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ANNUAL REPORT



SASKATCHEWAN
advocate
FOR CHILDREN & YOUTH



LETTER OF TRANSMITTAL

April 26, 2023

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 2022.

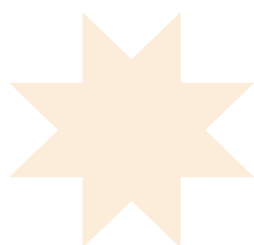
Respectfully,

A handwritten signature in blue ink, appearing to read "Lisa Broda".

Lisa Broda, PhD
Advocate for Children and Youth

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Message from the Advocate



I have had the privilege and honour to serve the children of this province as the Advocate for Children and Youth for over three years, during which the young people of Saskatchewan, and of our country, have had some extremely trying times.

Sadly, the issues facing children and youth never end. The needs of young people were high prior to the pandemic and have only worsened since then. Those who respond to calls to help children, or who work to support them and their families by providing much-needed services, know this. Our office certainly knows this.

We often hear people say, “the children will get through this, they are resilient.” However, young people have been put to the ultimate test, and while we know children and youth are indeed resilient, we also know they continue to suffer greatly.

Certainly, this is evident in our advocacy and investigations cases this past year, as shown by the complexity and multiplicity of issues we see day to day. We also continue to be deeply troubled by an upward trend in child deaths and injuries and the contextual nature of these injuries and deaths – which surpasses all previous years.

In our systemic work this year, we engaged in several consultations on legislation, such as *The Child and Family Services Act*, and policy to support governments and entities in their work toward better outcomes for children. We provide our expertise and a child rights-based focus, as well as make recommendations to ensure that laws,

regulations, and policy development address the gaps in intervention and prevention efforts that keep children safe and protected.

This year, we are pleased to have returned to in-person advocacy and public education. Our regional advocacy staff have been out across the province meeting with stakeholders, educating the public about the role of our office, and meeting with young people to introduce them to our newly developed self-advocacy workshop. This has led to a significant increase in calls to our office requiring advocacy and requests for in-person engagement, presentations, or information regarding children’s rights.

The work of our Elder Advisory and Youth Advisory Councils has been integral in much of our advocacy and systemic work, advancing the rights of all young people in Saskatchewan. In our report entitled *Desperately Waiting*, with input from both Councils, we made 14 recommendations for key improvements in service provision that included an integrated services model and a children’s strategy. Addressing these recommendations will require a commitment and investment of resources and support from government now, across sectors, and well into the coming years.

It continues to be my office’s top priority to bring people, entities, and government together to foundationally set up a proper strategy for children – one that reflects increased investment in early intervention and prevention – to interrupt the cycle of issues children face and shift the focus and the action in a positive direction.

The establishment of a provincial child strategy is the key to keeping children’s interests and needs at the forefront in all sectors that serve children in a manner that prioritizes their safety and

protection, and allows them to grow strong – as the young people today are the leaders of tomorrow.

I wish to take this moment to thank all those who work tirelessly for young people across the government and in our communities. This work is rewarding, but also difficult and challenging. However, despite the challenges faced, we are obliged to ensure we do the very best for young people.

I also want to express my deepest gratitude to our staff for their ongoing passion, dedication, and service to the children of Saskatchewan. Let's all continue to work together to prioritize children and support them to live to their full potential, as is their right.



Lisa Broda, PhD

Saskatchewan Advocate for Children and Youth

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

See more of our Strategic Plan 2020-2024 at saskadvocate.ca.

Legislated Mandate of the Advocate's Work

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

We do:

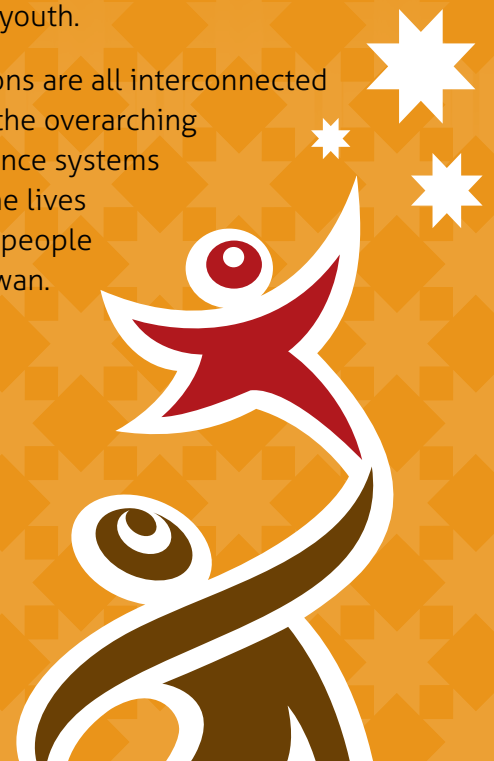
ADVOCACY on behalf of children and youth receiving services from a provincial ministry, agency of the government, or publicly-funded health entity.

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.



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 active participants.

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 the rights to:

- Land
- Culture and language
- Self-determination
- Non-discriminatory or oppressive practices
- Protection of elders, women, and children
- Survival and development
- 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.



CHILDREN AND YOUTH FIRST PRINCIPLES

Our office simplified the 54 articles of the UNCRC into eight principles most applicable to Saskatchewan children and youth. In 2009, the Government of Saskatchewan adopted the *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, is 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:

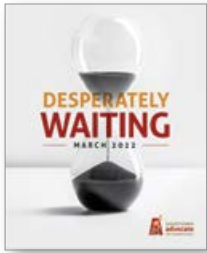
- Self-determination
- Respect for culture and language
- Importance of structural intervention
- Non-discrimination
- Holistic approach



Elder Advisory Council

In 2022, the Elder Advisory Council continued to support and guide our work, most notably on two significant projects.

Members of the Elder Advisory Council provided invaluable wisdom and guidance into [Desperately Waiting](#), released publicly in 2022, which examined the state of mental health and addictions services for Saskatchewan's children and youth. In particular, the Elders emphasized the need for more culturally appropriate services that include Indigenous ways of knowing to support families and provide earlier intervention.



This guidance informed our recommendations to government, and we included several of their quotes throughout relevant sections of that report.

As discussed in our 2021 Annual Report, our office triggered an investigative review into the Ministry of Social Services' Person of Significant Interest (PSI) program and its impact on the children who are subject to it. Approximately 90% of children in PSI placements are Indigenous. Given this, and upon reflecting on our investigation, the Elders emphasized that keeping children at the centre is best done by working collectively and collaboratively.

Our office recognizes that members of the Elder Advisory Council are often sought out for their wisdom and advice in their communities and by other systems and organizations. The Advocate is deeply appreciative of their valuable time and ongoing dedication to our mandate, strategic priorities, and vision of all children and youth reaching their full potential. With many projects anticipated for the future, we look forward to fostering this critical relationship.



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)

Youth Advisory Council

Youth Advisory Council members were very busy in 2022 and provided our office with insightful perspectives on several projects, including:

- Providing input into and participating in the release of *Desperately Waiting*. Voices and perspectives of Council members enriched the outcome of that report. Two Council members participated in the March 2022 media release at the Saskatchewan Legislature and spoke directly to media about that report.
- Reviewing the Youth Advisory Council Terms of Reference. As founding members, the Council shared valuable feedback for moving forward after having been operational for over a year.
- Discussing a recruitment strategy for bringing on new members from across the province.
- Providing perspective on a federal framework Bill for a National Children's Strategy. The Council's feedback was incorporated into the Advocate's presentation (as President of the Canadian Council of Child and Youth Advocates) to Senator Rosemary Moodie's office in Ottawa in October 2022 (discussed later in this report).
- Assisting in the Advocate's second National Child Day School Challenge in November 2022. A video, created in conjunction with Council members, invited schools to participate by creating a piece of art about children's rights. Council members reviewed and chose winning submissions and, in December 2022, the Advocate attended the classroom of the winning students to share in a pizza lunch and award prizes for their exceptional submissions showcasing children's rights.



Youth Advisory Council and Staff Team-building Event – August 2022



Youth Advisory Council Members at Desperately Waiting Report Release – March 2022

