Agreement at the age of 16. Our recommendation is the former.
4. Part III Section 12 states that that under “exceptional circumstances” the child or the child’s parent “may enter into a written agreement outlining the plan for the child and the child’s parent with respect to the required services”.

This implies that there will be instances where a written agreement will not be in place. In such cases, how will the changes be managed?

5. Commitments to ensuring stability of custody placements or supportive housing provisions have not been established – this is critical to reducing further disruptions in the lives of children and youth.
6. Part IX Section 88 indicates that where “[a] youth is engaged in a plan approved by a manager or social worker, an agreement under this section may be extended until the youth reaches the age of 21”.

The use of the word “may” suggests that not all youth will be eligible for the extension of the agreement. This contradicts the commitment to remove all restrictions so that youth under a Youth Services Agreement can receive services until they reach the age of 21.

7. For youth, ages 16-21, who are removed from family units or remove themselves from family units - housing options must be developed based on the Housing First for Youth Framework; recognizing that in many instances, traditional custodial arrangements will not offer a suitable option. Housing options should include the choice of different types of living arrangements (congregate supportive housing, scattered site supportive housing, independent living, etc.) as well as programming options focused on family reunification where possible.

8. More information is needed to detail the processes that will be used to develop cultural connection plans, as stated in the legislation.

The following are a list of concerns that arise from the new legislation:

9. In Part I Section 2, the definition of care fails to include mental health and emotional well-being, referring only to physical daily care and nurturing.
10. Part III Section 10 provides a list of “indicators of emotional harm exhibited or demonstrated by a child”. It is our position that these indicators must be evaluated with great caution and without a pre-determined assumptions that they can be caused solely by parental neglect or abuse. Many of the indicators listed (e.g. depression, anxiety, delayed development) can emerge through multiple root causes. It is critical that these are considered thoroughly before attributing cause and blame to parents.
11. The legislation does not specifically state the importance of providing family based support as the primary strategy, before protection interventions are carried out. In line with the priority to preserve family units, the protective interventions under Part III Section 20 should only be utilized as a last resort after all other supportive options have been exhausted.

These family based supports must take a wrap-around approach, including but not limited to mental health and addictions support for parents, family mediation, skill building, reducing social isolation, financial assistance and child care support.

## B. POLICY RECOMMENDATIONS

As a critical next step to the release of the new Children, Youth and Families Act, the following policy recommendations are provided to bring the spirit of the legislation to life.

12. **Create a Young Parents Policy.** A distinct policy is required for the unique population of young parents. New parental responsibilities impact cost of living, ability to participate in employment and educational opportunities, and require a specific set of parental focused support complimenting Youth Service Agreement based services. The development of such a policy would both strengthen the impact of the new legislation and meet the prevention and early intervention recommendations laid out in Towards Recovery and The Way Forward.
13. **Create a Family Preservation Policy.** In many circumstance, the right of set supports for families reduce challenges faced by parents and ultimately help keep the family unit together. Parents facing poverty, mental illness, addictions and social isolation must be provided with wrap-around supports ahead of any protective interventions. The development of such a policy would both strengthen the impact of the new legislation and meet the prevention and early intervention recommendations laid out in Towards Recovery and The Way Forward.

Additionally, biological parents should be provided with PRIDE training and the full suite of supports that are currently made available only for foster parents. This form of preventative intervention can lead to families staying together and better outcomes for children, youth and families.

- 14. Expand Supports and Resource Allocations to Non-Court Files.** With the former specialized Family Court Office, there was the ability for the Legal Aid team to oversee any non-court files as part of the support offered to families. The goal of this support focused on safe reunification rather than on placing children into the Foster Care system. As a result, temporary placements of children with other family members created a transparent and non-threatening space for the parent(s) to work on their personal challenges with the hope of having their children return to their care. Ultimately, this allowed them to work on aspects of their lives (mental health, income stability, education, etc.) that would better position them to parent their children.

Without an active lawyer and dedicated support team from Legal Aid, children are now instead falling through the cracks and experiencing unnecessarily prolonged temporary placements while families turn their efforts to fight court cases rather than having the opportunity to create healthy, stable home environments.

