



SASKATCHEWAN  
**advocate**  
FOR CHILDREN & YOUTH

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# 2021 ANNUAL REPORT



## LETTER OF TRANSMITTAL

April 27, 2022

The Honourable Randy Weekes  
Speaker of the Legislative Assembly  
Legislative Building  
2405 Legislative Drive  
Regina SK S4S 0B3

Dear Mr. Speaker:

In accordance with section 39 of *The Advocate for Children and Youth Act*, it is my duty and privilege to submit to you and members of the Legislative Assembly of Saskatchewan this Annual Report from the Advocate for Children and Youth for the year 2021.

Respectfully,

Lisa Broda, PhD  
Advocate for Children and Youth



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# MESSAGE FROM THE ADVOCATE



It is a tremendous honour to hold the position of the Advocate for Children and Youth and to work with such a committed team – and it is with gratitude that we serve the young people of Saskatchewan to ensure

that child-serving systems are protecting children and youth, and their rights are upheld to the highest level. I would like to thank our staff for their perseverance, dedication, and passion each bring to this work and to fulfilling the mandate of our office.

As we near the end of another pandemic year, it has become very clear how badly Saskatchewan's young people need our help. It cannot be overstated that the aftermath of this pandemic has resulted in serious impacts on children and youth in their overall mental and emotional well-being. The lives of young people have been altered due to the many challenges of the pandemic and children and youth of all ages are being affected. Already vulnerable families and young people have experienced increased vulnerability due to suspended or reduced services in the social, health, and education realms on and off throughout the past two years. Prior to the pandemic, through our ongoing advocacy work, we saw young people placed at risk with minimal supports and services, and families moving through ongoing crisis cycles, all of which have been exacerbated in the past two years.

Although restrictions have been lifted and life seems to be returning to some level of normality, we cannot forget that our young people continue to suffer from the effects of social isolation,

marked decrease in their emotional and mental well-being, and impact on social skills and education. This will be even more pronounced for Indigenous children, who already face significantly more barriers to services.

The young people our office assists year over year are the province's most vulnerable. Their calls remind us of the critical imperative – that decision makers must have the care of children at the fore. This means ensuring that even their basic rights are upheld, which sadly, we did not see enough of this year, particularly when it comes to group home care for extremely vulnerable children.

It is crucial that governments work hard to prioritize the needs of young people and, while we are encouraged by some of the pocketed investments, more needs to be done. To this end, child-serving governments and agencies must put increased investments into services for young people to address the long-standing issues plus the fall-out from the pandemic. Our office has called for a 'Children's Strategy' and formally recommended in our recent public report on mental health and addictions services, entitled *Desperately Waiting*, that the Government of Saskatchewan put children at the centre through this strategy.

Despite the pandemic challenges, this 2021 Annual Report illustrates the work our office accomplished over this past year. We have continued to work hard for the children of Saskatchewan and advance our priorities on bringing their voice to the public sphere, working to promote reconciliation, and working to support the entities serving children and youth toward better systemic outcomes. Our office has also been readying our public education material,

some of which encompasses Cree, Dene, Michif, and French language representations. We have also implemented communication strategies to create public awareness about our office and look forward to heading out across the province to meet with children, youth, their families, and stakeholders to educate and advocate on the rights of young people.

As a province, we still have a lot of work to do to address the long-standing issues and challenges young people face and the COVID-19 pandemic has further complicated these matters. We must address shortcomings in how we protect and

nurture our children, and ensure their rights are respected. We need the government to recognize through action that Saskatchewan children matter. The work of our office is crucial to holding systems to account, and we will continue to work at the highest level in holding up young people and having their voice be heard.

**Lisa Broda, PhD**

*Saskatchewan Advocate for Children and Youth*



## Legislated Mandate of the Advocate's Work

The Advocate for Children and Youth is an Independent Officer of the Legislative Assembly of Saskatchewan. Our mandate is defined by *The Advocate for Children and Youth Act*.

We do:

**ADVOCACY** on behalf of children and youth receiving services from a provincial ministry, agency of the government, or publicly-funded health entity.

**INVESTIGATIONS** into any matter concerning, or services provided to, children and youth by a provincial ministry, agency of the government, or publicly-funded health entity.

**PUBLIC EDUCATION** to raise awareness of the rights, interests, and well-being of children and youth.

**RESEARCH AND ADVISE** on any matter relating to the rights, interests, and well-being of children and youth.

These functions are all interconnected and support the overarching goal to influence systems to improve the lives of the young people in Saskatchewan.

## Strategic Plan 2020-2024

### OUR VISION

The rights, well-being, and voices of children and youth are respected, valued, and supported to assist young people to reach their full potential.

### OUR PURPOSE

To amplify the voices and perspectives of children and youth and influence systems to improve their lives.

### OUR GUIDING PRINCIPLES

- Children and Youth First
- Inclusive and Respectful to All
- Accessible, Fair, Appropriate, and Timely Service
- Professional, Supportive, and Accountable Conduct

[Click here](#) to see more of our Strategic Plan 2020-2024.



# A FOUNDATION OF RIGHTS

Our work is guided by the following principles:

## UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD (UNCRC)

All people have human rights. Children and youth (under 18 years of age) require special protections because many decisions are made on their behalf by adults. In 1991, Canada ratified the UNCRC, a legally-binding international human rights instrument that guarantees these special protections.

The UNCRC has 54 articles protecting children's rights by setting standards in health care, education, and legal, civil, and social services.

The UNCRC has three categories of rights:

- *Protection:* Protecting children from all forms of harm and exploitation.
- *Provision:* Providing children with the resources needed for healthy development and survival.
- *Participation:* Allowing children to be an active participant.

The core principles of the UNCRC are:

- *Non-discrimination:* The rights of each child are to be respected without discrimination of any kind. It does not matter if children are boys or girls, if they are rich or poor, what their religion, ethnicity, or language is, or whether they have special needs. All children have rights.
- *Best interests of the child:* When decisions are made that affect the lives of children, it is very important to think about what is best for the child.
- *Right to life, survival, and development:* Governments should do their best to protect children from harm, and to help children live and grow to be the best they can be.
- *Respect for the views of the child:* Children and youth have the right to give their opinions in all matters that affect them and to have their voices heard. The views of young people should always be taken seriously.

## UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES (UNDRIP)

UNDRIP is an international human rights instrument, adopted by the United Nations General Assembly in September 2007. It sets minimum standards for the survival, dignity, and well-being of Indigenous peoples throughout the world. In 2021, Canada passed the *United Nations Declaration on the Rights of Indigenous Peoples Act*, which provides direction for the Government of Canada to implement the Declaration in consultation and cooperation with Indigenous peoples.

UNDRIP references 46 articles that speak about rights to:

- Land
- Culture and language
- Self-determination
- Non-discriminatory or oppressive practices
- Protection of elders, women, and children
- Survive and develop
- Liberty and freedom
- Participate in any decision that affects Indigenous peoples

Articles 21 and 22 specifically reference that attention shall be paid to the continuing improvement of the social and economic conditions as pertains to the special needs of elders, women, youth, and children. It also references that the 'State', in conjunction with Indigenous peoples, take measures to ensure Indigenous women and children are afforded special protections.





## SASKATCHEWAN CHILDREN AND YOUTH FIRST PRINCIPLES

Our office simplified the 54 articles of the United Nations Convention on the Rights of the Child into eight principles most applicable to Saskatchewan children and youth. In 2009 the Government of Saskatchewan adopted the Saskatchewan's Children and Youth First Principles, which state:

All children and youth in Saskatchewan are entitled to:

- Those rights defined by the United Nations Convention on the Rights of the Child.
- Participate and be heard before any decision affecting them is made.
- Have their 'best interests' given paramount consideration in any action or decision involving them.
- An equal standard of care, protection, and services.
- The highest standard of health and education possible to reach their fullest potential.
- Safety and protection from all forms of physical, emotional, and sexual harm, while in the care of parents, governments, legal guardians, or any person.
- Be treated as the primary client, and at the centre of all child-serving systems.
- Have consideration given to the importance of their unique life history and spiritual traditions and practices, in accordance with their stated views and preferences.



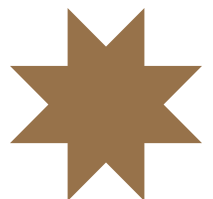
## TOUCHSTONES OF HOPE FOR INDIGENOUS CHILDREN, YOUTH AND FAMILIES

The *Touchstones of Hope*, as created by the First Nations Child and Family Caring Society, are a guide to reconciliation in a variety of sectors in which children are served.

The *Touchstones of Hope* promote relating, restoring, truth telling, and acknowledging.

The process is based on five principles:

- Self-determination
- Respect for culture and language
- Importance of structural intervention
- Non-discrimination
- Holistic approach





# ELDER ADVISORY COUNCIL

As noted in our 2020 Annual Report, our office embarked on a path to advance our strategic priority of reconciliation with the inception of the Elder Advisory Council. The six-member Elder Advisory Council has been essential to our commitment to reconciliation and the Elders have provided valuable guidance and support to our work this past year.

## Signing Ceremony – September 2021

To mark the establishment of the Elder Advisory Council, and in the spirit of building our relationship together, our staff and the Elders met at Wanuskewin on September 17, 2021 for a gathering and ceremony, and to learn more about the customs, teachings, and history of the Elder members.

Our day started with a Pipe Ceremony and prayer led by Elder Gilbert Kewistep and Elder Helper, Myron Neaputung. Our staff gathered for opening remarks by the Advocate, followed by the Elders signing the Terms of Reference for the Council. Staff received teachings from Elder Darlene

Speidel, Elder Marg Reynolds, and Elder Julie Pitzel, followed by an Honour song performed by Elmer Tootoosis. Our day closed with a prayer by Elder Julie Pitzel.

The timing of the signing ceremony was significant as it occurred just prior to September 30<sup>th</sup>, Canada's first National Truth and Reconciliation Day.

The Advocate and staff recognize the importance of receiving the knowledge, guidance, and wisdom of the Elders and, in 2021, the Council members were key advisors to our report on mental health and addictions, particularly pertaining to services to Indigenous young people and the importance of culturally appropriate services.



**Elder  
Darlene Speidel**  
(Lakota Dakota)



**Elder  
Isabelle Impey**  
(Cree)



**Elder  
Mary Lee**  
(Cree)



**Elder  
Julie Pitzel**  
(Cree/Michif)



**Elder  
Marg Reynolds**  
(Dene)



**Elder  
Gilbert Kewistep**  
(Saulteaux)





*Terms of Reference Signing Ceremony Event*



*Elder Gilbert Kewistep signs Terms of Reference*



*Elder Marg Reynolds offers cultural teachings*

# YOUTH ADVISORY COUNCIL

In 2021, our Youth Advisory Council hit the ground running. As the founding members, these young people reviewed and worked to finalize the Terms of Reference and formed the foundation of how the Advocate's office and the Youth Advisory Council work together. Through this process, our youth members created the vision statement for the Council, meant to set out what would be achieved through their involvement with our office.