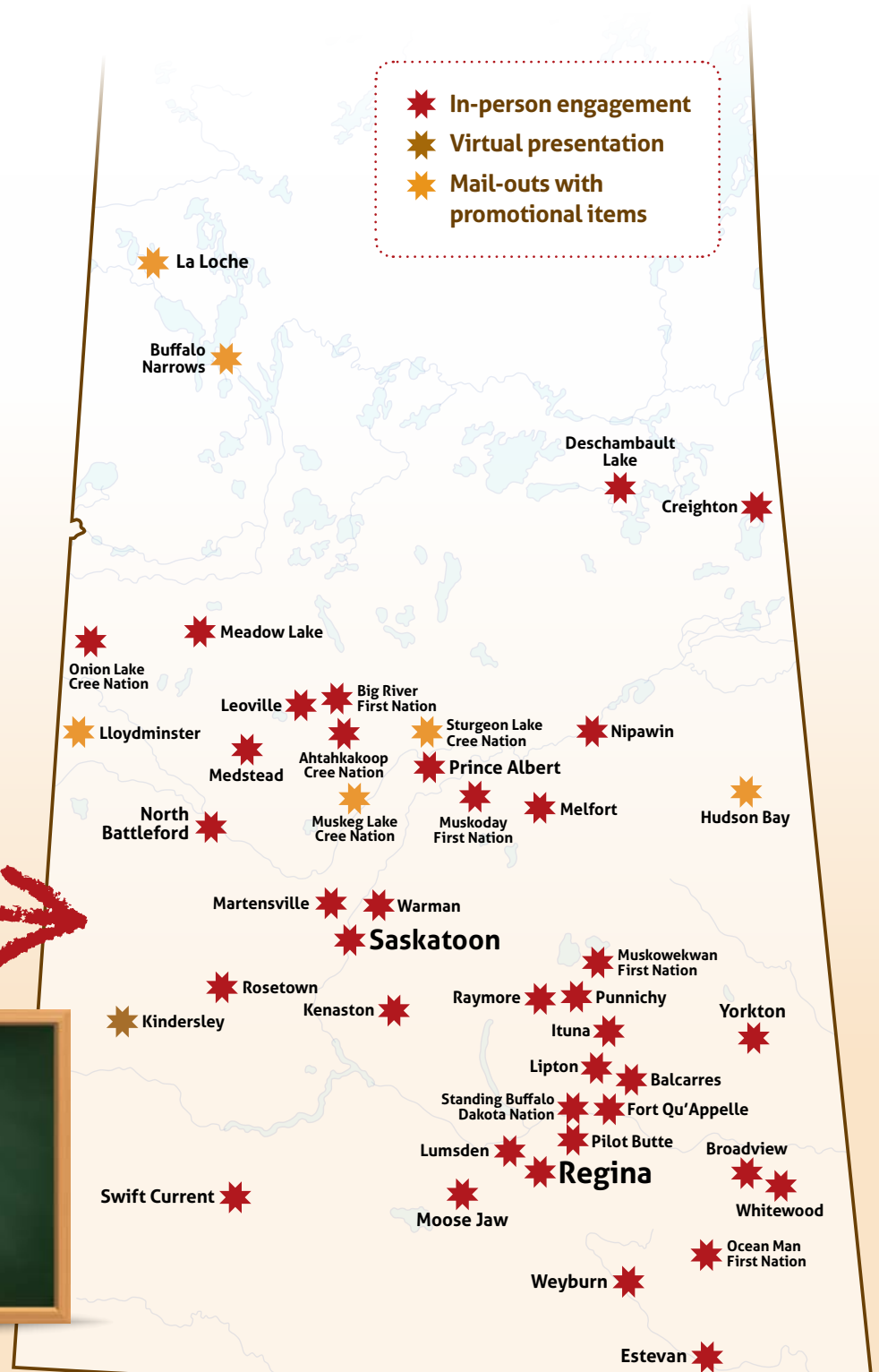
YOUTH ADVISORY COUNCIL VISION STATEMENT

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.

Public Awareness and Education

COMMUNITIES REACHED IN 2022

With restrictions of the COVID-19 pandemic mostly lifted in early 2022, our staff were able to return to in-person engagements and travel extensively throughout the province to provide education and awareness to children, youth, and the key stakeholders who work with them. 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.



*Mail-outs sent to
975 SCHOOLS
throughout the province,
including provincial,
First Nations, and
independent schools.*



NEW WEBSITE

We launched our new website in August 2022. With more dynamic features and newly developed pages specifically for young people, we are now able to share more information and resources than ever before! Visit us at saskadvocate.ca.

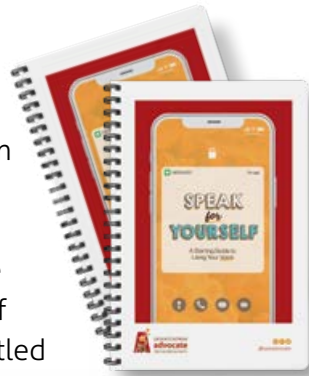
KNOW YOUR RIGHTS BOOKLETS

To continue in our effort to help young people understand their rights, we developed a series of booklets in 2022 that outline the United Nations Convention on the Rights of the Child (UNCRC) in youth-friendly language. We acknowledge the hard work done by the Office of the Child and Youth Advocate Newfoundland and Labrador in creating the original youth-friendly versions of the UNCRC in English and French, which we used with their permission. We also had these children's rights translated to Dene, Cree and Michif. Offering these print and electronic resources available in five languages enables us to spread the word more inclusively and extensively across the province for young people to learn about their rights.



SELF-ADVOCACY WORKSHOP LAUNCH

Working with children and youth to develop their self-advocacy skills has been a long-standing priority of our office. As highlighted in our 2021 Annual Report, we embarked on the creation of a self-advocacy workshop titled *Speak for Yourself*.



In April 2022, we began offering this workshop to schools, group homes, and other organizations to teach children and youth about their rights and to empower young people to be a voice for themselves. This initiative supports young people's rights to be heard and have their opinions considered when decisions are made about their lives.

The workshop covers five important topic areas:

- **Self-advocacy:** What it is and how to use it;
- **Know Yourself:** Explore strengths, challenges and needs;

- **Know Your Rights and Responsibilities:** Learn about rights, needs, wants, responsibilities and the United Nations Convention on the Rights of the Child;
- **Effective Communication:** Learn about communication approaches and ways to communicate with professionals to be effective in the self-advocacy process; and,
- **Positive Affirmations:** Learn what positive affirmations are and how to implement them.

Our vision that this self-advocacy workshop would be well received in delivery exceeded our expectations with demand being much greater than anticipated. In 2022, we facilitated 77 workshops throughout Saskatchewan in urban, rural, and First Nations communities, connecting with over 1800 young people. Our experience in facilitating these two-hour sessions has shown there is a broad and strong interest throughout the province for children and youth to learn about rights and self-advocacy in an interactive, positive, and fun way. Our staff look forward to connecting with more young people while facilitating the *Speak for Yourself* workshop over the coming years.



Samples of artwork created during Self-Advocacy workshops in 2022.



NATIONAL CHILD DAY SCHOOL CHALLENGE 2022

Based on our 2021 video (created with the Youth Advisory Council), we invited schools to learn about National Child Day and incorporate learnings about children's rights into an artistic submission to our office.

We received some amazing posters and videos demonstrating that students had engaged in the topic and were proud to showcase their work. Winners were selected with the help of our Youth Advisory Council. The Advocate attended École Valois Grade 7 class in Prince Albert to congratulate them for being our top achievers and share some prizes and pizza!



CONFERENCES, EVENTS & OTHER ENGAGEMENTS

In 2022, our office participated in numerous workshops, conferences, and events, setting up public education booths and interacting with young people and stakeholders.



File Hills Qu'Appelle Tribal Council Presentation – October 2022



Sask Polytechnic Nurses Workshop, Saskatoon – November 2022



Cowessess First Nation Truth and Reconciliation Event, Regina – September 2022



Peter Ballantyne Child and Family Services Therapeutic Centre Grand Opening, Prince Albert – June 2022



Saskatoon Pride Parade – June 2022



Ranch Ehrlo Pow Wow, Pilot Butte – August 2022



Treaty 4 Gathering, Fort Qu'Appelle – September 2022



Wicahitowin Indigenous Engagement Conference, Saskatoon – November 2022



Strengthening the Spirit of Our Youth and Our Families Conference, Regina – October 2022

Staff and Youth Advisory Council members with Speaker of the Legislative Assembly, Regina – March 2022



YOUth Matter Mental Health Symposium, Melfort – October 2022

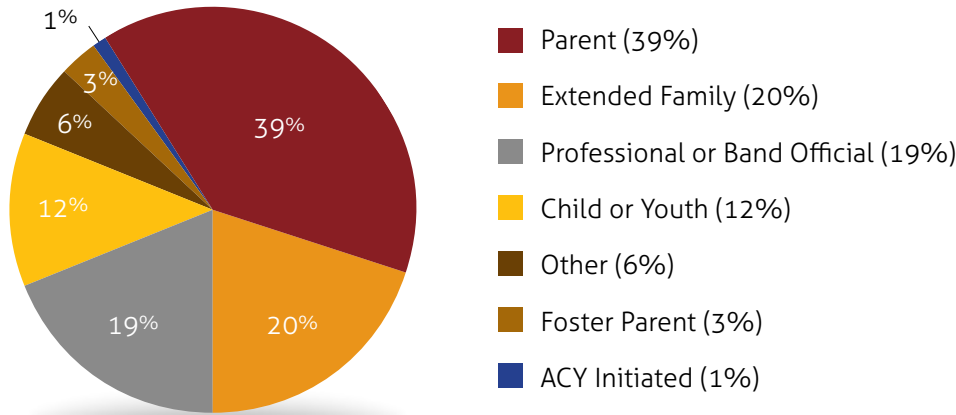
AWARENESS

As part of our public education mandate, our office continues to raise awareness about children's rights using various formats and platforms including outdoor ads, online digital display and audio ads, and print and radio ads (in English and three Indigenous languages). We regularly post on social media about children's rights as well as important dates and events that are relevant to children and youth.



Intake and Common Issues

WHO CONTACTED THE ADVOCATE FOR CHILDREN AND YOUTH IN 2022*



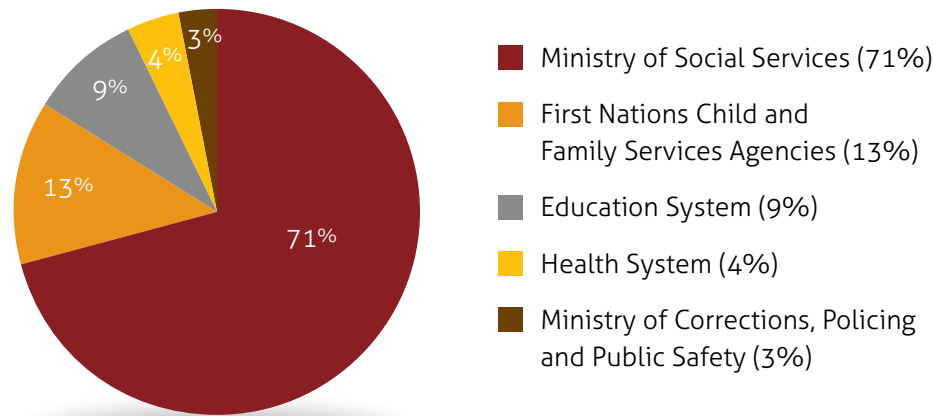
* Advocacy files only.