- 15. Protect Family Access to Supports from the new Risk Assessment Model.** The new Department of Children, Seniors and Social Development (CSSD) Risk Assessment model will potentially close active family files who fall below the new ‘high risk’ category. We welcome these new classifications, however also stress that vulnerable families who may not need intensive involvement with CSSD will still need varying degrees of support, and that access to such supports cannot be withheld. These supportive services often relate to medical, emotional and social needs and the loss of such supports could have a detrimental impact on families and children. Some examples include: daycare subsidy, transportation to appointments, access to visit children, random drug screenings etc. A commitment to preserving these supports is critical to meeting the prevention and early intervention commitments within The Way Forward and Towards Recovery.

- 16. Invest in Opportunities for Community Collaboration for Family Support.** The specialized Family Court Office involved many community partners who worked diligently and collaboratively to keep families together, all focused on creating the best possible outcome for families. The ability to work consistently in partnership and collaboratively outside of court proceedings has now become very challenging. Without the specialized FCO, the framework to engage community partners in this way is severely diminished. This limits the ability to create meaningful partnerships, reducing the level of understanding of how valuable and impactful working in collaboration with the community can be.

- 17. Increase Supply of Safe, Affordable and Supportive Housing Options for Youth.** Through a Housing First Framework for Youth, expand access to affordable, safe, accessible housing for youth through diverse models of support, family reconnection, transitional living and independent living. This is critical to providing youth with immediate and rapid housing stability so they can effectively engage with programming to help them move forward. This is especially important for youth between the ages of 18-21.

- 18. Provide New Forms of Supports to Reduce Barriers.** Create mechanisms to provide wrap-around and non-traditional supports (e.g. transportation, programming specific to parenting, acquiring identification, etc.). These types of supports reduce barriers to participation and increase likelihood of success for all clients.
- 19. Appropriate and Intelligent Assessments.** Implementation of developmental assessments for youth to provide more accurate information regarding the individual's needs. Examples of recommended tools that could be considered include acuity scales, Vineland Assessment tool and the Youth Assessment and Prioritization (YAP) tool. Assessments should also include evaluation of development levels, PTSD, Autism, FASD, etc. to fully understand the challenges faced.

Choices for Youth has also recently provided a *Coordinated Access Policy Brief*, which shares how policies can be designed and aligned to meet the objectives of a number of government initiatives.

## C. CREATING A NEW CULTURE

While the new legislation captures a commitment to prevention, supporting family units and child protection - there remains significant work to be done within government structures to elevate the culture of practice to reflect these changes. The following recommendations focus on supporting the development of this new culture within departmental teams:

- 20. Community Building.** Focus must be on community-based responses in order to create a sense of place and acceptance for youth. This should be adaptable to the realities of the lives of youth, and create safe places for youth to get their needs met. This includes the creation of community around general needs of at-risk youth, as well as specific spaces for LGBTQ2S youth, Indigenous youth, and youth who are victims of violence or exploitation. This is particularly aligned with The Way Forward's commitment to including all people, everywhere.
- 21. Enhanced Training.** Provision of training on Trauma-Informed Practice, Harm Reduction, Housing First for Youth, Recovery-Oriented Practice, Cultural Sensitivity, Applied Suicide Intervention Skills Training, and Mental Health First Aid for all individuals involved with child and youth care systems.
- 22. Separation of Correctional Services.** Support services for youth should be separated from correctional services which apply punitive measures. These services should be separated and involve separate governmental workers, while recognizing the linkages between mental health and criminogenic behaviors as outlined by the Memphis Model and already adopted by mental health crisis response teams within the Royal Newfoundland Constabulary.
- 23. Reduce Individual Caseloads.** By reducing the total caseload on individual workers, there can be an increased focus on long-term relationship building and ally-ship to help children, youth and families move forward. This would allow for a focus on day-to-day

supports and interventions directly in the lives of youth, and provide the capacity for workers to apply intensive models of support.

**24. Integrative Approach.** The new legislation, and CSSD more broadly, can help lead the cross-departmental efforts to take a more Integrative approach to supporting vulnerable children, youth and families. This approach recognizes the linkages between housing, income support, mental health, addictions, education and employment opportunities, poverty, family support, marginalization, crime, identity and community building. Staff teams at CSSD should be supported in connecting their work to major cross-governmental initiatives such as Towards Recovery, the Housing and Homelessness Plan, the Poverty Reduction Strategy and the Premier's Taskforce on Improving Educational Outcomes.