Over the course of 2021, the Youth Advisory Council provided input and feedback on several significant projects including:

- **Self-Advocacy Handbook;**
- **scope and direction of a research project on bullying;**
- **National Commissioner for Children and Youth; and,**
- **a school challenge to celebrate National Child Day.**

## ADVOCATE'S YOUTH ADVISORY COUNCIL

### VISION STATEMENT

*Youth using their voice and lived experiences to inform and elevate advocacy around respecting the rights and well-being of children and youth in Saskatchewan.*



*Youth Advisory Council members attend the Elder Advisory Council signing ceremony event on September 17, 2021.*



## Principles of Youth Participation

The United Nations Committee on the Rights of the Child, in its *General Comment on the right to be heard (Article 12)*, identified nine principles that should guide all participatory work with children and youth. These principles have informed the Advocate's Youth Advisory Council Terms of Reference. In summary, it states that child/youth participation must be:

- **transparent and informative;**
- **voluntary;**
- **respectful;**
- **relevant;**
- **facilitated with child-friendly environments and working methods;**
- **inclusive;**
- **supported by trained adults;**
- **safe and sensitive to risk; and,**
- **accountable.**

The benefits of youth having a voice in matters that affect them cannot be overstated. These young people are insightful, smart, have experiences to share, and are the experts on their lives. We encourage all child-serving systems to meaningfully engage youth in the design and evaluation of their services. We remain encouraged by the Ministry of Education's Youth Council, as profiled in last year's Annual Report, and are pleased to hear of the Ministry of Social Services' new Youth Advisory Teams that will inform their work.



## Shout Out: Ministry of Social Services Develops Youth Advisory Teams

Three Youth Advisory Teams were formed in December 2021 to provide guidance on the supports and services important to youth as the Ministry of Social Services develops and implements a comprehensive Youth Engagement Strategy. The teams are led by a provincial youth coordinator and supported by a community partner in each location – EGADZ in Saskatoon, John Howard Society in Regina, and Prince Albert Outreach in Prince Albert.

The partnership between the Ministry, the Youth Advisory Teams and community-based organizations will strengthen engagement with

youth in care to ensure connections to an array of services to support their transitions.

The concept of youth advisory teams is centered on giving youth a voice in the services provided to them; not only listening, but genuinely understanding and considering their experiences, their knowledge, and their feedback on how to create and deliver services for better outcomes for all Saskatchewan young people. Giving youth the opportunity to provide their perspective and constructive feedback will contribute to increased confidence and security in their circumstances moving forward.

In addition to the advisory teams, the Youth Engagement Strategy builds on the success of EGADZ's Operation Runaway initiative and will work with community-based organizations across the province to expand the Youth Risk Assessment for missing youth and develop support options for hard-to-serve children and youth. It is intended to provide connections to various services that directly engage and support youth to prepare for their transition from care and pursue interdependence with family, friends, and their community.



## Shout Out: @BattlefordsYouthVoice

The Battlefords Youth Engagement Initiative (@BattlefordsYouthVoice) is a project supported by a team of adult allies and the Battlefords Youth Network, a collective of over 45+ youth-serving and youth-involved agencies in the Battlefords and surrounding area. The coordinating partners are Big Brothers Big Sisters of the Battlefords and Concerns for Youth.

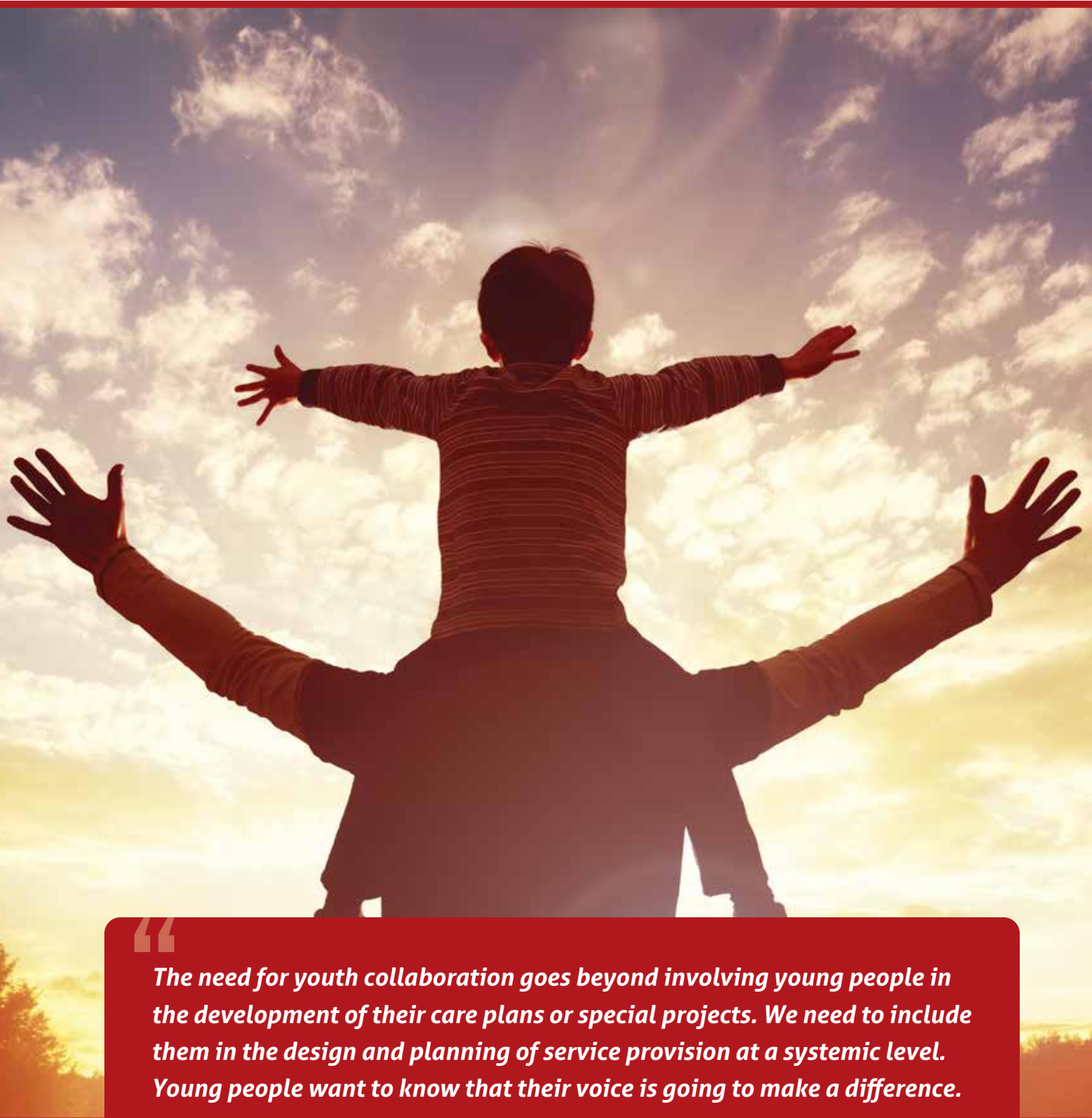
In November 2021, @BattlefordsYouthVoice held a forum at each of the High Schools in North Battleford to hear from the youth. Our office contributed some promotional items

and activities for the participants. As a thank-you, our office received this beautiful painting by Isaiah Paskemin from Sakewew High School.

Isaiah explains that the yellow is the sunshine reflection and the trees represent his younger self and his older self. He wanted to tell the story of life evolving as you get older and how your spirit endures even as you are no longer alive, just like his trees. The painting illustrates the challenging journey the tree has taken, and how it has survived because of its resilience and strength, showing the story of his life in the cracks and bends of the tree.



*Painting by Isaiah Paskemin, Sakewew High School*



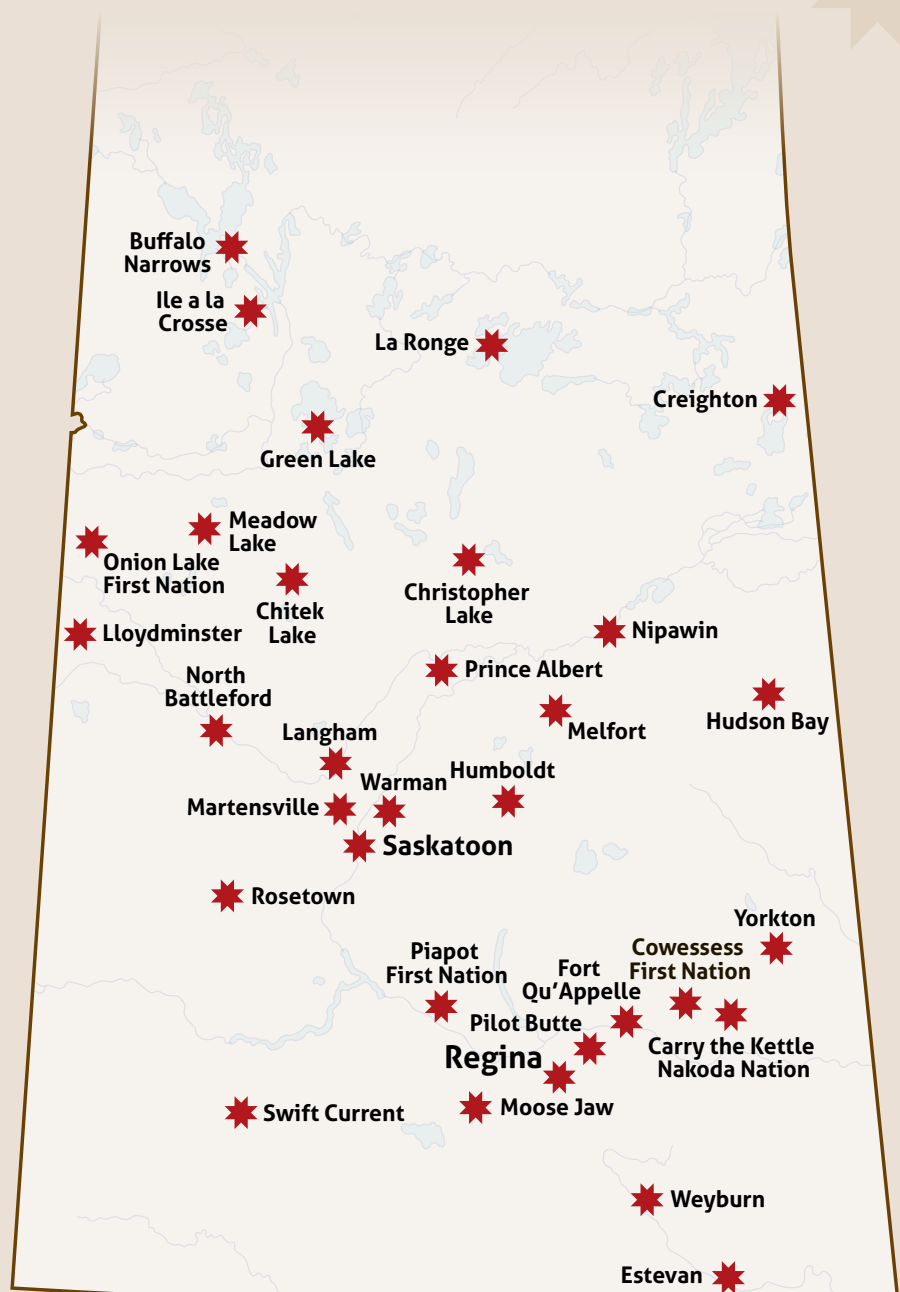
***The need for youth collaboration goes beyond involving young people in the development of their care plans or special projects. We need to include them in the design and planning of service provision at a systemic level. Young people want to know that their voice is going to make a difference.***

*– Lisa Broda, Saskatchewan Advocate for Children and Youth*

# PUBLIC AWARENESS & EDUCATION

Our mandate to provide public education in the interests and well-being of children and youth plays a critical component in ensuring young people, their caregivers, and child-serving professionals know about our work, children's rights, and how to reach us. Like much of 2020, the pandemic hindered our ability to meet in person with stakeholders. We took on creative approaches to staying connected to young people in Saskatchewan, including providing virtual presentations and developing materials and strategies to engage with youth directly once public health measures for COVID-19 would permit.