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.

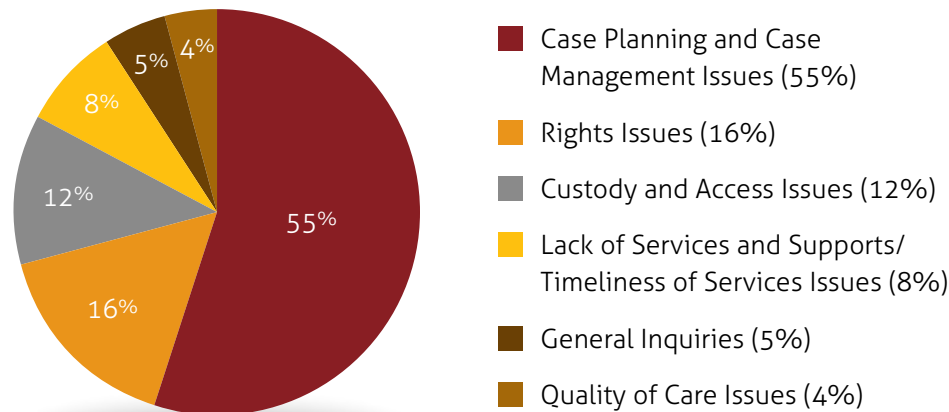
ACY Initiated is when our office initiates advocacy after becoming aware of a situation through means such as the media.

MINISTRIES OR AGENCIES THE ADVOCATE FOR CHILDREN AND YOUTH RECEIVED CALLS ABOUT IN 2022*



* Advocacy files for ministries and agencies within our jurisdiction.

MOST COMMON ISSUES FOR THE ADVOCATE FOR CHILDREN AND YOUTH IN 2022



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.

Our office managed over 1800 files in 2022. As described throughout this report, we saw significant increases in the number of advocacy, investigation, and public education files over the previous year.

Specific to intake (which we refer to as early resolution advocacy), our office continues to receive a significant number of complaints involving complex, multi-issue situations that involve multiple stakeholders. We also manage many general inquiries in which callers are needing assistance navigating government systems or trying to obtain resources and supports for the challenging situations they are faced with.

In 2022, parents and extended family continued to call us most frequently; and the majority of our cases involved the Ministry of Social Services and First Nations Child and Family Services Agencies.

We also saw a slight increase in the number of calls pertaining to concerns within the education system.

Overall, case planning and case management concerns continue to be the most common issues we hear about. Within this, families typically call us when they disagree with the apprehension of their children, the ministry or agency's assessment of the situation, or the case plan. Many of our calls also involve disagreements with or concerns about residential placements, lack of contact with or mistreatment from a worker/person in authority, or lack of visitation with family.

Lack of support services, especially as it relates to mental health and addiction services or financial support, are other prominent issues that we heard about in 2022.



Regional Advocacy

For the first time since the onset of the pandemic, regional advocates were once again able to meet with children and youth in person in 2022. Whether proactively connecting with them or responding to their concerns, meeting directly with children and youth (when possible) is a priority for our office. These are opportunities for young people to increase their awareness about children's rights and the services our office provides, which, in turn, results in increased requests for advocacy.

Through our advocacy casework, where issues are brought to our attention, we heard a common theme regarding significant staffing shortages across all sectors and child-serving ministries.

Throughout 2022, we were informed about:

- the lack of staff within group homes;
- vacancies in mental health, counsellor, and case worker positions;
- the inability to fill support positions within classrooms and schools;
- shortages of respite caregivers and in-home support workers; and,
- the lack of support workers to transport children to appointments or visits.

For many of our cases, there were comprehensive plans in place to support the child, youth, or their family. However, the organization(s) involved expressed their struggles to hire qualified service providers to meet the child's needs due to these staffing shortages. Consequently, these issues had negative impacts on children and youth, as there were often delays in getting the proper services in place or the best possible services were not available. Despite these challenges, it was our experience that there was a genuine willingness from stakeholders to engage in discussions with our office on how to, whenever possible, creatively fill those gaps while continuing to search for staffing solutions.

In 2022, regional advocates worked on cases involving concerns with physical restraints and bullying in Saskatchewan schools, as well as concerns relating to the quality of care in group homes contracted by the Ministry of Social Services and in the Person of Sufficient Interest program. Advocacy casework in each of these areas influenced the Advocate's decision to pursue further analysis of these issues.



Systemic Advocacy

BULLYING AND PHYSICAL RESTRAINTS – UPDATE

In our 2021 Annual Report, we reported on the rationale and decision by the Advocate to further examine the issues of bullying and use of restraints in schools in more depth. Due to significant concerns with these issues and the risk and impact on young people, the Advocate issued a notice of investigation to the Ministry of Education on both matters. Our office examined the Administrative Procedures on both bullying and use of physical restraints in all 27 School Divisions and identified some significant gaps or absences of policy. The Advocate made two recommendations:

The Ministry of Education amend *The Education Act, 1995* to include a definition of bullying, including cyberbullying. The amendment to the Act must follow with commensurate policy that standardizes and operationalizes Administrative Procedures on bullying for all school divisions and must include the following criteria:

- a foundational statement of students' right to learn in a safe environment, free from bullying;
- the roles and responsibilities of the school divisions, school staff, students, parents, and community members in addressing bullying behaviours;
- school practices for reporting, investigating, and actions to be taken when bullying behaviour occurs;
- standardized documentation for the monitoring and tracking of bullying incidents in schools;
- standardized training for teachers and staff across school divisions in awareness of and addressing bullying; and,
- regular review of policy and practices.

The Ministry of Education establishes requirements in *The Education Act, 1995* on the use of physical restraints and seclusion. The amendment to the Act must follow with commensurate policy that standardizes the use of restraints and seclusion for all school divisions that includes the following criteria:

- circumstances in which restraints may be used;
- unacceptable items/materials to be used as restraints;
- training requirements for staff;
- involvement of parent(s)/caregiver(s);
- communication;
- debriefing; and,
- documentation.



In accepting these recommendations, the Ministry advised the Advocate that it intended to address both bullying and use of restraints through policy rather than legislation. While enhancing or improving policies and standards is a key step in the process, the Advocate remains concerned that it will not address the oversight required to ensure that all school divisions follow the same standards and best-practice processes in the use of restraints or when responding to reports of bullying.

Several provinces have established references in their education legislation to ensure that their school divisions are legally required to adhere to the development, implementation, and practice of policy and standards as it pertains to restraints specifically. Proper legislated oversight to ensure policy compliance and practice in all school divisions, particularly when restraints are used on a child, is critical for increased accountability. Our review found that some school divisions in Saskatchewan lacked clear policy or did not have policy at all concerning the restraint of children. When it comes to the potential rights infringements on children who may be restrained against their will by a system, regardless of reasoning, that system must ensure there are clear legislative, regulatory and policy standards in place to mitigate potential abuses that can and have occurred in this regard.

Our office has requested the Ministry's action plan to assist in our monitoring of these two recommendations and to further discussions on this issue.

PROVINCIAL/TERRITORIAL PROTOCOL ON CHILDREN, YOUTH, AND FAMILIES MOVING BETWEEN PROVINCES AND TERRITORIES – UPDATE

In our 2021 Annual Report, we indicated that the national review of the Provincial/Territorial

Protocol was on hold to allow for consultations to occur with the First Nations Child and Family Services Agencies (FNCFS), the Canadian Council of Child and Youth Advocates, the provinces and territories, and other stakeholders. We anticipate this review resuming in 2023 and look forward to an update regarding the process and an opportunity to provide a submission.

In the interim, the Ministry of Social Services has made substantial improvements to its Interprovincial Territorial (IPT) work to provide more effective services to children, youth and caregivers residing in other provinces and territories.

The Advocate is pleased to note that the Ministry has made policy amendments to establish reasonable and specific timeline standards for the IPT Coordinator to respond to referrals and to ensure caseworkers notify the IPT Desk when incoming or outgoing requests are completed. In addition, the various roles and responsibilities of the IPT Coordinator, Ministry Service Areas, and FNCFS have been clarified and guides were created to assist with developing an Interprovincial Placement Agreement (IPPA). An IPPA Negotiation meeting for planning and working out an IPPA with other provinces and territories is also being considered.

The Ministry has also increased staffing to address the IPT workload, developed processes to ensure more efficient completion of requests for child welfare checks, and improved the process of issuing advance notification to involved Service Areas of upcoming IPPA Annual Reviews. Online training is now available for both Ministry and FNCFS staff to access.

The Advocate acknowledges the substantive work done by the Ministry involved in implementing these long overdue changes.

SUICIDE INTERVENTION/PREVENTION – UPDATE

Since 2018, we have monitored our systemic file with the Ministry of Social Services aimed at strengthening its capacity for suicide prevention and intervention. Collaborative discussion between our office and the Ministry has resulted in significant changes to policy and practice, as well as to staff and caregiver training. The majority of these improvements were detailed in our 2020 and 2021 Annual Reports. In 2022, we requested updates on several outstanding areas as we sought to bring this work to a close. Since we last reported on this file, we are pleased to note that the Ministry has worked with the Saskatchewan Foster Families Association to offer virtual suicide prevention/intervention training from LivingWorks to foster parents. This training is now available upon request to most foster parents if necessary to meet the needs of a child or youth in their home and is mandatory for foster homes providing care to children with more specialized needs.

