



MEDIA RELEASE – EMBARGO

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SASKATCHEWAN CHILDREN'S ADVOCATE URGES GOVERNMENT TO TAKE THE RIGHT ACTION AND TO MAKE CHILDREN AND YOUTH A PRIORITY

Marvin Bernstein, Saskatchewan Children's Advocate, released his 2007 Annual Report today. While the Annual Report contains 72 recommendations to the provincial government concerning the protection, health, best interests and participation rights of children and youth in receipt of services from government, one theme stands out:

"Today, I am urging the Provincial Government to take immediate action - the *right* action - and make children and youth a priority in Saskatchewan by implementing the *Children and Youth First* Principles proposed by my Office over a year ago, and by taking the consequential Action Steps, also proposed by my Office and set out below. These Principles and Action Steps ensure a foundation of support from the child's perspective. Currently, the Child Welfare System seems to operate from a family-centred perspective. That is, a desire to preserve the family unit at all costs – even where there is a significant risk of harm to the child, the very person the system was supposed to protect. In addition, we have seen too many instances where the safety, protection and well-being of children and youth have been compromised in order to achieve political, jurisdictional or financial advantages" Bernstein said.

Bernstein said, "There are 8 Action Steps that I have previously proposed publicly, which are as follows:

- 1) A well-articulated and integrated vision that places the needs and interests of *Children and Youth First*;
- 2) The inclusion of references to both 'Children' and 'Youth' in Action Plan, Vision Statement and Core Principles;
- 3) The endorsement of all eight *Children and Youth First* Principles that will anchor this new *Children and Youth First* Vision;
- 4) A commitment to incorporate the *Children and Youth First* Principles into existing and future government policy, practice, programming and legislation;
- 5) Adopt a 'child first' or 'child-centred' approach when delivering services or resolving disputes in relation to aboriginal children and endorse and implement 'Jordan's Principle' and the Children's Advocate Office *Children and Youth First* Principles in Saskatchewan;
- 6) Establish a 'common table' where the Provincial, Federal Governments, Federation of Saskatchewan Indian Nations, and the Children's Advocate

Office can attempt to identify areas of common concern, validate baseline data, and develop collaborative solutions, so that we can all work from a reference point of commonalities, rather than polarities. One of the key objectives of this table would be to identify and implement ways to provide First Nations children on reserve with the same level of resources and supports, as those available off reserve, so that these children's safety, protection and best interests can be met, but in a manner that honours their cultural and linguistic distinctiveness;

- 7) Re-examine the Federal Government's Directive 20-1, which provides an inequitable and inadequate funding formula to First Nations Child and Family Services agencies and impedes their ability to provide the same prevention and early intervention services on reserve, as are provided by the Provincial government to off-reserve children; and
- 8) Establish an independent review process that would examine the circumstances surrounding these sibling deaths at Yellow Quill, including the adequacy of services and supports provided by the relevant child-serving systems and different levels of government, in order that 'lessons learned' can be turned into meaningful and lasting solutions."

"While my Office supports the importance and value of family, culture, language and community in the life of any child, the child must, nonetheless, be at the centre of that circle, and his or her safety, protection and best interests must always remain paramount. The direct impact on children and youth is that the Ministry of Social Services' family-centred approach, in combination with inconsistent child welfare practice and an uneven application of relevant policy to all children, has lessened the necessary vigilance to child safety, protection and well-being and the ability of service providers to consistently place the needs and interests of *Children and Youth First*. Adding to the danger that children already face, is the system-generated confusion exhibited, at times, by child protection authorities as to whether the primary client is the 'parent', the 'family' or the 'child'" Bernstein continued.

He added. "This type of Child Welfare System is antiquated. Given the adoption of the United Nations *Convention on the Rights of the Child*, by the federal, provincial and territorial governments in Canada, we are seeing other jurisdictions moving to ensure that the child's best interests and voice are being considered in every decision that affects that child. Instead of being a follower, Saskatchewan has a chance to provide strong leadership. This province has a long history of leading the nation in implementing new concepts that protect the collective well-being of its citizens. What better time to demonstrate that leadership than with decisions that affect our most precious resource for our future – our children?"

"I would have to say, based on both a quantitative and qualitative analysis of the recommendations made to the Provincial Government by my Office that, if in fact, the proposed *Children and Youth First* Principles had been implemented, acted upon and adhered to as the foundation for all decisions taken on behalf of the children and youth in need of protection, many of the corrective recommendations would not have had to be made in the first place. Critical changes needed to correct deficiencies within the Child

Welfare System within our province continue to be made on an 'ad hoc', and often 'patchwork' basis" Bernstein said.

"No longer can we, as a society, accept delays or the promises that 'we will do better' next time when it comes to our children and youth", Bernstein said, "The United Nations *Convention on the Rights of the Child* was introduced and endorsed by the Federal Government and the Province of Saskatchewan 18 years ago. This represents the lifetime of an entire generation of children and youth who have not received the rights and entitlements that they were promised through the *Convention* and its endorsement" Bernstein continued.

"We need to realize that the perspective of time is much different for a child than it is for an adult. If we delay a decision for six months in the lifetime of a 50 year old, it does not have the same impact as six months delay for a 2 year old. In the case of the 50 year old, it is simply an aggravation – for the child at 2 years of age – a delay of 6 months represents a full 25% of that child's lifetime. Now consider the fact that my Office still has recommendations that have not been addressed for more than two years! Moreover, in the case of a child death, there is not a 'next time' to do better. Or, in the case of a critically injured child, a delay of action can easily mean another child becomes critically injured. To me, as the Saskatchewan Children's Advocate, this is unacceptable" Bernstein added.

"It is time for action, not for more delay. The Saskatchewan government has an excellent opportunity to demonstrate its leadership of change by introducing new solutions for old problems. We cannot continue to shoehorn our children and youth into artificial and antiquated child welfare classifications. The implementation of the *Children and Youth First Principles* and the corresponding child-centred legislative changes to both *The Child and Family Services Act* and *The Adoption Act*, so vital to the attainment of more flexible and expanded permanency planning options, are essential steps in taking the *Right* action" Bernstein added.

NOTE: Further information on the Children's Advocate Office, as well as previously released reports, can be obtained at www.saskcao.ca

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