Through meetings with stakeholders, presentations to young people and professionals, and distributing information about our office, we reached people in at least 32 Saskatchewan communities in 2021. Anecdotally, we know the number of communities we've connected with is much greater, as some of our contacts distributed our office materials to individuals throughout their service area.





To help fill a need for students as the pandemic continued to affect school operations, we donated

We also prepared fresh new tools and materials to help those providing care and services to young people – including booklets and bookmarks on the United Nations Convention on the Rights of the Child (UNCRC), posters promoting our office and children’s rights, new information sheets on subjects such as the UNCRC and the United Nations Declaration on the Rights of Indigenous Peoples, and a new

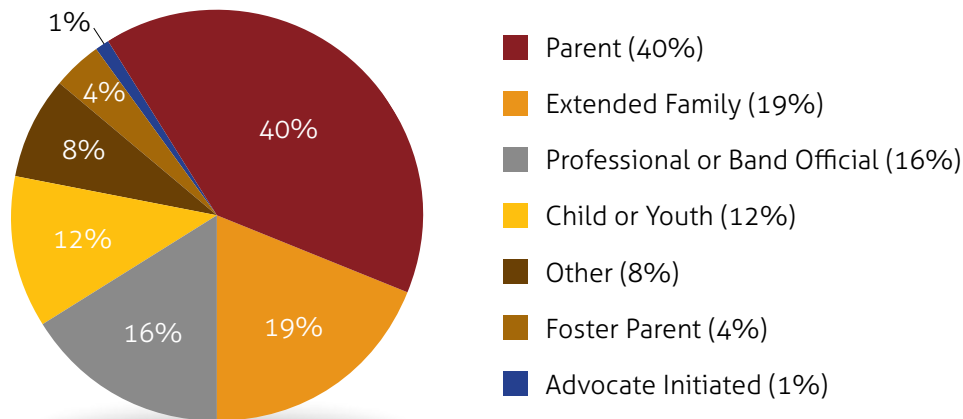
We extend our appreciation to the Advocate's Youth Advisory Council for their dedication and input into this work, including preparing scripts and recording a video to promote National Child Day. This video was sent to schools and school divisions throughout the province.





# INTAKE & COMMON ISSUES

## WHO CONTACTED THE ADVOCATE FOR CHILDREN AND YOUTH IN 2021\*



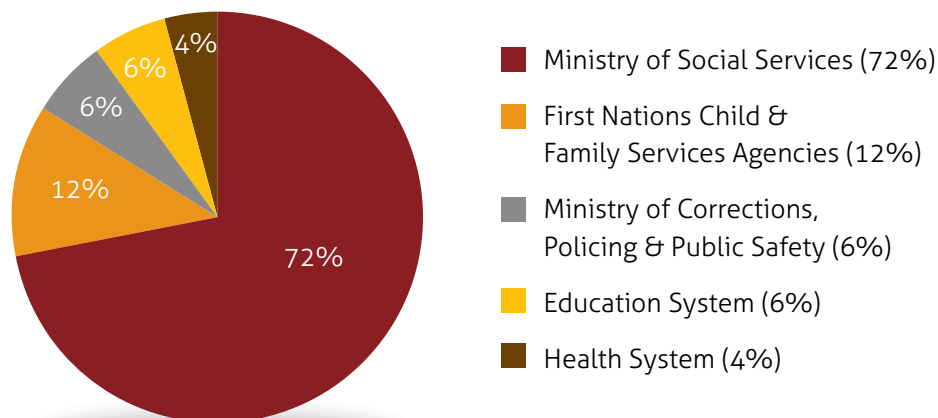
\* Advocacy files only.

Parent includes: parents, stepparents, non-custodial parents, legal guardians, caregivers, alternate caregivers, and persons of sufficient interest.

Other includes interested third parties such as babysitters, neighbours, or anonymous callers.

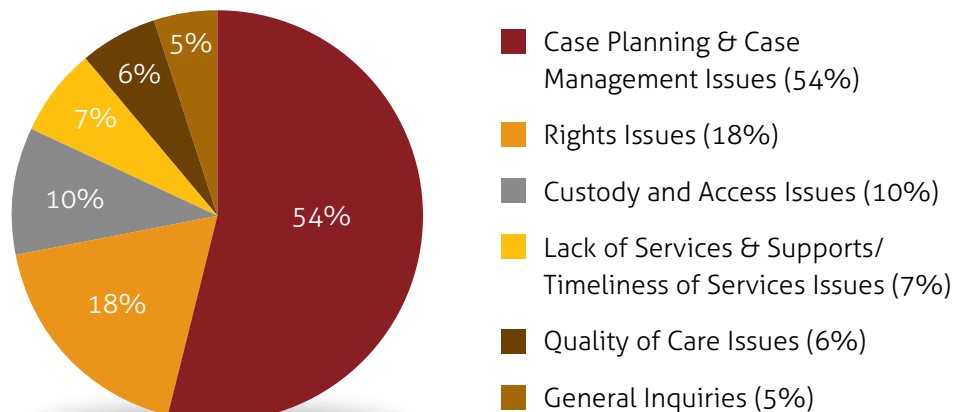
Advocate Initiated is when our office initiates advocacy after becoming aware of a situation through means such as the media.

## MINISTRIES OR AGENCIES THE ADVOCATE FOR CHILDREN AND YOUTH RECEIVED CALLS ABOUT IN 2021\*



\* Advocacy files for ministries and agencies within our jurisdiction.

## MOST COMMON ISSUES FOR THE ADVOCATE FOR CHILDREN AND YOUTH IN 2021



General Inquiries represents issues that require a referral to another resource or agency.

Custody and Access Issues are beyond the mandate of our office. They also require referral to other resources or agencies.

In 2021, our office managed over 1400 files.

The complexity of the cases we handle is increasing. Approximately 40% of our advocacy files in 2021 had more than one issue needing to be addressed, including both individual and systemic issues. Often, cases involve multiple stakeholders and require a fulsome understanding of legislation, policies, and procedures for numerous ministries and organizations that may be involved. Cases also often require balancing several rights to best meet the needs of the children or youth.

Year over year, parents and extended family call our office most frequently; and most of our cases in 2021 involved the Ministry of Social Services and First Nations Child and Family Services Agencies. Typically, families called us when they disagreed with the apprehension of their children, the Ministry's or Agency's assessment of the situation, or the case plan.

Like previous years, concerns with the quality of care and disagreement with the child's placement remained consistent. In 2021, we saw a significant increase in the number of calls received regarding concerns with Person of Sufficient Interest (PSI) placements. Our office has had longstanding concerns with the PSI program, and we continue our systemic investigation into this. We look forward to working with the Ministry of Social Services to resolve matters related to children in PSI care.

Lack of visitation with biological family, lack of support services, concerns with investigation processes, and refusal to investigate child protection concerns are other persistent issues that continue to be brought to our attention.



# REGIONAL ADVOCACY

Our advocacy is a critical arm of our mandate in resolving the individual and systemic matters that come to the Advocate's attention. Through our advocacy case work in 2021, several thematic issues emerged.

## IMPACTS OF THE COVID-19 PANDEMIC

There is no doubt the COVID-19 pandemic negatively impacted Saskatchewan children and youth. Our office continued to monitor these impacts as restrictions evolved and risk factors changed, advocating for children and youth on a case-by-case basis.

At different times during the pandemic, the Government of Saskatchewan and respective child-serving ministries instituted mandates designed to protect the well-being and safety of citizens, including children and youth in the province. This affected many aspects of public services for young people who are disproportionately vulnerable and in isolated populations.

**Article 6** of the United Nations Convention on the Rights of the Child (UNCRC) states that every child has the right to life, survival, and development. At times, competing rights are evident in the work that our office undertakes, and certainly the pandemic has presented unique barriers and challenges for the young people of this province. In the examples below our office sought to balance children's rights while respecting pandemic-related restrictions:

- Family visitation for children and youth in the care of the Ministry of Social Services and First Nations Child and Family Services Agencies has been hindered due to pandemic restrictions and mandates. Our team has advocated for the right of children to have family connection and visitation that also ensures their health and safety;
- Parents of children in care experienced delays in accessing support services. The Ministry of Social Services is mandated to incorporate services in case planning to ensure child safety and to modify parental risk factors to enable reunification. We advocated for timely access to services to support family reunification;
- Services for autism, special needs assessments, mental health and other needed support services were impacted due to the pandemic. Many delays occurred due to the redeployment of professionals working within these areas and while the Advocate recognizes that planning around the pandemic has taken priority, our office continued to advocate, on a case-by-case basis, for children and youth to receive the supports and services they needed;
- COVID-19 isolation requirements also impacted youth when entering or transferring between youth custody facilities. Our team worked to ensure that isolation policies aligned with medical recommendations. Through our follow up, regional advocates found that custody facility staff had worked hard to keep affected youth occupied in various ways, striving to minimize any negative impacts on them; and,
- Students across the province have experienced negative impacts during the pandemic including decreased overall student wellness, interruptions to participation in extra-curricular activities and poor access to in-person learning. Our advocacy on behalf of individual students showed that educators have continued to work tirelessly to meet students' individual needs while focusing on everyone's health and safety in the learning environment.

## DISRUPTION TO EDUCATION

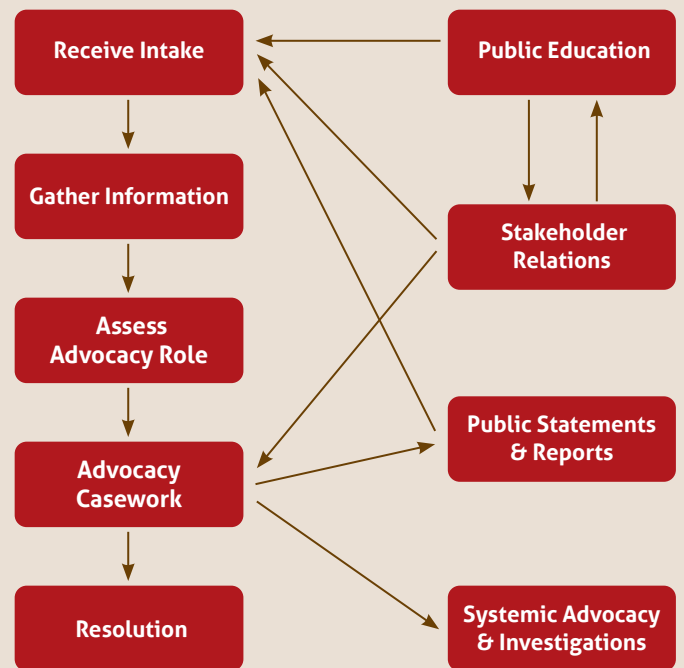
Despite all the good efforts of educators, the education of many children and youth in Saskatchewan gets disrupted. The Advocate has been concerned with this, and its worrying effects, for some time. As a result of our advocacy calls and case work in 2021, we again noted this as an emergent theme, caused by many factors:

- the child (e.g., lack of interest in everyday activities, health issues);
- the home (e.g., familial neglect, lack of support in schooling, family history with the education system);
- the school (e.g., unwelcoming school climate, unmet educational needs, inadequate sensitivity to diversity); and,
- society (e.g., poverty, homelessness, the COVID-19 pandemic).