While the Ministry has largely addressed the systemic concerns raised by our office, the Advocate believes more can be done to strengthen

their oversight of this issue, such as: making suicide prevention/intervention training mandatory for *all* out-of-home caregivers, incorporating relevant requirements into the Support Services to 16/17 Year Olds Policy and Procedures Manual, and screening young people for risk of suicide at significant points of intervention. We look forward to learning more about the Ministry's aggregate review of all its suicide attempts once completed. As nearly half of the young people that attempt suicide while in care reside in group homes, we have urged the Ministry to continue that work with consideration to the needs of this group of children and youth.

The Advocate commends the Ministry for its willingness to explore how the child protection system could offer additional layers of protection to young people at risk of suicide, and for its effort in working towards implementing opportunities for improvement. Meanwhile, we will continue to assess all notifications of deaths by suicide and suicide attempts through our typical process of advocacy and investigation to determine whether further engagement and collaboration on this topic are required.



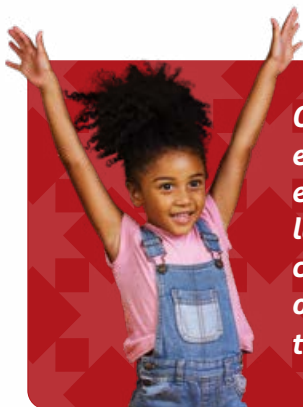
THE CHILD AND FAMILY SERVICES ACT – CONSULTATION AND LEGISLATIVE AMENDMENTS

In 2022, we were pleased to be invited by the Ministry of Social Services to consult on proposed amendments to *The Child and Family Services Act* (CFSA). The CFSA is the legislative authority governing provincial child welfare services in Saskatchewan. As one of our strategic priorities is to promote and support service delivery from preventative frameworks, it is our position that grounding the services flowing from legislation in child rights is the best way to prevent children from experiencing harm.

Our office has long advocated for several changes to the CFSA, including contributing to a legislative review in 2013. Although many of the amendments contemplated by the government at that time have been stalled for a variety of reasons, our office has continued to advocate for their implementation.

At this time, the Ministry has proposed amendments to the CFSA in three overarching areas:

- raising the age of protection from under 16 years to under 18 years;
- increasing the Ministry's ability to share information in the best interests of the child; and,
- strengthening family, community, and cultural connections for children and youth.



Our office is very encouraged by proposed enhancements to language that better consider the best interests of the child and respect the views of the child.

Raising the Age of the Child

Currently, the CFSA defines a child as a person "under 16 years of age." While 16- and 17-year-olds who may be unsafe at home can voluntarily receive financial support from the Ministry to live independently (under section 10 of the CFSA), they are not eligible for the more comprehensive and supportive protection services provided to children aged 15 years and under.

If passed in the Legislature, this amendment would satisfy our long-standing recommendation to raise the age of protection and bring the CFSA in line with the United Nations Convention on the Rights of the Child (UNCRC), which defines a child as "every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier" (Article 1). With this change, the Ministry would have the ability to provide voluntary or protective services to older youth. While minimum age for different purposes can vary, in general, "minimum ages that are protective should be set as high as possible"¹ to safeguard children and youth from all forms of harm. Saskatchewan is among the last of the provinces to make this change and our office is pleased the government is taking this step.

Our submission to the Ministry advocated that, in the implementation of these changes, the Ministry must ensure protective services remain available to older youth who may struggle after initially opting for services under section 10, as well as prioritize the development of appropriate residential resources for this age group, which are currently lacking.

Increasing Flexibility of Information Disclosure

Our office is also in support of the Ministry's proposed amendments to expand information sharing with the following groups:

¹ UNICEF. (2007). Implementation Handbook for the Convention on the Rights of the Child, Geneva, CH: United Nations Publications Office. pp. 5 (Available at: <https://www.unicef.org/lac/media/22071/file/Implementation%20Handbook%20for%20the%20CRC.pdf>)

- Indigenous governing bodies (pursuant to *An Act Respecting First Nations, Inuit and Métis children, youth and families*);
- children in care or formerly in care, when appropriate; and,
- other entities serving children, where appropriate.

It is important that all entities with a mandate to protect and/or support children have the information required for case planning and collaboration in the best interests of the child or youth. Additionally, children and youth have a right to identity, which includes the right to know about their past and about significant relationships that are intimately bound to their identity, such as with out-of-home caregivers. Current legislation prevents full disclosure of this type of information. While the competing rights of all individuals not to be subject to arbitrary or unlawful interference with their privacy must be balanced, it is the Advocate's position that acting in the best interests of children should always be a primary consideration and would never amount to an 'arbitrary' interference to one's privacy.

While we support the spirit of these amendments, the Advocate has communicated to the Ministry that an independent review mechanism ought to be incorporated into the CFSA for individuals to appeal if their request for information has been denied.

Strengthening Family, Community, and Cultural Connections

The Advocate is pleased to note the development of the 'best interest considerations' to reflect the unique cultural needs of Indigenous children, in alignment with the UNCRC, the United Nations Declaration on the Rights of Indigenous People, and *An Act Respecting First Nations, Inuit and Métis children, youth and families*. Indigenous children and youth continue to experience the devastating

consequences of colonization and residential school policies. Accordingly, the structure and implementation of the child protection system must provide special measures to address their needs.

Other proposed amendments of benefit to both Indigenous and non-Indigenous children include prioritizing placement of all children in care with a non-custodial parent and/or other children significant to them (ex. siblings or cousins), increasing the ability to assess and facilitate family reunification on an ongoing basis, and permitting conditions to be placed on permanent wardship orders to allow for case planning, maintenance of family contact, and cultural continuity.

While our office largely supports these amendments, we have advocated that the Ministry further clarify some aspects to ensure children's rights are upheld. These include specifically incorporating a child's "own Indigenous community" within the hierarchy of placement considerations, and legislating requirements for concurrent permanency planning to ensure children do not languish in temporary care and/or are not deprived of extended supports (under section 56 of the CFSA) should families be granted more time to meet reunification goals.

Other Amendments Still Required

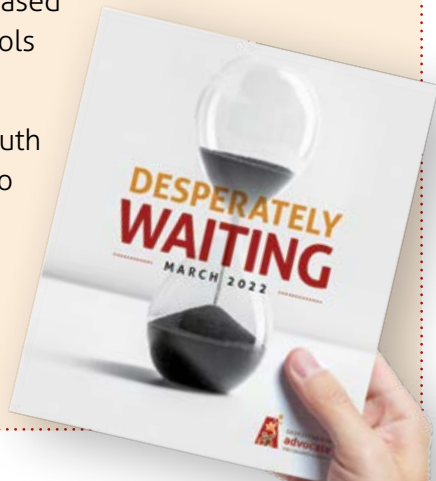
Our submission also identified other areas we feel require amendment and encouraged the government to make these necessary changes while the legislation is open for review. Although the Ministry did not incorporate all our suggestions, the Advocate is encouraged by the proposed amendments that better align CFSA with the province's obligations to protect, respect, and fulfill the rights of our most vulnerable children and youth. We look forward to seeing this legislation further evolve to more fully incorporate elements that would ensure children's rights are upheld, and to continued engagement in that process.

DESPERATELY WAITING – SPECIAL REPORT ON MENTAL HEALTH AND ADDICTIONS SERVICES

In March 2022, the Advocate released a special research report, entitled *Desperately Waiting*, which examined the current state of mental health and addictions services for children and youth in Saskatchewan. As the province nears the end of its *10-Year Mental Health and Addictions Action Plan (2014)*, our office continued to hear of challenges in accessing timely and meaningful mental health and addictions services for young people. As a result, we sought to understand what was working well within the current system, what barriers young people continue to face in accessing timely and meaningful services, and what needs to change.

DESPERATELY WAITING REPORT THEMES

- Reactive vs. proactive approach to mental health and addiction
- Navigating issues of service availability and accessibility
- Access to culturally appropriate services for Indigenous children and youth
- Pressures on and experiences in hospital and acute-care services
- Lack of service integration/collaboration
- Need for increased knowledge, tools and capacity
- Supporting youth transitioning to adult mental health and addictions services



Through discussions with nearly 500 stakeholders – including young people, their families, frontline and executive officials in all child-serving systems, and other community supports – several themes were identified relating to the reactive nature of the current system, issues with availability and accessibility of services, and a lack of collaboration across the service continuum. Our office then consulted both our Youth and Elder Advisory Councils on the findings. Their feedback and guidance were incorporated into the final report and its recommendations.

In total, the Advocate issued 14 recommendations to all provincial child-serving systems, focusing on including young people in change, shifting focus away from crisis/temporary stabilization to prevention and healing, providing services in ways that are meaningful to young people, and breaking down silos so that all child-serving systems can work better together in the best interests of children and youth.

Foremost among these was a recommendation for the development of a provincial Children's Strategy, through which all child-serving entities work together to address and improve prevention related to the social and environmental factors negatively impacting the well-being of young people in Saskatchewan.

The Advocate is pleased that the Government of Saskatchewan, inclusive of all child-serving ministries, and both the Saskatchewan and Athabasca Health Authorities have accepted all 14 recommendations. Our office is now monitoring progress in these areas through meeting with government and health officials to discuss the path forward, remain updated on their efforts and assist in reducing any barriers to change. In this regard, our office met with officials from health entities in November 2022. Further meetings with the broader array of child-serving systems are planned for 2023.

Notably, in response to our recommendation for a provincial children's strategy, in August 2022 the Government of Saskatchewan released the *Saskatchewan Children and Youth Strategy: Strong Families. Strong Communities. A Better Quality of Life* and appointed a Special Advisor to oversee its implementation. This document offers a comprehensive list of programs children and families can draw on for support. While this Strategy is a strong initial step, our office intends to support all relevant parties to move towards an action-oriented plan that identifies benchmarks in child well-being, sets clear priorities and targets to address the most pressing issues, identifies key actions to be taken to achieve those goals, and monitors the actual impact of these efforts.

Additionally, considering the significant interest in *Desperately Waiting's* findings and recommendations, our office has been invited to deliver presentations to researchers, students, and community service providers. These discussions are valuable, as many of the thoughts shared by young people on how to make services more meaningful relate to connections made at the individual level. We, therefore, encourage all people working directly with children and youth to review the report, listen to their voices and consider which of their calls can be implemented within their own practice.



CANADIAN COUNCIL OF CHILD AND YOUTH ADVOCATES – SYSTEMIC ADVOCACY

As the Saskatchewan Advocate continues her role as the President of the Canadian Council of Child and Youth Advocates (CCCYA), she works with the CCCYA to advocate on national concerns that will benefit all children in every province across the country. Involvement in the national work of the CCCYA is key in advocating for Saskatchewan children and youth as the legislative and policy work of the federal government impacts the services to children in Saskatchewan. While the CCCYA has several national concerns pertaining to children, the following outlines the key priorities that directly relate to Saskatchewan this past year.

Canada's Reporting Cycle to the United Nations Committee on the Rights of the Child

In our 2020 Annual Report, we provided a detailed description of the reporting cycle followed by Canada as a member State of the UNCRC. Through that process, Canada is required to report to the United Nations Committee on the Rights of the Child (the UN Committee)² every five years on its implementation of the UNCRC. Subsequently, the UN committee acknowledges progress made and makes recommendations for improvement.

As President of CCCYA, the Advocate continued to represent the national priorities of the CCCYA before the provincial and federal governments and the UN Committee as this reporting cycle concluded. As referenced in the 2020 Annual Report, the CCCYA submitted an Alternative Report to the UN Committee and the Advocate appeared virtually at the pre-session meeting to outline the CCCYA's shared priorities for the advancement of children's rights in Canada.

Since that time, the UN Committee released its List of Issues for Canada in June 2022, identifying areas of concern and requesting additional information.

The Advocate led the CCCYA through several activities aimed at highlighting gaps in Canada's response, identifying areas requiring immediate redress, and suggesting steps for moving forward. These activities included submitting additional written information, meeting with child rights experts within civil society and across the federal, provincial, and territorial governments, and meeting with members of the UN Committee itself.

Due to continuing caution related to the COVID-19 pandemic, Canada appeared virtually before the UN Committee in its Plenary Session on May 17 and 18, 2022. This was a public event where government officials answered questions from the UN Committee about Canada's child rights record. The Advocate attended virtually and corresponded directly with members of the UN Committee during the session to comment on responses made – or avoided – by Canada. This communication contributed to direct questions posed to the Canadian delegation by the UN Committee members.

After considering all information gathered throughout the process, the UN Committee released its [Concluding Observations](#) to Canada in June 2022 as the final step in this reporting cycle. This marked the first time the UN Committee identified areas for urgent action. Notable among these was the need to put an end to continued structural discrimination and disparities in access to services faced by Indigenous children and other minority groups. The Committee also expressed serious concern over reports of unmarked graves found on the sites of former residential schools and identified the urgent need to investigate and provide justice for all victims and families impacted by residential schools. Other recommendations included strengthening mental health services for children, and the development of both a comprehensive law on children's rights at the federal level and a national strategy for the implementation of the UNCRC.

It is important that individuals across the country are aware of the Concluding Observations and recommendations to Canada, as these can be used as a tool to advocate for necessary change and to hold all levels of government to account for the implementation of children's rights until the next round of reporting in 2027.³

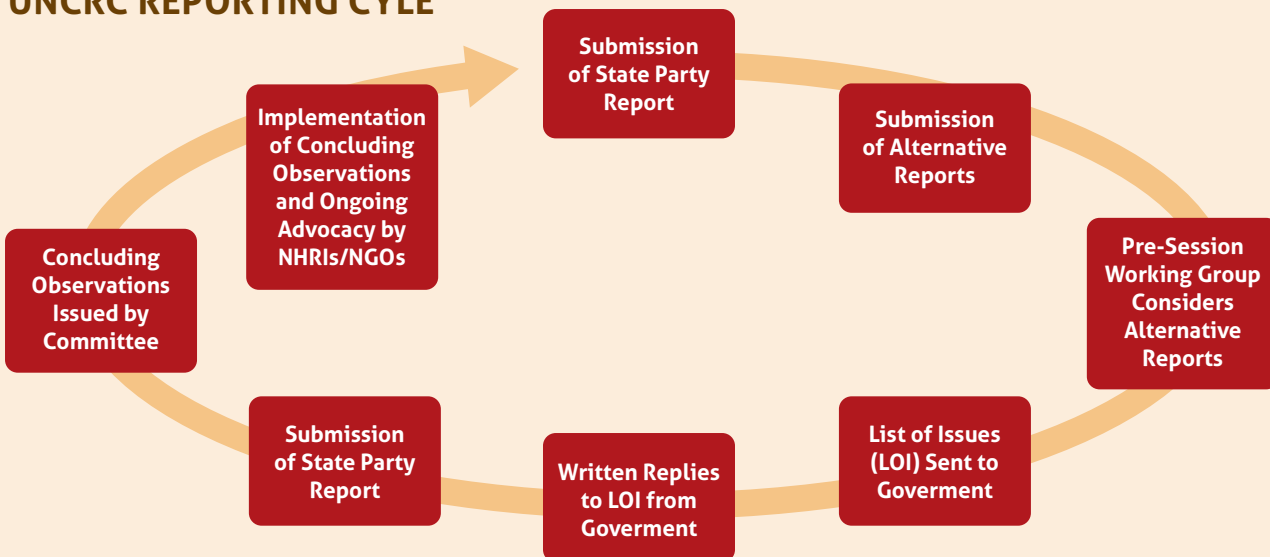
For its part, the CCCYA issued a media statement⁴ promoting awareness of the Concluding Observations. Members of the CCCYA also met with Canada's Senior Officials Committee Responsible for Human Rights (SOCHR). As Canada determines which recommendations to prioritize, CCCYA members raised key issues and advocacy efforts within their own jurisdictions to SOCHR representatives to provide input into that process and have developed a monitoring system to track implementation of the Concluding Observations. The CCCYA looks forward to additional opportunities to connect with the federal, provincial, and territorial governments

as Canada works toward increased engagement and transparency in its efforts to address the recommendations of the UN Committee.

Advocacy at the level of the UN Committee on the Rights of the Child directly impacts children in our province as a significant portion of the recommendations made in its Concluding Observations to Canada applies to services under provincial jurisdiction.

The SOCHR is composed of federal, provincial and territorial representatives at the Assistant Deputy Minister level. The SOCHR was formed to enhance collaboration among the different levels of government to strengthen information sharing and offer leadership on Canada's adherence to international human rights instruments, such as the UNCR.

UNCR REPORTING CYCLE*



* Adapted from Child Rights Connect. (2014). The Reporting Cycle of the Committee on the Rights of the Child: A guide for NGOs and NHRIs. Child Rights Connect: Author. pp. 30. [Available at: https://www.childrightsconnect.org/wp-content/uploads/2015/07/EN_GuidetoCRCReportingCycle_ChildRightsConnect_2014.pdf]

² The UN Committee on the Rights of the Child is the international treaty body responsible for monitoring governments' implementation of the UNCR.

³ Available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2FC%2FCAN%2FCO%2F5-6&Lang=en

⁴ Available at:

<http://wm.p80.ca/Org/Org21/Images/english/pdf/CCCYA%20Media%20Statement%20Re%20UN%20Concluding%20Obs%20Final%20June%2014%202022.pdf>

Submission to the House of Commons Standing Committee on Health – Children’s Health Study

In 2022, the CCCYA took the opportunity to advocate for the implementation of the Concluding Observations at the federal level by making a [submission](#)⁵ to the House of Commons Standing Committee on Health in contribution to its [Children’s Health Study](#).⁶ The health of children in Canada does not reflect its status as a nation with some of the best economic, environmental, and social conditions in which to grow up. According to UNICEF, Canada ranks a dismal 30th out of 38 rich countries in the overall well-being of young people, placing 30th for physical health and 31st for mental health.⁷ These results are unacceptable. Canada ratified the UNCRC, and therefore, is legally obligated to ensure the rights codified within are respected, protected, and fulfilled. Pursuant to UNCRC Article 24, children and youth in Canada have the right to the highest attainable standard of health.

The Standing Committee’s Study focuses on, but is not limited to, the effect the pandemic had on children, the disparities in access to services for rural, Indigenous, racialized, and lower income communities, inter-provincial barriers to research and data collection, and addressing the shortage of qualified health care workers. The CCCYA submission highlighted the crucial importance of applying the child rights framework within the study and its final recommendations – with specific reference to the principles of non-discrimination, best interests of the child, life, survival and development, and child participation.