Often, the above factors influence the level of engagement with the education system significantly compromising the child's right to accessible, quality education – UNCRC **Article 28**.

While understandably some of this was initially unavoidable due to the pandemic, what is now critical is to ensure supports and services are developed and implemented to address the above needs. Without an investment in these supports, gaps will remain, and children will continue to be disengaged, absent and unnecessarily disadvantaged. In cases where there was a lack of support services, our office worked with all relevant stakeholders to ensure the needs of the student were being considered holistically and advocated for appropriate services and supports for the student and their family.

## Advocacy Process





## PLANNING FOR INDIGENOUS CHILDREN AND YOUTH IN CARE

*An Act respecting First Nations, Inuit and Métis children, youth and families* (the Act) came into effect on January 1, 2020. Since that time our office has been following its implementation both provincially and nationally. As outlined within the Act, its main purpose is to set out national principles for the best interests of Indigenous children in care and to address the vast overrepresentation of Indigenous children involved with child welfare systems across Canada.

When we receive concerns that are either directly or indirectly applicable to practice and policy of the Act, our office views these through a child's rights lens. The Act affirms the pre-existing rights of First Nations, Inuit and Métis children and youth and our office recognizes its contributions toward the advancement of the UNCRC, the United Nations Declaration on the Rights of Indigenous Peoples, Touchstones of Hope, the Truth and Reconciliation Commission's Calls to Action, and recommendations made by the Murdered and Missing Indigenous Women and Girls Inquiry.

The Act aligns with our office's foundation of rights and the Advocate's strategic plan. We utilize some key elements of the Act to further our advocacy efforts:

- Section 9 (2) emphasizes the need for cultural continuity, and access to culture, language, traditions, and ceremonies. This aligns with **Article 30** of the UNCRC, and is essential to the development, overall well-being and identity of Indigenous children and youth;
- Section 9 (3)(b) references the right of a child to have their views and preferences be considered in any decisions that affect them. This supports **Article 12** of the UNCRC and is an important aspect of one of our strategic priorities – to promote children and youth voice;
- Section 14 (2) speaks to efforts that must be made to prevent a child from coming into care, by providing prevention services and supports to avoid apprehension at birth. The Advocate promotes this and additional prevention options such as parent aides, notifying the child's First Nation community if they are at risk of coming into care, and safety planning with the families;
- Sections 16 (1) and (2) set clear parameters for the placement of Indigenous children in cases where there is a need for a child to come into care, with emphasis on prioritizing placement with parents, family members or community members (in that order, and with a preference toward placing children in sibling groups). This aligns with **Articles 9 and 18** of the UNCRC and is also found in provincial child welfare policies but, as federal legislation, the Act has a greater capacity to hold child welfare agencies accountable when creating a placement plan for Indigenous children and youth; and,
- Section 16 (3) legislates the ongoing reassessment of family placements for the purposes of family unity and reunification, when children are residing outside of a family placement, in accordance with UNCRC **Article 25**.

As a relatively new Act, and as Indigenous communities begin to exercise their inherent and sovereign right to develop their own laws regarding child welfare, we encourage provincial ministries and agencies to provide their staff with ongoing training and education about the Act. It is critical for staff of all child-serving ministries to understand the Act's implications and engage in frequent and open communication as Indigenous groups implement these rights. The Advocate strongly supports the Act and has engaged with and encouraged those working with Indigenous families to uphold this legislation in support of family placements and connections to culture, language, and community.

## THE CONTINUUM OF MENTAL HEALTH SERVICES

An ongoing and persistent issue that our office has dealt with year over year is the lack of resources available to children, youth, and their families when young people transition from inpatient mental health units in hospital settings, back into the community, and 2021 was no different. Throughout the province, we heard from young people, their families and the professionals working with them, about these gaps and their negative impacts.

In each case a gap in service existed outside of the hospital, such as: a safe residence, aftercare mental health supports, timeliness of services, and jurisdictional disagreements about who was responsible to provide service. **Article 24** of the UNCRC gives young people the right to the highest standard of health possible that includes good mental health and well-being. The lack of a continuum of mental health services impacts their ability to achieve and maintain mental wellness after their release from hospital.

In our advocacy on this matter, we gathered information from a variety of sources and worked to ensure each system was seeing young people as the primary client. We advocated that the voices of children and youth were heard and considered in all decisions being made about their plan, and that their best interests were given paramount consideration in the decisions reached.

We view these issues as chronic and systemic in nature. In 2021 we finalized our research and analysis into understanding the perspectives of young people, families, communities, Ministry officials, and staff within the child-serving ministries, including health, on the state of affairs related to mental health and addictions services in Saskatchewan. Our report, entitled, [\*Desperately Waiting\*](#), was released in March 2022 and includes our findings and recommendations related to mental health and addictions services for children.



## Saskatoon Family Centre Mural

In October 2021, on behalf of our office, regional advocate Jordan Raymond painted this beautiful butterfly, on one of 40 canvases, in a collective project to create a mural for the play area of the family centre.

# SYSTEMIC ADVOCACY

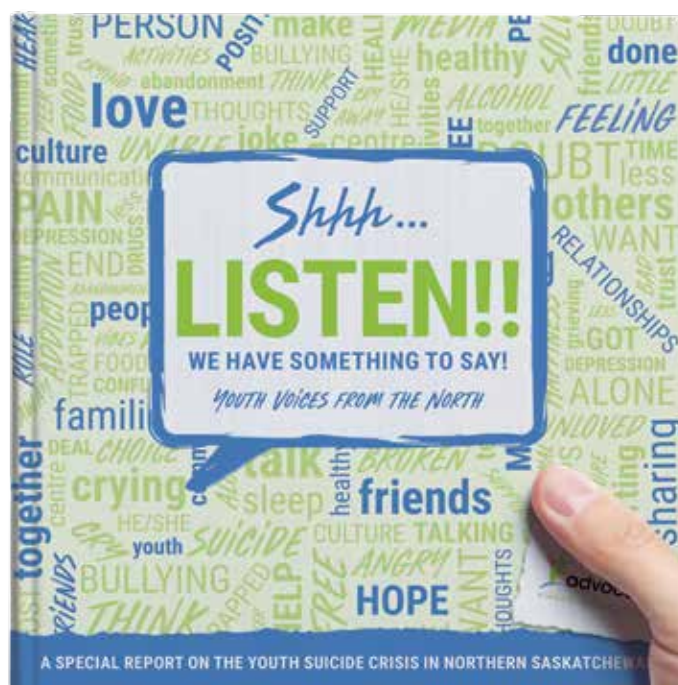
Our systemic work in 2021 included research-based examinations of best practices in areas of provincial concern and broader advocacy efforts meant to improve the lives of young people across the country.

## BULLYING

In 2017, our office released [\*Shhh...LISTEN!! We Have Something to Say! Youth Voices from the North\*](#). This report highlighted the significant challenges and issues faced by Indigenous young people in Northern Saskatchewan, why Indigenous youth have contemplated suicide, and what is needed for prevention. In that work the most prevalent finding was bullying. The youth described bullying as pervasive, making it difficult to function within their communities, and it was identified as a primary factor in why youth contemplate suicide.

While the *Shhh...LISTEN!!* report focused on youth in northern Saskatchewan, the effects and negative impacts of bullying occur within the walls and grounds of schools and online across the province. The most recent data for bullying in Saskatchewan indicates that 59.8% of youth have been bullied and have experienced more than one type of bullying – social, verbal, physical, and cyberbullying.<sup>1</sup> Females were more likely to experience social, verbal and cyberbullying while males were more likely to experience verbal and physical bullying.

The Advocate has had longstanding concerns about bullying, and what is being done to prevent and protect children and youth from all types of bullying. It is important to acknowledge there has been various programs and resources established across Saskatchewan to educate students on the effects of bullying, how to report a bully, and what can be done to create a safe and welcoming school environment. Given the persistent issue of bullying amongst children, the Advocate has notified the Ministry of Education of our office's intention to examine this issue. We anticipate our investigation, and any related recommendations, will be concluded in the coming year.





## PHYSICAL RESTRAINTS

In the spring of 2021, our office received concerns regarding physical restraints being used on children with intensive needs in Saskatchewan's schools. Based on the information received, the Advocate engaged in further exploration of this issue.

Across Canada, concerns have been raised regarding the increased use of restraints being used for disorderly rather than dangerous behaviour, and the misuse of restraints for children and youth with intensive needs.<sup>2</sup> Over the past seven years, six jurisdictions across Canada (BC, AB, NB, NL, NS, PE) have established provincial guidelines for the use of restraints in their education sector.<sup>3</sup> These guidelines have

established protocol, training, communication, and documentation requirements for when restraints are used.

At this time, Saskatchewan has not yet established provincial guidelines on restraints, and the procedures that are established are inconsistent or do not exist. The Advocate is concerned with the inconsistent procedures across the province that may not sufficiently protect children and youth with intensive needs. Our office has corresponded with the Ministry of Education on this issue and the impacts on the rights, interests, and well-being of students across the province. The Advocate will continue its dialogue with the Ministry on this matter to support better outcomes on this issue.



<sup>1</sup> Saskatchewan Alliance for Youth and Community Well-being. (2019). *Thriving Youth, Thriving Communities Report. 2019 Survey Findings*. URL: <https://inclusionbc.org/wp-content/uploads/2019/02/StopHurtingKids-Report.pdf>

<sup>2</sup> Bartlett, N. A., & Ellis, T. F. (2021). Policies Matter: Closing the Reporting and Transparency Gaps in the use of Restraint, Seclusion, and Time-Out Rooms in Schools. *Canadian Journal of Educational Administration and Policy/Revue canadienne en administration et politique de l'éducation*, (196), 2-15.

<sup>3</sup> Bartlett, N. A., & Floyd Ellis, T. (2021). Physical restraint, seclusion, and time-out rooms in Canadian schools: Analysis of a policy patchwork. *Canadian Journal of Educational Administration and Policy/Revue canadienne en administration et politique de l'éducation*, (195), 31-48.

## **REVIEW OF PROVINCIAL/TERRITORIAL PROTOCOL ON CHILDREN, YOUTH AND FAMILIES MOVING BETWEEN PROVINCES AND TERRITORIES**

As part of our office's commitment to advancing the rights, interests, and well-being of children and families moving between provinces, our office has been monitoring the use of the Protocol which is under the purview of the Ministry of Social Services. The Protocol outlines the roles and responsibilities of statutory child welfare agencies when providing services during such transitions. The Protocol was adopted in 2014 and subsequently amended by the Provincial/Territorial Directors of Child Welfare in April 2016. The Protocol is currently under review nationally and the issues that have come to the attention of our office through our advocacy and investigations, are also issues across the country.

In anticipation of this review, our office completed an examination of our advocacy and investigation cases involving children living outside the province and, contrary to the roles and responsibilities of

the Protocol, found significant gaps in ensuring seamless services to the child in the 'receiving province'. These include but are not limited to delays in placement or planning, disagreement on provincial responsibility, lack of planning and support, and the need for a fully dedicated inter-provincial coordinator. These issues highlight how children can fall through the gaps when moving between provinces. As a result, the best interests of the child and their overall well-being is lost in miscommunication, hand-offs, disputes, and confusion between provincial and territorial child welfare authorities.