The CCCYA drew the Standing Committee’s attention to the Concluding Observations and the recommendations directly pertaining to children’s health or health-related issues, as well as those that provide a roadmap for accountability. The submission also highlighted the relevance of the collective work of the independent child advocate offices across Canada, including the

CCCYA’s publication, [A National Paper on Youth Suicide](#).⁸ Of specific relevance to the mandate of the Standing Committee’s Study, through this *National Paper*, the CCCYA recommended the Government of Canada:

- create a stand-alone National Youth Suicide Strategy with designated funding to provinces and territories to develop or further support their own strategies; and
- compel provinces and territories to mandatorily collect and report data on attempted and completed youth suicides through the implementation of a cross-jurisdictional, standardized system.

Upon the conclusion of its work, the Standing Committee will present its findings and recommendations to the House of Commons in 2023.

National Children’s Strategy

One of the recommendations in the UN Concluding Observations for improving government accountability is the call to establish a national strategy for the implementation of children’s rights under the UNCRC. In 2022, on behalf of the CCCYA, the Advocate was invited to present at a [roundtable convened by Senator Rosemary Moodie](#)⁹ in Ottawa to discuss the development of a framework Bill for a National Strategy for Children and Youth. It is the position of the CCCYA that Canada requires a National Children’s Strategy – one that is legislated to safeguard sustainability in the protection of children’s rights.

As indicated earlier, Canada is legally bound to respect, protect, and fulfill the rights of the child codified in the UNCRC. Yet – despite being at the forefront of ratification – Canada has not kept children and their interests at the centre of decision-making in all matters that affect them.

Progress – especially post-pandemic – has been slow or lacking. As a first-world country, we cannot be satisfied with this – a legislated National Children’s Strategy offers a framework for putting children, who are our future, at the fore and can offer direction and resources to the provinces to work toward addressing the issues and gaps in services that children face across Canada.

As each province and territory does their work for children differently, the CCCYA advocated for the implementation of the UN Committee on the Rights of the Child’s recommendation for a national framework strategy that provides:

- a comprehensive implementation framework for the federal, provincial, and territorial levels of government, spelling out as is appropriate the priorities, targets and respective responsibilities for the overall realization of the Convention and that will enable the provinces and territories to adopt accordingly their own specific plans and strategies.¹⁰

Furthermore, the CCCYA emphasized the UN Committee for the Rights of Children’s direction that a strategy must “[...] go beyond statements of policy and principle, to set real achievable targets in relation to the full range of economic, social and cultural, and civil and political rights for all children.”

This means it ought to be grounded in the UNCRC and set the path forward for the rights of children. It also must include meaningful consultation with children and youth, ensure the needs of all vulnerable groups are considered, including consultation with Indigenous groups, and include the participation and coordination of all child-serving systems. It must also include

goals and actions, measurable benchmarks and targets, and must have a built-in evaluation component to measure outcomes to ensure the strategy is doing what it is intended to do: make children’s lives better.

We are encouraged that there is some interest in developing a National Children’s Strategy framework Bill that can benefit the children of the provinces and territories and look forward to continuing to provide consultation nationally and provincially. The Advocate is pleased that the Government of Saskatchewan is now moving forward with its *Saskatchewan Children and Youth Strategy: Strong Families. Strong Communities. A Better Quality of Life* as part of its acceptance of the Advocate’s recommendation for a child strategy in our *Desperately Waiting* report. We look forward to continuing to consult and support the government as it moves forward to put key actions in place for better outcomes for children in Saskatchewan. A National Children’s Strategy would be another level of support and catalyst for additional resources to the provinces and territories that may move in this direction.



Ottawa Roundtable – National Strategy for Children and Youth – October 2022

⁵ Available at: <https://www.ourcommons.ca/Content/Committee/441/HESA/Brief/BR11925727/br-external/CanadianCouncilOfChildAndYouthAdvocate-e.pdf>

⁶ The Standing Committee on Health’s study page related to its Children’s Health Study can be found here: <https://www.ourcommons.ca/Committees/en/HESA/StudyActivity?studyActivityId=11516550>

⁷ Gromada, A et al. (2020). Worlds of Influence: Understanding What Shapes Child Well-being in Rich Countries, Innocenti Report Card 16. Florence, IT: UNICEF Office of Research – Innocenti. (Retrieved from: <https://www.unicef-irc.org/publications/1140-worlds-of-influence-understanding-what-shapes-child-well-being-in-rich-countries.html>)

⁸ Available at: <http://www.cccya.ca/Images/english/pdf/CCCYA%20National%20Suicide%20Paper%20Final%20September%2025%202019.pdf>

⁹ Senator Moodie’s roundtable page is available at: <https://senmoodie.sencanada.ca/en/my-work/a-strategy-for-children-and-youth/>

¹⁰ Committee on the Rights of the Child. (2012). Concluding Observations on the combined third and fourth periodic reports of Canada. CRC/C/CAN/CO/3-4. Geneva, CH: United Nations. (Retrieved from: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fCAN%2fCO%2f3-4&Lang=en)

Investigations

PERSON OF SUFFICIENT INTEREST PROGRAM INVESTIGATION – UPDATE

In our 2021 Annual Report, we referenced our long-standing concerns with children who are subject to the Ministry of Social Services' Person of Sufficient Interest program. These issues led us to an examination into whether the Ministry's policies, procedures, and services concerning the delivery of this program respect the rights, interests, and well-being of all children and youth. This investigation was concluded in late 2022 and the report, entitled [*In Their Sufficient Interest?*](#) was publicly released in April 2023.

GROUP HOME REPORT – RECOMMENDATIONS UPDATE

Significant strides have been made by the Ministry of Social Services on the three recommendations issued in our report, [*Someone to Watch Over Us*](#), released in 2021. The purpose of these recommendations is to improve the oversight system and supports to the approximately 127 group homes operating in Saskatchewan (which have a maximum capacity of 930 spaces).



The Advocate closely monitors all recommendations made to improve services for children in all sectors and, in 2022, the Ministry provided the Advocate with two updates on its progress achieved implementing the recommendations. These pertain to structured oversight operations with a clear point of contact for all groups homes, embedding a quality-of-care definition, principles, and monitoring of group home care into policy and standards, and increasing the quality and efficacy of staff training.

To meet the spirit and intent of the recommendations, the Ministry established a Group Home Governance initiative in the spring of 2021, with longer-term strategic changes within an integrated governance model. The new Operational Oversight Unit (OOU) is overseen by a manager and three staff working in Prince Albert, Saskatoon, and Regina. The OOU serves as the single point of contact, support, and oversight to group homes with a particular focus on homes developed over the past five years, and specific to medical and developmental homes.

The OOU also developed a Best Practices Indicator Guide that will provide group homes with a reference to review current practices within the provision of care and assess the needs of children. The OOU initiated a three-month pilot in October 2022 using the guide with group homes in the province and reported that the OOU and Best Practices Indicator Guide have resulted in good movement on quality-of-care standards and definitions that speak to children's needs, community, and family connections.

After concluding its examination of its current process of the Ministry-funded group home system, the Ministry identified improvement areas including role clarification with group homes and working toward resolving root causes of identified issues. The Ministry's recent update indicated that the gaps in efficiency, service

delivery, and the improvements to current processes and structures have been incorporated into the responsibilities of the OOU.

As indicated above, we note the OOU is a clear point of contact that provides support, skill development, and training to group home operators. The Ministry reports the Unit collaborates with group home operators on training needs, including the design of a "train the trainer" model for group home leadership to teach staff who are onboarding. The training plan for each group home depends on the needs of the children residing in the home, the services contracted and provided by the group home, and the qualifications and experiences required for the staff. Several training packages have been developed on topics such as social stories, healthy sexual development, consequences versus punishment, emotional intelligence, and incident reporting.

As part of the Group Home Governance strategy, our office notes the Ministry has made progress to establish guidelines and standards for group homes where children with complex medical, developmental, or behavioural needs are placed. The Ministry has also improved its procurement process by completing an assessment of the organization to ensure it is well suited to provide care for the specific children and their needs. Reference checks and interviews are also now part of the overall rated criteria to select the organization.

The purpose of these recommendations is to improve the oversight system and supports [...]



The Ministry has developed a group home preparedness list to be used internally to determine the environment and training needs based on the child's behavioural and/or medical conditions. To this end, a working group was formed with the Ministries of Social Services and Health and the Saskatchewan Health Authority to collaborate and identify ways to better support children with complex needs. A training checklist is being piloted and must be completed by all group home staff prior to opening and by new employees prior to working directly with children and/or youth.

The Advocate is encouraged by the progress in the implementation of these recommendations. Establishing the OOU has resulted in a substantive improvement in the oversight and communication with group homes. Improvements to the procurement process will mean better outcomes for children and youth, especially with priority given to matching the needs of young residents with the out-of-home resource that has the proven capacity to meet those needs. Enhancements to the Ministry's training and competency requirements for group home staff and leadership will be a key factor in providing quality service. Our office will continue to monitor these recommendations to full implementation and report further on this later this year.

INDEPENDENT SCHOOLS INVESTIGATION

In 2022, the Advocate launched a systemic investigation into the oversight and services of independent schools in Saskatchewan. The scope of this review examines historical and current services provided to children and youth within the various categories of registered independent schools in Saskatchewan and the oversight and accountability mechanisms established and implemented by the Ministry of Education. This work also includes a cross-jurisdictional scan and uses a child-rights lens to ensure that this area of the education system is operating with the best interests of the child at its centre.

Allegations relating to criminal or civil issues are outside of the Advocate's jurisdiction and not the subject of our investigation. These matters are currently being handled by the appropriate authorities within the police and court systems.

The Advocate anticipates that recommendations from this investigation will be released in 2023.



Child Death and Injury Analysis

Each year, our office receives notifications of critical injuries and deaths from the Ministry of Social Services and the Ministry of Corrections, Policing and Public Safety that involve children and youth who are currently receiving or who have recently received services. For every notification received, our regional advocates engage in immediate advocacy to ensure appropriate case planning is occurring for the child or other children in the home, and to ensure their current needs are being met. We also conduct an in-depth investigative assessment of the circumstances of each case to determine whether there are any gaps in legislation, policy, or practice that, if remedied, could prevent similar occurrences in the future.

This year, we received 24 critical injury notifications – five from the child protection system and 19 from the justice system. Much of the difference in numbers is due to the criteria by which these two ministries report on attempted suicides. In previous Annual Reports, the Advocate commented on these incidents being under-reported by the Ministry of Social Services considering the significant circumstances and factors that impact the lives of children and youth. This is discussed further below.

In 2022, our office was also notified of 41 deaths of children and youth and noted this to be the highest number of child death notifications received to date.

The majority of these notifications (40 of 41) were received from the Ministry of Social Services. However, it is important to note that, despite the overall increase, there was a decrease in deaths of children in care as compared to the previous three years (versus those children receiving other services at the time of their death).

Of the six children and youth who passed away while in care, three were living with significant medical conditions that could be expected to lead to premature death. Two youths are understood to have died of illness (we are still awaiting an official cause of death from the Saskatchewan Coroners Service in one of these cases). One youth died as a result of accidental drug toxicity while absent from their residential placement.

At the time of publication, we are awaiting official information on the cause of death in 12 cases which impacts our assessment of the overall trends. Despite the incomplete data, our office continues to be concerned about the vulnerabilities of young people – especially Indigenous children and youth – involved in both the child protection and the justice systems to suicide and violence, and the continued risk posed to infants from unsafe sleep environments. Our office continues to monitor these trends, and the Advocate considers whether it is necessary to investigate individual or systemic cases after each assessment.

[...] there was a decrease in deaths of children in care as compared to the previous three years [...]

ANALYSIS OF MEDIUM IMPACT SEXUAL ASSAULTS AND SUICIDE ATTEMPTS – MINISTRY OF SOCIAL SERVICES

In 2022, a significant amount of our work involved responding to and assessing an additional 101 notifications of sexual assaults and suicide attempts that, previously, would have been unreported to our office.

The criteria by which the Ministry of Social Services determines whether an incident meets its threshold for notification to our office is laid out in its Serious Occurrence Reporting and Review Policy.¹¹ This policy categorizes incidents into “low impact,” “medium impact,” and “high impact” occurrences. Categorization is determined by the impact of the incident on the health and safety of a child, and not the type of occurrence.

Prior to 2022, only high impact occurrences were reported to our office. To meet the criteria of high impact under the Ministry’s policy, an injury must necessitate “major medical treatment” and have the potential to cause “long-term impairment of a child’s health.” In high impact cases, the Ministry conducts its own review of the circumstances to ascertain whether there are opportunities for learning or process improvement. The Ministry does not review medium or low impact incidents. The Ministry does, however, attend to the immediate needs of children and youth involved in all serious occurrences to ensure safety, protection, and planning post-incident.

For several years, the Advocate has monitored the incidents that are deemed to be less serious according to Ministry policy and, therefore, not reported to our office. Based on our analysis, we identified suicide attempts and sexual assaults

as significant trends and requested the Ministry notify our office of all sexual assaults and suicide attempts that it categorized as medium impact occurrences. We began receiving these notifications in January 2022.

The rationale for our request was two-fold. First and primary to our work, the Advocate wanted to be able to engage in advocacy for these young people to ensure services were provided and planning was appropriate. Sexual abuse is one of the identified Adverse Childhood Experiences (ACEs) that can lead to negative life outcomes for an individual. People who have experienced four or more ACEs in childhood are 4 to 12 times more likely to experience health risks for alcoholism, drug abuse, depression, and suicide.¹² Children and youth involved in the child protection system are more likely to have already experienced ACEs, as this is often the reason they come to the attention of the Ministry in the first place. Being victim to subsequent sexual abuse compounds their risk. Additionally, a suicide attempt is one of the strongest predictors of a later death by suicide.¹³ Suicide remains the second-leading cause of death for youth aged 15 to 24 years¹⁴, and Saskatchewan has one of the highest rates of suicide in Canada.¹⁵

UNCRC ARTICLE 4

States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation.

¹¹ Ministry of Social Services Child Protection Services Manual, CH. 7, SEC. 7.3; & Ministry of Social Services Children’s Services Manual, CH. 11, SEC. 11.5.

¹² Felitti, V. et al. (1998). “Relationship of Childhood Abuse and Household Dysfunction to Many of the Leading Causes of Death in Adults: The Adverse Childhood Experiences (ACEs) Study”, *American Journal of Preventative Medicine* 14(4).

¹³ World Health Organisation. (2021). Suicide. (Available at: <https://www.who.int/news-room/fact-sheets/detail/suicide>)

¹⁴ Statistics Canada. (2022). Leading causes of death, total population, by age group. (Available at: <https://www150.statcan.gc.ca/t1/tbl1/en/tv.action?pid=1310039401&pickMembers%5B0%5D=2.22&pickMembers%5B1%5D=3.1&cubeTimeFrame.startYear=2018&cubeTimeFrame.endYear=2020&referencePeriods=20180101%2C20200101>)

¹⁵ Centre for Suicide Prevention. (2022). Suicide stats for Canada, provinces and territories.

(Accessed from: https://www.suicideinfo.ca/local_resource/suicide-stats-canada-provinces/, 6 March 2023)

Pursuant to Article 4 of the United Nations Convention on the Rights of the Child (UNCRC), all appropriate measures must be taken to protect the rights of children and youth to be healthy, happy, and safe, and to develop to the maximum extent possible. Our advocacy services are another layer in ensuring the young people impacted by these incidents are receiving the services they require to recover and move forward. They also provide the opportunity for our staff to support the Ministry in addressing any barriers it may be facing in accessing needed services for that young person within other systems.

Our second reason for requesting these notifications was to determine whether they could shed light on improving prevention efforts. Understanding the problem is crucial to prevention. As indicated earlier, the Ministry does not review its medium or low impact occurrences. Rather, in the case of medium impact occurrences, the Ministry compiles de-identified and demographic data pertaining to the incident (ex. injury type, sex, legal status, and placement information).

While these reports are useful for understanding the overarching vulnerabilities of young people involved with the child protection system, they do not have the capacity to systemically understand the circumstances experienced or the level of service provision received by the young person.

Further to our request, in 2022 the Advocate was notified of 49¹⁶ disclosures of sexual assault and 52¹⁷ attempted suicides categorized as medium impact occurrences. Our office conducted in-depth assessments of each of these notifications. As we now have one full year of data, we are in the process of analyzing this information. However, some initial themes have emerged.

Of the notifications involving sexual assault, 44 children/youth were in the care of the Ministry

when the assaults occurred or were disclosed (some of which were historical and did not occur in 2022), while five involved older youth being supported to live independently. Of those in care, incidents reflected a range of alleged/disclosed violations, from attempted assault to molestation, to more severe forms of sexual assault. Many incidents occurred in or under the supervision of the foster home or group home where the child or youth was placed. Six of these abuses were disclosed to be perpetrated by caregivers, or other adults either living in the home or known to the caregiver's family. In 11 cases, the identified accused persons were other youth either related to the caregiver or placed in the same group home or foster home. Other instances occurred outside the home, such as while at a party, having left their residential placement to meet the perpetrator, or at random while in a public place.

Our review has highlighted the significant vulnerabilities of these young people. Three of the children victimized in care were aged five or under. Children aged 11 to 15 years were the most susceptible to this type of injury, with 63% involving young people in this age group. Several assaults were disclosed to have occurred while the youth was in a vulnerable state, such as having consumed alcohol and/or drugs and "blacked out". Some of these youth face additional challenges such as autism, cognitive delays or FASD. The majority of these children and youth are Indigenous. In several instances, this was not the first time the young person had been victimized.

Regarding suicide attempts, the data indicates that risk is spread relatively evenly across the 11 to 15-year-old, and 16 to 18-year-old age groups. A significant number of these youth reside in group homes (48%). This data indicates that young people are at highest risk for self-inflicted injuries due to drug toxicity (61%).

¹⁶ With respect to sexual assaults, of the 49 notifications, the Ministry had information to suggest that 3 cases may be unfounded. In some cases, the young person involved did not want to make a police report, therefore, no criminal investigation occurred. Of those that were reported to police, the Advocate does not have information in every instance as to whether these reports resulted in criminal charges or convictions. In each of these instances, Ministry staff took the disclosure seriously.

¹⁷ This total reflects 46 young people, some of whom had more than 1 attempt in 2022. 2 of these suicide attempts are also reflected in the critical injury data, as the youth were also involved with the justice system and the Ministry of Corrections, Policing and Public Safety notified our office as per its policy.