Currently, the Protocol review is on hold until sometime in 2022 to ensure inclusion and a fulsome discussion with all First Nations Child and Family Service Agencies, the Provinces and Territories, the Canadian Council of Child and Youth Advocates, and various child welfare stakeholders across the province. Our office is looking forward to seeing changes that will enhance services for children and youth living outside the province.



## SYSTEMIC ADVOCACY WITH THE CANADIAN COUNCIL OF CHILD AND YOUTH ADVOCATES

### 2021 Day of General Discussion

With the Advocate continuing to hold the presidency of the Canadian Council of Child and Youth Advocates (the Council), our office led the Council in two national submissions to the United Nations Committee on the Rights of the Child's 'Day of General Discussion on Children's Rights in Alternative Care'.

The UN Committee on the Rights of the Child (the Committee) is a body of independent experts that monitors implementation of the United Nations Convention on the Rights of the Child (UNCRC) and its Optional Protocols (discussed in detail in our 2020 Annual Report). Every two years<sup>4</sup>, the Committee holds a Day of General Discussion<sup>5</sup> to gain a deeper understanding of the current issues surrounding a particular topic related to the UNCRC and to advance protections of children's rights in the area. The theme of the 2021 Day of General Discussion was 'Alternative Care' provided by child protection systems, with particular focus on concerns around the unnecessary separation of children from their families and the provision of quality alternative care where separation is necessary.

Due to the COVID-19 pandemic, the 2021 event was held virtually, allowing a record number of people to participate across 120 countries. The program included presentations by UN Committee members, experts in children's rights and child protection, and young people. As the current president, the Advocate attended on behalf of the Council and participated in working groups on topics such as access to justice and accountability

for children in alternative care and system transformation towards family and community-based care.

Protection of, and respect for, children's rights within the child protection system is central to the work of Council members across the country. Through their advocacy functions, investigations and systemic reporting, Council members have conducted a vast body of work on children in out of home care. Drawing from these endeavours, the Council contributed a written submission<sup>6</sup> identifying good practices, persistent issues of concern, and recommendations for improvement. The Council also facilitated a youth submission<sup>7</sup> presenting the results and key messages arising from consultations with over 30 young people across Canada with experience in out of home care, including several Saskatchewan youth. The Advocate acknowledges their contributions and appreciates the assistance of the Saskatchewan Youth in Care and Custody Network in connecting these youth to our office.

*The Council is an association of children's Advocates, Representatives and Ombudspersons from across Canada who are independent officers of the legislatures in their respective jurisdictions with mandates to promote and protect children's human rights through complaint resolution, advice to government, amplification of child and youth voices, and public education functions. Council members work together to identify areas of mutual concern and address national issues.*

<sup>4</sup> The Day of General Discussion was originally scheduled to take place in September 2020 but was delayed due to the COVID-19 pandemic.

<sup>5</sup> More information on the Day of General Discussion process is available here: <https://www.ohchr.org/EN/HRBodies/CRC/Pages/Discussion2020.aspx>

<sup>6</sup> CCCYA Written Submission to the 2021 DGD is available here: <https://owncloud.unog.ch/s/j0qk6e5tZMjghsK?path=%2F4.%20NGOs%20and%20NGO%20coalitions#pdfviewer>

<sup>7</sup> CCCYA Youth Submission to the 2021 DGD is available here: <https://owncloud.unog.ch/s/j0qk6e5tZMjghsK?path=%2F4.%20NGOs%20and%20NGO%20coalitions#pdfviewer>

Together, the Council submissions to the United Nations focused on the following themes:

- prevention of family separation, with specific focus on Indigenous children and children with disabilities;
- family reunification;
- ensuring high-quality alternative care through quality assurance systems, oversight processes and access to complaint mechanisms;
- ensuring a well-trained, well-supported and well-supervised workforce;
- involving young people in decision-making;
- enhancing supports for youth aging out of care; and,
- lessons learned on responding to the needs of children in alternative care in relation to the COVID-19 pandemic, and in preparation for other health, social and environmental crises.

A Background Document<sup>8</sup> summarizing all submissions and identifying 'Key Recommendations' was drafted by event organizers, reflecting all themes identified in the Council's submissions.

Notably, the voices of youth presented in the Council's youth submission, with some from Saskatchewan, were directly quoted numerous times. This representation will have a direct impact on any future direction provided by the UN Committee on the Rights of the Child.

It was important for our office to contribute to this process as there are many ways the experiences of Saskatchewan young people added value to global discussions on alternative care. It shows how the child protection system can be successful when it is child-centered and puts their interests first, and it sheds light on the devastating consequences that result when this does not occur. Ultimately it identifies opportunities for systemic improvement – in our own province and beyond.

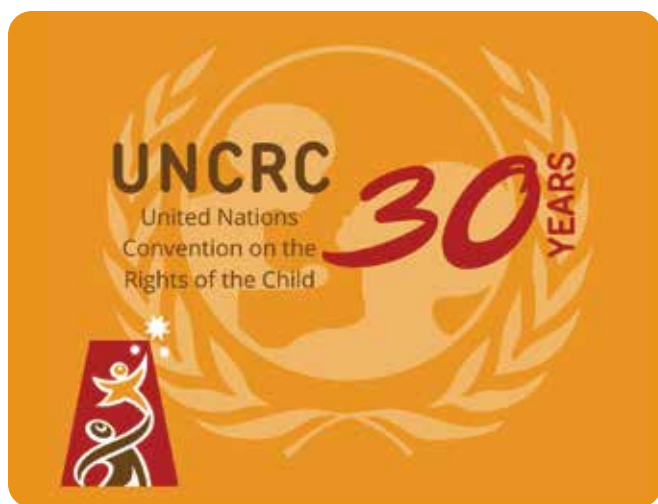
This work benefited Saskatchewan children as it allowed a platform to have their voices heard at the highest level on this important issue. Any direction from the Committee arising from this process will be a powerful advocacy tool in holding all levels of government to account for meeting their international child rights' obligations and improving outcomes for children in care or at risk of going into care.

**Our participation in this discussion was timely considering our recent concerns around services, standards, and oversight within group home care (featured on page 27). The Advocate was able to put forward the recommendations made in our 2021 investigative report *Someone to Watch Over Us* in contribution to Committee discussions on the need to move away from institutionalizing alternative care.**

<sup>8</sup> The DGD Background Document can be accessed at: <https://owncloud.unog.ch/s/j0qk6e5tZMjghsK?path=%2F9.%20Background%20document#pdfviewer>

### 30 Year Anniversary of the UNCRC in Canada and Repeal of Section 43 of the Criminal Code

December 13, 2021 marked 30 years since Canada ratified the UNCRC. The Council, on two occasions in 2021, took the opportunity to nationally highlight the commitments Canada made to children by endorsing the UNCRC, including acting in their best interests, protecting them from harm, giving them a voice about matters that affect them, and providing them with the necessities to reach their full potential. The Council noted that in 2020, Canada ranked only 30 of 38 wealthy countries on the overall well-being of children and youth under 18.



As an illustration of Canada's failure to fully value young people, the Council highlighted its ongoing concern with section 43 of the *Criminal Code* which legally permits corporal punishment of children and has been used to defend assault of children for the purpose of corrective discipline. While there are limits on the force that can be used, legal interpretation and application of these limits have been inconsistent, resulting in children not being afforded the same protections against violence that are taken for granted by adults.

The Council's advocacy on this matter noted that 63 countries have ended the practice of law-condoned corporal punishment in all settings and

the Council called upon the Government of Canada to repeal this section to meet its commitment to children and regain its reputation as a principled and credible voice for children's human rights.

In concert with this public attention to this issue, the Council wrote to Canada's Minister of Justice outlining these concerns and requesting a meeting to discuss the issue. This ongoing effort by the Council, and the leadership of the Saskatchewan Advocate for Children and Youth as the Council president, serves an important role for ensuring Saskatchewan children and youth do not continue to be the subject of this legally enabled corporal punishment.

### National Child and Youth Mental Health Day

Naming the COVID-19 pandemic as "having major mental health consequences for children and youth across Canada," on May 7, 2021, National Child and Youth Mental Health Day, the Council appealed to all levels of government across the country to act in making significant mental health planning and investment to address the impacts of the pandemic.

Through this public release, Council noted emerging research providing compelling evidence about the powerful and damaging impacts of the pandemic on children and youth, especially those who are more marginalized. Anticipating the long-lasting repercussions, Council members implored governments to prioritize addressing the mental health issues young Canadian's face because of the pandemic, and as a result of already inadequately resourced health care systems.

This national appeal offered the Saskatchewan Advocate another opportunity to raise awareness about the adequacy of these services in Saskatchewan, in anticipation of releasing our own research report on mental health and addictions services in 2022.





# INVESTIGATIONS

Investigations are part of the Advocate's core mandate and in conjunction with our advocacy work, lead to increased advocacy and better systemic outcomes for children and youth. This past year we not only investigated child death and injuries notified to our office, but also systemic issues that emerged from our overall advocacy work.

## PERSON OF SUFFICIENT INTEREST PROGRAM INVESTIGATION

In our 2020 Annual Report, we reported on the outcome of an investigation we completed in 2018 involving the abuse of children residing with a Person of Sufficient Interest (PSI) caregiver. In 2021, we investigated another case of abuse in a PSI caregiver home that concluded with several findings presented to the Ministry of Social Services. These cases, and multiple others brought to the attention of our office, continue to highlight the long-standing concerns about the PSI program that date back to the Child Welfare Review in 2010.

During that review, the then Children's Advocate recommended that the province eliminate any provision for a person to be designated a PSI caregiver because of its negative impacts on a child's legal rights and loss of entitlements. Since that time, legislative amendments to those sections of *The Child and Family Services Act* that provide for the designation of a PSI caregiver have stalled and there has been no introduction of any new legislation for a customized adoption process.

In the ensuing years, the Ministry of Social Services made multiple changes to improve its PSI program and increased the use of the PSI provisions in legislation to meet its goal that children are cared for by families or extended families. However, our case experience continues to identify issues about program delivery and service gaps.

These issues, in addition to the lack of progress on legislative changes and the increased reliance on this program to meet the Ministry's goal of placement of children with families, prompted our office to initiate a comprehensive investigation into the PSI program in the latter part of 2021. The investigation examines whether the Ministry's policy, procedures, and services concerning the delivery of the PSI program respect the rights, interests, and well-being of children and youth. We plan to conclude our investigation and any related recommendations in the coming year.



## PUBLIC REPORTS ON GROUP HOME CARE

On March 3, 2021 we released [\*Someone to Watch Over Us\*](#), a special investigation report into the oversight of group homes for children and youth, a service that is typically contracted out by the Ministry of Social Services. The report highlighted a serious group home incident in which Elijah, a seven-year-old non-verbal boy with autism, ran away from his group home in the very early morning hours in June 2020. He was located over one kilometre away in a Tim Horton's parking lot, naked, scared, and confused.

In assessing the efficacy of group home oversight, the Advocate concluded that, "Although the Ministry has many staff engaged in the group home system, it does not have a coordinated oversight or properly resourced scheme that proactively monitors well-defined, measurable quality-of-care indicators." The Advocate made three recommendations to the Ministry to improve the group home system with oversight that would ensure the safety and protection of children in this type of out-of-home care.

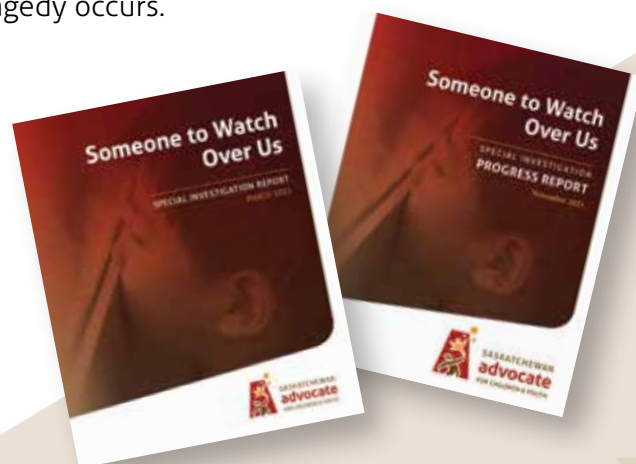
After receiving further accounts of serious group home incidents, our office released a follow-up [\*Progress Report\*](#) in November 2021. One very concerning case occurred in a specialized group home in Prince Albert where six developmental and medically fragile children resided. The Ministry of Social Services investigated and substantiated allegations that included insufficiently trained staff, poor supervision, lack of nurturing, medical neglect, harsh treatment toward the children, insufficient nutritious food and medical supplies, inadequate staff vehicles, and operational disorganization and discord.

In another incident in Regina, a five-year-old child with undiagnosed autism, but who was known to run and be attracted to water, ran away from his group home only to be found and retrieved in a nearby creek. Although extra measures were added to ensure one-on-one supervision, a few months later

he was able to run away again, this time travelling about five kilometers away to a busy retail area.

Both investigative reports outlined our efforts in 2017 and 2021 to provide input into *The Residential Services Act* and associated regulations being drafted by the Ministry. In both instances, our submissions emphasized that guiding statutes, which regulate services for children in group home care, must set clear standards by embedding well-articulated *quality-of-care* definitions and monitoring requirements that compel government to properly and regularly evaluate, resource, and monitor group homes to ensure issues are detected and corrected early, before they fester and negatively impact children. The Ministry of Social Services declined our 2017 suggestions, and as of the release of this Annual Report we have not received a response to our 2021 submission.

The November *Progress Report* outlined the steps taken by the Ministry on the three recommendations in *Someone to Watch Over Us*. Although it had accepted these recommendations and had taken some steps, we found the Ministry's rate of progress did not match the urgency of the situation. This has left the Advocate concerned with the insufficient pace, and with lingering questions about whether the Ministry will fully achieve the goals of properly resourcing the group home system; providing the necessary supports, comprehensive oversight, and accountability; and developing an effective governance model before an even more serious tragedy occurs.





## INVESTIGATIVE ANALYSIS OF VIOLENCE-RELATED INJURIES

Following the increase in violence experienced by Saskatchewan youth in 2020, our office conducted a thematic case assessment of the circumstances of seven youth involved with the Ministry of Corrections, Policing and Public Safety while serving community orders. These youth are within the same age bracket of 17-19 years old. In addition, they have a similar type of injury – three of the youth suffered gunshot wounds; the other three were stabbed with a knife, and the last youth was assaulted with a baseball bat.

The common trends identified in these cases includes noncompliance to contacts and collateral standards; delays in completing the Level of Service Inventory (LSI-SK) Risk Assessment and Community Safety Plan; non-referrals to Child and Youth Services; lack of engagement and transiency of the youth; and gang-affiliation to various gangs operating across the province.

As part of the province's strategy to fight gang violence, in 2019, the Government of Saskatchewan announced funding between two agencies over four years — \$750,000 annually for Saskatoon's STR8UP<sup>9</sup> and \$375,000 annually for Regina Treaty/Status Indian Services for the Gang Violence Reduction Strategy. These organizations offer outreach and intervention to help people looking to leave gangs and help people coming out of jail to reintegrate into their communities.

Despite this laudable initiative, our office continues to see a rise in youth critical injury notifications due to being attacked by either a rival gang member or their connection with a gang-affiliated family member. The Ministry of Corrections, Policing and Public Safety

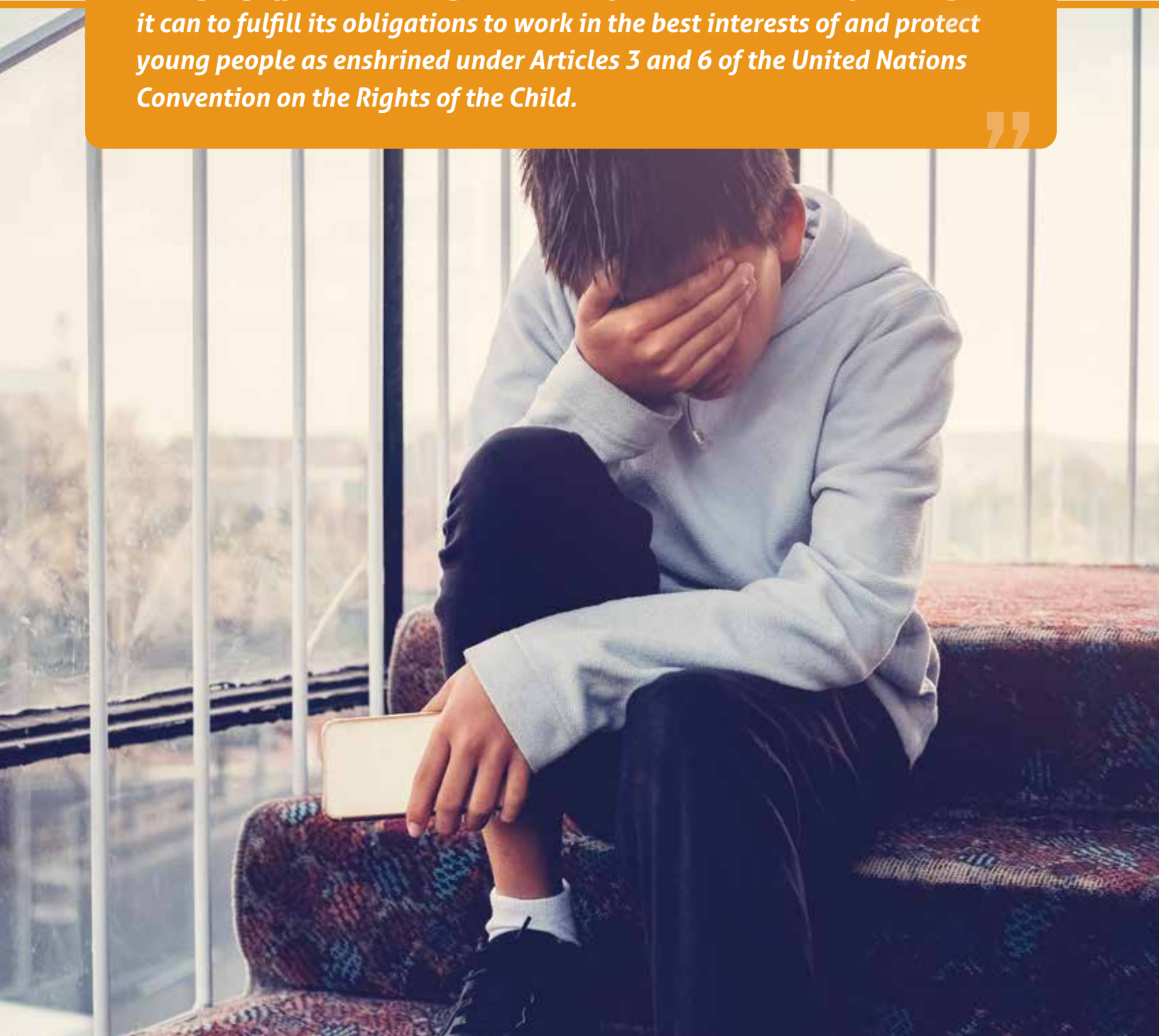
declined our suggestions to implement policy for mandatory screening for gang involvement to help establish appropriate intervention strategies from the onset of a youth's entry into a youth custody facility.

The Ministry also identified challenges with supervising youth who are not engaged, are unwilling participants and/or are not verbalizing their desire to terminate their gang affiliation. The Advocate acknowledges this is challenging. However, our office believes the Ministry should make every reasonable effort to inquire about, offer education, and engage in dialogue about their gang involvement, regardless of whether or not the youth wants to terminate their gang affiliation. Doing this will confirm that the Ministry is doing all it can to fulfill its obligations to work in the best interests of and protect young people as enshrined under **Articles 3 and 6** of the United Nations Convention on the Rights of the Child.

While the Advocate respects the Ministry's comments, and acknowledges the initiatives, policies, and practices already in place, there is room for improvement. We will continue to monitor and review cases against the backdrop of the concerns and suggestions we have raised by ensuring appropriate services and supports are provided to gang-affiliated youth involved with the Ministry of Corrections, Policing and Public Safety across the province.

<sup>9</sup> Sask. agencies get \$4.5M from province to help people get out of gangs: <https://www.cbc.ca/news/canada/saskatchewan/str8-up-rtis-gang-strategy-funding-1.5393216>

*...our office believes the Ministry should make every reasonable effort to inquire about, offer education, and engage in dialogue about their gang involvement, regardless of whether or not the youth wants to terminate their gang affiliation. Doing this will confirm that the Ministry is doing all it can to fulfill its obligations to work in the best interests of and protect young people as enshrined under Articles 3 and 6 of the United Nations Convention on the Rights of the Child.*



# CHILD DEATH & INJURY ANALYSIS

Our office receives notification of and reviews deaths and injuries involving children and youth who are receiving, or have recently received, child welfare and/or justice services. This includes a range of services provided by the Ministry of Social Services, provincially delegated First Nations Child and Family Services Agencies<sup>10</sup> and the Ministry of Corrections, Policing and Public Safety. The Advocate also has the authority to initiate a review into any matter that comes to their attention concerning public services to children and youth, regardless of the source.

Not all notifications we receive involve children who are in care of the child protection system, and may also reflect young people who are:

- being supported to remain in the care of their families;
- in the care of a Person of Sufficient Interest;
- being supported to live independently;
- remanded to a custody facility while awaiting trial or sentencing for a criminal offence;
- serving an open or closed custody sentence for a criminal offence;
- serving a community sentence for a criminal offence; or,
- who have recently received services from the Ministries of Social Services and/or Corrections, Policing and Public Safety in the period immediately prior to their injury or death.

Overall, the Advocate is pleased to see a decrease in child deaths and critical injuries in 2021 after noting increases in previous years. In 2021, our office received notification of 24 deaths and 25 critical injuries or incidents. In addition, we initiated a review of four other injuries to children who were receiving or had recently received child protection services, bringing the total number of critical injuries or incidents reviewed to 29.<sup>11</sup>

Noted themes from the 2021 critical injury and death data include:



- violence;
- medical vulnerability;
- risks to infants associated with unsafe sleeping;
- mental health; and,
- over-representation of Indigenous children in the child protection and justice systems.

***In 2021 we reviewed four cases where we had not received notifications from the Ministry, as the Ministry did not believe these circumstances met the notification criteria for reporting to our office. The investigation of two of those cases led us to review the 'Person of Sufficient Interest' program as noted earlier in this report. The findings of that review are forthcoming in 2022.***

<sup>10</sup> Pursuant to *An Act Respecting First Nations, Inuit and Métis children, youth and families*, Indigenous bodies can now develop their own child protection legislation and agencies. Once this process is completed, their services fall outside the jurisdiction of the Advocate's office.

<sup>11</sup> Section 14(2)(b) of *The Advocate for Children and Youth Act* gives the Advocate the authority to review "any matter that comes to his or her attention from any source" concerning a child or youth in receipt of services from a public child-serving ministry or agency.

## Violence

Last year, we noted a significant increase in injuries and deaths related to various acts of violence against children and youth. While we did not see this trend in the 2021 data, violence remains responsible for a significant proportion (21%) of incidents that come to our attention. Of the 11 violence-related notifications we received, five critical injuries involved youth aged 15-17 who experienced a physical assault, shooting, or stabbing in the community. These youth were all serving community orders with the Ministry of Corrections, Policing and Public Safety at the time of their injury. The other six incidents involved confirmed or suspected abuse experienced by young children in the care of either their parents or other individuals with legal custody. We continue to monitor and assess these types of themes to consider whether further review or advocacy is appropriate.

## Medical Vulnerability

It is important to note that, often, the child protection system becomes involved with children who have high medical needs, for the explicit purpose of ensuring they receive the medical care required for them to live out their lives with dignity. At times, their conditions are expected to lead to their passing. In this way, the Ministry of Social Services is attempting to protect, and fulfill the right of children and youth to the highest *attainable* standard of health. Children and youth in care are also as susceptible as other young people to experiencing unpredictable, life-threatening illnesses. The above circumstances were present, or appear likely, in most of the deaths (six out of nine) of children and youth in care. Similarly, two of the 11 critical injury/incident notifications involving children in care were related to surgeries needed to address chronic health conditions. In these instances, our assessments commonly find that these young people received quality care from their caregivers and the ministry or agency involved.





## Unsafe Sleeping

Infant deaths that occurred in circumstances where sleep-associated risk factors were present has been a continuing concern for our office. Although not confirmed, unsafe sleeping practices, such as co-sleeping or infants sleeping on inappropriate surfaces, appeared to be present in the deaths of five infants six months old or younger. As emphasized in previous Annual Reports, notifications to our office represent only a small subset of all infant deaths in Saskatchewan and this issue is prevalent beyond what is reflected here.

Children have the right to life and governments have a critical role to play in providing support and education to parents and caregivers to enhance awareness of these risks and take corrective action. The Advocate recognizes that systems serving

children and families in Saskatchewan (including health, child welfare and community organizations) have policies, programs, and educational materials in place to promote awareness of safe sleeping practices. However, the continued loss of infants in their first year indicates that more is required. In June 2021, our office wrote to the Saskatchewan Health Authority, the Ministries of Health and Social Services, and Health Canada's First Nations and Inuit Health Branch, urging them to work together to review their mandates and develop a coordinated plan to reduce the risk of sleep-related death.

The Advocate was encouraged by responses from the Ministries of Health and Social Services stating they are continuing to make this issue a priority and are exploring additional collaborative efforts to reduce infant mortality.



## Safe Sleeping Resources

We encourage all parents/caregivers and anyone who works with families to access the Manitoba Advocate for Children and Youth's report entitled [\*Safe and Sound: A Special Report on the Unexpected Sleep-Related Deaths of 145 Manitoba Infants\*](#), and corresponding [webinar](#) on safe sleeping, as well as these additional resources identified by Saskatchewan's Ministry of Health:

### My Saskatchewan Pregnancy app:

<https://skprevention.ca/pregnancy/#my-sk-pregnancy>

### ABCs for Safe Sleep (information door hanger):

<https://skprevention.ca/product-category/infants/>

### Information on Sudden Infant Death Syndrome:

<https://skprevention.ca/infants/sudden-infant-death-syndrome-sids/>

## Mental Health

Our office continues to place a significant focus on mental health issues facing young people in Saskatchewan. In 2021, we were notified of four deaths by suicide and 13 incidents in which a young person attempted suicide, significantly self-harmed or was hospitalized due to suicide ideation. These incidents account for nearly one-third of all injuries and deaths brought to our attention in 2021.

Indigenous children and youth have long been at increased risk of suicide. Notably, all four youth who died by suicide and nine of the eleven youth who experienced a suicidal or self-harming event in 2021 were Indigenous. In the spirit of our strategic priorities on reconciliation and prevention, our office continues to advocate that the social and environmental factors contributing to this risk be addressed and that availability of and access to culturally-appropriate mental health services be enhanced.

We continue to see a particular vulnerability of young people involved in the justice system. Over half (eight of 15) of the notifications from the Ministry of Corrections, Policing and Public Safety involved youth who had attempted suicide. This shows the continued vulnerability of this population and emphasizes the need for this Ministry to remain vigilant and protective in its services to young people.

However, as indicated in past Annual Reports, the significant vulnerability of young people involved in the child protection system has historically been under-represented in the notifications provided by the Ministry of Social Services due to the criteria by which they were reporting. Since 2015, our office has requested that the Ministry notify our office of all suicide attempts by children and youth receiving their services, and it was only starting



January 1, 2022, that our office began receiving these notifications. Receiving these notifications will assist in providing a more accurate picture of the prevalence of suicide risk among this population. Since a past suicide attempt is one of the strongest predictors of a later death by suicide, these notifications will enable our office to provide advocacy services to help ensure these young people are receiving the services and supports they need to protect their rights to life and the highest attainable standard of health.

The Advocate is encouraged by continued steps taken by the Ministry of Social Services in 2021 to improve its response to the children and youth it serves who are or may be at risk of suicide. These include developing an informational brochure on suicide risk to be provided to parents and caregivers, as well as including new policy requirements around suicide prevention and intervention in its Child Protection Services Manual. Our office continues to hold a systemic file with the Ministry on this issue and hopes to be able to conclude this work in 2022.

## Indigenous Over-Representation

It is well-known that Indigenous children are over-represented in both the child protection and justice systems in Saskatchewan and across Canada. Year after year, the deaths and injuries we review are a stark reminder of this dark reality. In 2021, 22 of the 24 deaths (92%) and 23 of the 29 critical injuries/incidents (79%) that came to our attention involved Indigenous children and youth.<sup>12</sup>

All systems must do better to improve outcomes for young Indigenous citizens. The transformation taking place within the child protection system is a hopeful step in this direction. Empowered by *An Act Respecting First Nations, Inuit and Métis children, youth and families*, many Indigenous communities in Saskatchewan are reclaiming their inherent jurisdiction over the well-being of their children and taking steps to create their own child welfare legislation, with Cowessess First Nation leading the way. While there will be learning curves along the way as the different levels of government navigate these changes, the Advocate is encouraged by this progress and these building blocks to reconciliation.

Additionally, on June 21, 2021, the *United Nations Declaration on the Rights of Indigenous Peoples Act* came into force in Canada, providing another guidepost in the path towards reconciliation. We are hopeful this legislation will result in further tangible improvements to the economic and social conditions of Indigenous children, youth, and families.

***The United Nations Declaration on the Rights of Indigenous People (UNDRIP) recognizes:***

***[...] the right of indigenous families and communities to retain shared responsibility for the upbringing, training, education and well-being of their children, consistent with the rights of the child.***



<sup>12</sup> This includes children and youth who are Métis, status and non-status First Nations.





## 2021 CHILD DEATH DATA

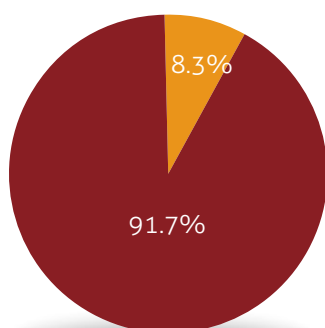
Ethnicity	Deaths	Total: 24
First Nations and Métis <sup>13</sup>	22	
Non-First Nations or Métis	2	
Unknown	0	
Age	Deaths	Total: 24
0 to 5	13	
6 to 10	2	
11 to 15	4	
16 to 18	4	
19+	1	
Type of Service at Time of Death <sup>14,15</sup>	Deaths	
CFS – In Care	9	
CFS – Receiving Other Services	9	
CFS – Received Services Prior to Death (In Care or Other)	6	
Corrections – Custody (open and secure)	0	
Corrections – Community	1	
Corrections – Received Services Prior to Death (Custody or Community)	0	

<sup>13</sup> This category includes children and youth who are Métis, status and non-status First Nations.

<sup>14</sup> The Advocate is notified of the death of a child or youth who is currently receiving, or has recently received, child and family services (CFS) from the Ministry of Social Services or by a provincially delegated First Nations Child and Family Services agency. CFS – “Other Services” may include active investigations into neglect and abuse, in-home support services, support services to older youth transitioning to independence, and children and youth living in the care of a “person having sufficient interest” pursuant to section 23 of *The Child and Family Services Act*. The Advocate is also notified of deaths of young people currently receiving, or who have recently received, services from the Ministry of Corrections, Policing & Public Safety (Corrections). These notifications include youth who are in custody (either sentenced or remanded) and those serving a community sentence.

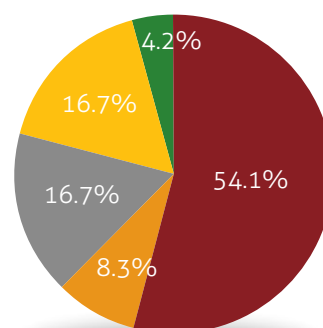
<sup>15</sup> This total is higher than the total number of injuries, as 1 youth was both in care of CFS and receiving services from Corrections (community sentence) at the time of death.

### 2021 CHILD DEATHS – ETHNICITY



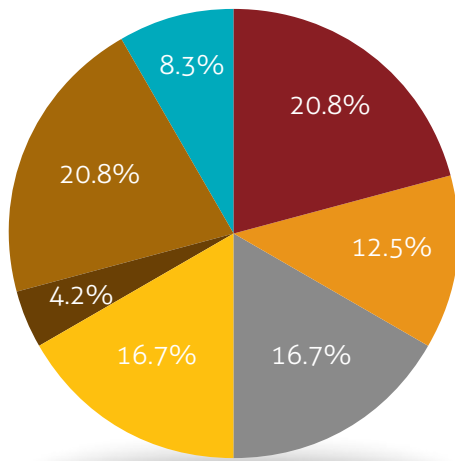
- First Nations and Métis<sup>13</sup>  
(22 or 91.7%)
- Non-First Nations or Métis  
(2 or 8.3%)

### 2021 CHILD DEATHS – AGE



- 0 to 5 (13 or 54.1%)
- 6 to 10 (2 or 8.3%)
- 11 to 15 (4 or 16.7%)
- 16 to 18 (4 or 16.7%)
- 19+ (1 or 4.2%)

## 2021 CAUSES OF DEATHS



**Total: 24**

- Cause Not Available Yet<sup>16</sup> (5 deaths or 20.8%)
- Undetermined (3<sup>17</sup> deaths or 12.5%)
- Suicide (4 deaths or 16.7%)
- Medically Fragile<sup>18</sup> (4 deaths or 16.7%)
- (Suspected) Homicide (1<sup>19</sup> death or 4.2%)
- Illness (5 deaths or 20.8%)
- Drug/Alcohol Toxicity (Accidental) (2 deaths or 8.3%)

<sup>16</sup> When available, information reported regarding the cause of death is determined from Coroner's Reports, which are pending for a number of 2021 deaths. In the absence of a Coroner's Report, cause of death may be obtained from information reported by the Ministry involved or other reliable sources. The category of "Cause Not Available Yet" is used when the Advocate has not yet received reliable information on the cause of death. This is to be distinguished from the category of "Undetermined", which is used by the Coroner where the cause of death has been reviewed by the Coroner but cannot be determined.

<sup>17</sup> Although cause of death could not be determined, an unsafe sleep environment was noted by the Coroner's Service as being present in all 3 cases.

<sup>18</sup> The term "medically fragile" is used by the Advocate to describe the death of a child or youth that was caused by a condition or circumstances present at birth that was likely to lead to their death. This is different than the category of "illness", which refers to a new or unexpected natural disease.

<sup>19</sup> Although a Coroner's Report has not yet been received in this case, a charge of second-degree murder has been laid.

### **Update – 2020 Causes of Deaths**

When we released our 2020 Annual Report, we did not have data on the cause of five of the 38 deaths we were notified of that year. We have now received Coroner's Reports for four of these five deaths.

Three of these cases involved young children for whom the cause of death was classified as "undetermined". Although a cause could not be identified, in two of these instances involving infants three months old or younger, an unsafe sleep environment was noted as being present at time of death. These circumstances were identified in our 2020 Annual Report as having been suspected.

The fourth case for which we now have information involved a 15-year-old who died of illness.

## 2021 CRITICAL INJURY/INCIDENT DATA

Ethnicity	Injuries/Incidents	Total: 26 <sup>20</sup>
First Nations and Métis <sup>21</sup>	20	
Non-First Nations or Métis	6	
Unknown	0	
Age	Injuries/Incidents	Total: 29
0 to 5	6	
6 to 10	1	
11 to 15	8	
16 to 18	14	
19+	0	
Type of Service at Time of Injury/Incident <sup>22, 23</sup>	Injuries/Incidents	
CFS – In Care	11	
CFS – Receiving Other Services	6 <sup>24</sup>	
CFS – Received Services Prior to Injury (In Care or Other)	4 <sup>25</sup>	
Corrections – Custody (open and secure)	1 <sup>26</sup>	
Corrections – Community	15	
Corrections – Received Services Prior to Injury (Custody or Community)	0	

<sup>20</sup> In 2021, there were 29 critical injuries/incidents involving 26 children and youth. 3 Indigenous youth (aged 11 – 18) experienced 2 injuries each.

<sup>21</sup> This category includes children and youth who are Métis, status and non-status First Nations.

<sup>22</sup> The Advocate is notified of the death of a child or youth who is currently receiving, or has recently received, child and family services (CFS) from the Ministry of Social Services or by a provincially delegated First Nations Child and Family Services agency. CFS – “Other Services” may include active investigations into neglect and abuse, in-home support services, support services to older youth transitioning to independence, and children and youth living in the care of a “person having sufficient interest” pursuant to section 23 of *The Child and Family Services Act*. The Advocate is also notified of deaths of young people currently receiving, or who have recently received, services from the Ministry of Corrections, Policing & Public Safety (Corrections). These notifications include youth who are in custody (either sentenced or remanded) and those serving a community sentence.

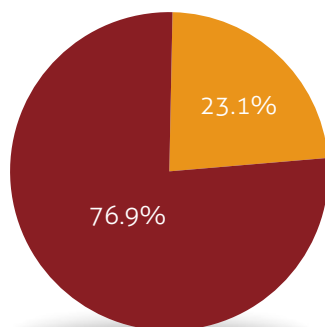
<sup>23</sup> This total is higher than the total number of injuries, as the Advocate learned 4 youth were in care of CFS while also receiving community services through Corrections at the time of injury. 2 of these youth experienced 2 injuries each.

<sup>24</sup> The Advocate received 3 notifications from the Ministry of Social Services regarding injuries to children and youth “receiving other services”. In addition, the Advocate learned 1 youth for whom a notification was received from Corrections was also in receipt of CFS services, and the Advocate initiated 2 reviews of injuries to children residing with a “person of sufficient interest”.

<sup>25</sup> The Advocate received 1 notification from the Ministry of Social Services regarding an incident involving a youth who had received CFS services in the 12 months prior to the incident. In addition, the Advocate learned 1 youth for whom a notification was received from Corrections had also been in care within the year prior to their injury, and the Advocate initiated 2 reviews of injuries to children that had received CFS services in the previous year.

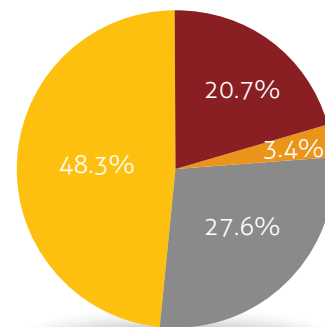
<sup>26</sup> This youth sustained an injury while in the community after having escaped lawful custody.

### 2021 CRITICAL INJURIES/INCIDENTS – ETHNICITY



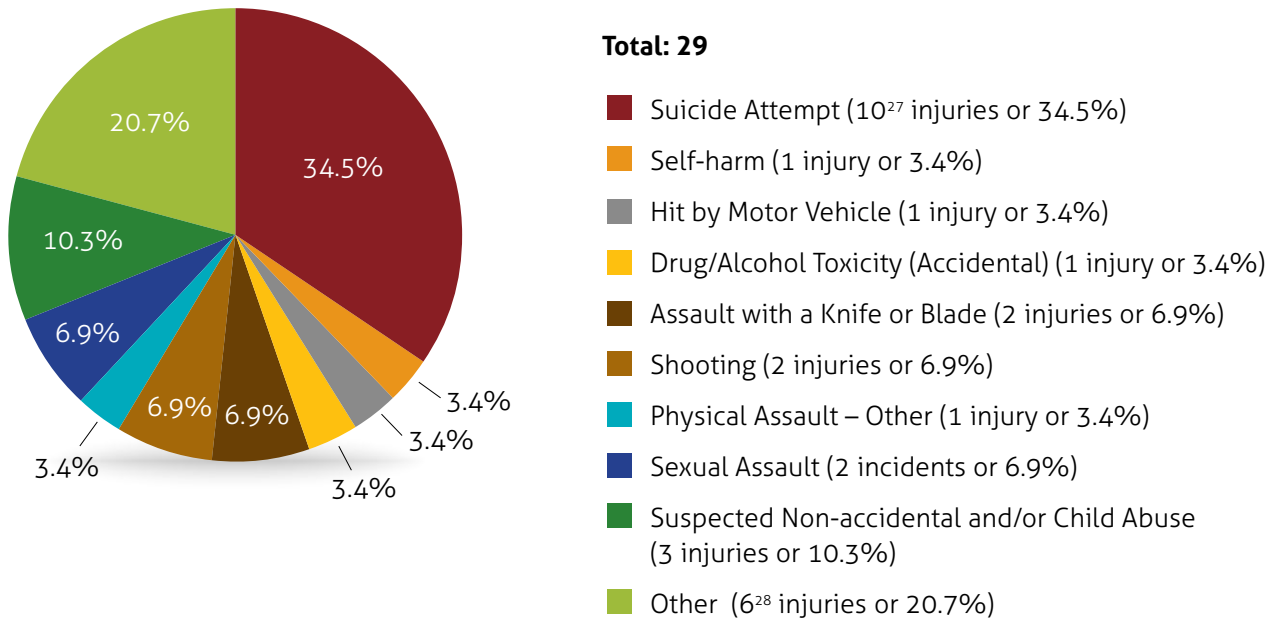
- First Nations and Métis<sup>21</sup>  
(20 or 76.9%)
- Non-First Nations or Métis  
(6 or 23.1%)

### 2021 CRITICAL INJURIES/INCIDENTS – AGE



- 0 to 5 (6 or 20.7%)
- 6 to 10 (1 or 3.4%)
- 11 to 15 (8 or 27.6%)
- 16 to 18 (14 or 48.3%)

## 2021 CAUSES OF CRITICAL INJURIES/INCIDENTS



<sup>27</sup> This total includes 8 youth – 2 of whom had 2 suicide attempts each.

<sup>28</sup> This category includes 2 youth who exhibited significant suicidal ideation to the point of requiring hospitalization, 1 child who was found in a body of water, 2 children whose injuries related to surgeries required to address chronic health conditions, and 1 youth who was charged with a serious violent offence. Although the latter circumstances do not meet the typical criteria for notification to the Advocate under the Ministry of Social Services' "Serious Occurrence Categories, Reporting and Review" policy, the Ministry can notify our office of any incident if it would benefit from review.

# LOOKING AHEAD



After managing a second year under pandemic circumstances, we are optimistic that 2022 will bring opportunities to conduct our work in a more direct and interactive way. We expended considerable resources to prepare for the time we could return to doing our advocacy and public education work in person, and look forward to visiting and meeting with children, youth, families, community members, and stakeholders in their communities. We are excited to promote and deliver our brand-new interactive Self-Advocacy Workshop and share our new educational materials and interactive tools with children, youth, and those supporting them.

Our attention will continue to focus on our strategic plan, including how we can advance reconciliation and youth voice, as we work on behalf of the rights, interests, and well-being of young citizens of Saskatchewan. Our future endeavours include continued systemic advocacy on mental health and addictions services in the province; as well as completing reviews and making recommendations with respect to the Person of Sufficient Interest program, and bullying and physical restraint policies and practices in provincial schools. To do this, we expect our central message in 2022 to be a call to all child-serving bodies in the province to develop a coordinated child strategy to reduce barriers between them, and provide a more fluid, cooperative service-delivery approach that works best for the young people who rely on them.

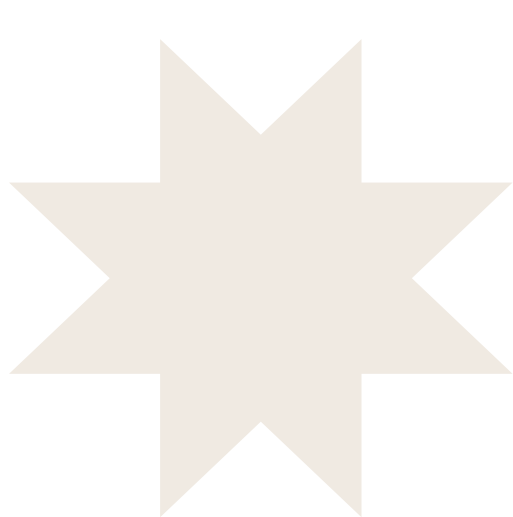




# BUDGET

Non-Statutory Expenditures	2020–2021 Budget	2021–22 Budget
Personal Services	\$2,019,000	\$2,050,000
Contractual Services	\$421,000	\$467,370
Advertising, Printing and Publishing	\$38,000	\$38,460
Travel and Business	\$102,000	\$103,710
Supplies and Services	\$8,000	\$8,060
Capital Assets	\$22,000	\$22,400
Budgetary Total	\$2,610,000	\$2,690,000

Statutory Expenditures		
Personal Services	\$234,000	\$239,000
Statutory Total	\$234,000	\$239,000
<b>Total</b>	<b>\$2,844,000</b>	<b>\$2,929,000</b>



# ADVOCATE & STAFF

(at December 31, 2021)

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Adedoyin Ajayi

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## **Research**

Courtney Carlberg

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Chris Litke

Meredith Newman

Jen Peterson

Jordan Raymond

Cheryl Starr

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Jacqueline Peters

## **Manager, Investigations**

Connie Braun

## **Manager, Finance and Administration**

Caroline Sookocheff

## **Manager, Human Resources**

Wanda George

## **Manager, Communications and Public Education**

Karen Topolinski



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FOR CHILDREN & YOUTH