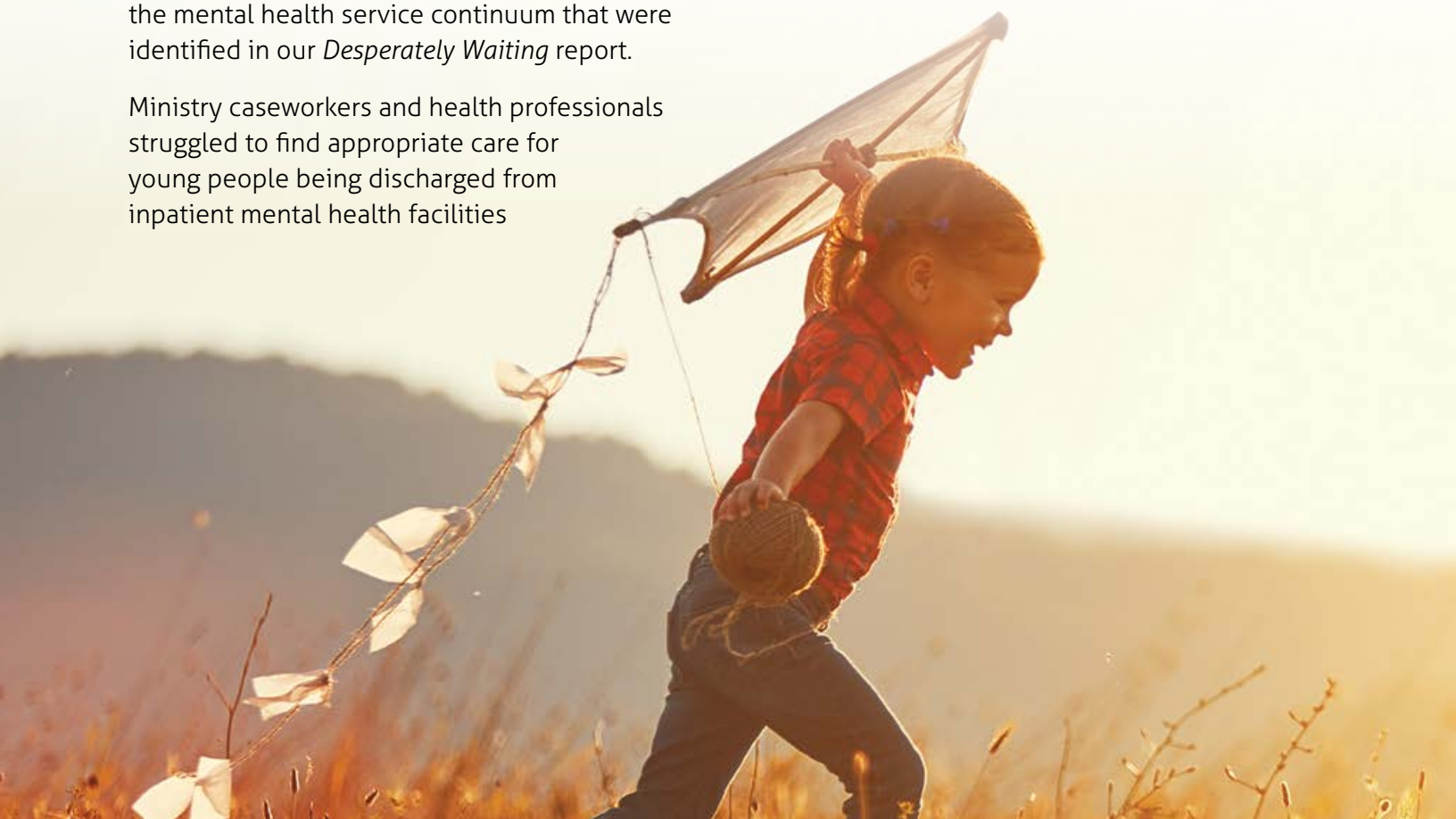
While we are still reviewing the data to better understand whether lessons can be learned in terms of prevention, our assessments revealed that Ministry caseworkers and group home staff largely responded appropriately in the aftermath of these injuries. Following disclosures of sexual assault, children and youth were supported in making reports to police and receiving immediate medical examination and care. When required, children were moved to alternate placements, or foster homes were closed. Support services were offered to victims, such as mental health counselling, connections to Elders, and referrals to sexual assault centres. However, in many cases – particularly when the perpetrator was another youth – the young people did not want to make a police report or see a doctor or counsellor. This could be an indication of the significant stigma that is still attached to these types of violations, and the need to offer continued support.

For youth experiencing significant mental health challenges and/or multiple suicide attempts, our advocacy services noted several gaps in the mental health service continuum that were identified in our *Desperately Waiting* report.

Ministry caseworkers and health professionals struggled to find appropriate care for young people being discharged from inpatient mental health facilities

whose needs could not be properly managed by group home staff, foster parents or families. In *Desperately Waiting*, we recommended the health system provide enhanced in-home support and develop a “middle-tier” care option to provide therapeutic residential placements for youth with mental health needs that are greater than can be managed in their home and/or with outpatient services, but who do not meet the criteria for acute psychiatric inpatient treatment. These cases are evidence of the urgency with which these recommendations must be implemented.

The Ministry is in the process of updating its Serious Occurrence Reporting and Review Policy. Our office had the opportunity to provide feedback during that process and identified the need to modify the criteria so that sexual assaults are included within the high impact category and, therefore, be reviewed. At this point, the Ministry stated it will take our feedback into consideration, however, our position is that the circumstances leading to these categories of injury require a more in-depth review for systemic prevention.



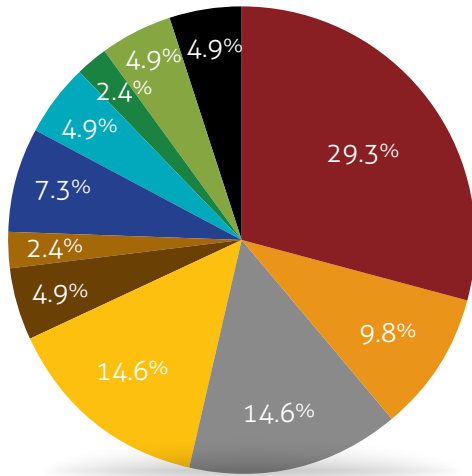
2022 CHILD DEATH DATA

Ethnicity	Deaths	Total: 41
Indigenous ¹⁸	29	
Non-Indigenous	7	
Unknown	5	
Age	Deaths	Total: 41
0 to 5	20	
6 to 10	2	
11 to 15	9	
16 to 18	5	
19+	5	
Type of Service at Time of Death ¹⁹	Deaths	
CFS – In Care	6	
CFS – Receiving Other Services	17	
CFS – Received Services Prior to Death (In Care or Other)	17	
Corrections – Custody (Open and Secure)	0	
Corrections – Community	1	
Corrections – Received Services Prior to Death (Custody or Community)	0	

¹⁸ This category includes children and youth who are Métis, status and non-status First Nations.

¹⁹ 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.

2022 CAUSES OF DEATHS



Total: 41

- Cause Not Available Yet²⁰ (12²¹ deaths or 29.3%)
- Undetermined²² (4 deaths or 9.8%)
- Suicide (6 deaths or 14.6%)
- Medically Fragile²³ (6 deaths or 14.6%)
- Shooting/(Suspected) Homicide²⁴ (2²⁴ deaths or 4.9%)
- Motor Vehicle Collision/Crash (1 death or 2.4%)
- Hit By Motor Vehicle (3 deaths or 7.3%)
- Illness (2 deaths or 4.9%)
- Drowning (1 death or 2.4%)
- Drug/Alcohol Toxicity (Accidental) (2 deaths or 4.9%)
- Other²⁵ (2²⁵ deaths or 4.9%)

²⁰ When available, information reported regarding the cause of death is determined from Coroner's Reports, which are pending for a number of 2022 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.

²¹ This number includes 1 death that is a suspected suicide and 1 infant death where sleep-associated risk factors were identified to be present, but final reports from the relevant Coroner or Medical Examiner have not been received.

²² Although the cause of death could not be determined, an unsafe sleep environment was noted by the Coroner in 3 of these deaths.

²³ The term "medically fragile" is used by the Advocate to describe the death of a child or youth that was caused by a pre-existing condition or circumstances that were likely to lead to their death. This is different than the category of "illness", which refers to a new or unexpected natural disease.

²⁴ Although Coroner's Reports have not yet been received in these cases, charges of first-degree murder have been laid.

²⁵ These deaths involved an infant who died of asphyxia while sleeping in an unsafe environment for their age, and an infant who died as a result of pneumonia combined with brain damage from a complicated birth.

Update – Causes of Deaths 2021

When our 2021 Annual Report was published, we did not have the cause of death of five of the 24 deaths we were notified of that year. We have now received Coroner's Reports for four of these five deaths.

Three involved infants whose cause of death was listed as "Undetermined." Although a cause could not be determined, the Coroner identified sleep-associated risk factors to be present. These were included among the five infant deaths reported in our 2021 report in which these circumstances were suspected.

The remaining two deaths involved a 14-year-old who died of illness (brain tumour) and a 15-year-old who died of accidental alcohol/drug toxicity.

Our investigation into the fifth death remains ongoing.

2022 CHILD CRITICAL INJURY/INCIDENT DATA

Ethnicity	Injuries/Incidents	
Indigenous ²⁶	21 ²⁷	
Non-Indigenous	2	
Unknown	0	
Age	Injuries/Incidents	Total: 24
0 to 5	2	
6 to 10	0	
11 to 15	7	
16 to 18	14	
19+	1	
Type of Service at Time of Injury ^{28,29}	Injuries/Incidents	
CFS – In Care	4	
CFS – Receiving Other Services	4	
CFS – Received Services Prior to Death (In Care or Other)	0	
Corrections – Custody (Open and Secure)	2 ³⁰	
Corrections – Community	17 ³¹	
Corrections – Received Services Prior to Death (Custody or Community)	0	

²⁶ This category includes children and youth who are Métis, status and non-status First Nations.

²⁷ In 2022, there were 24 critical injuries involving 23 children and youth. 1 Indigenous youth (aged 11 – 15) experienced 2 injuries.

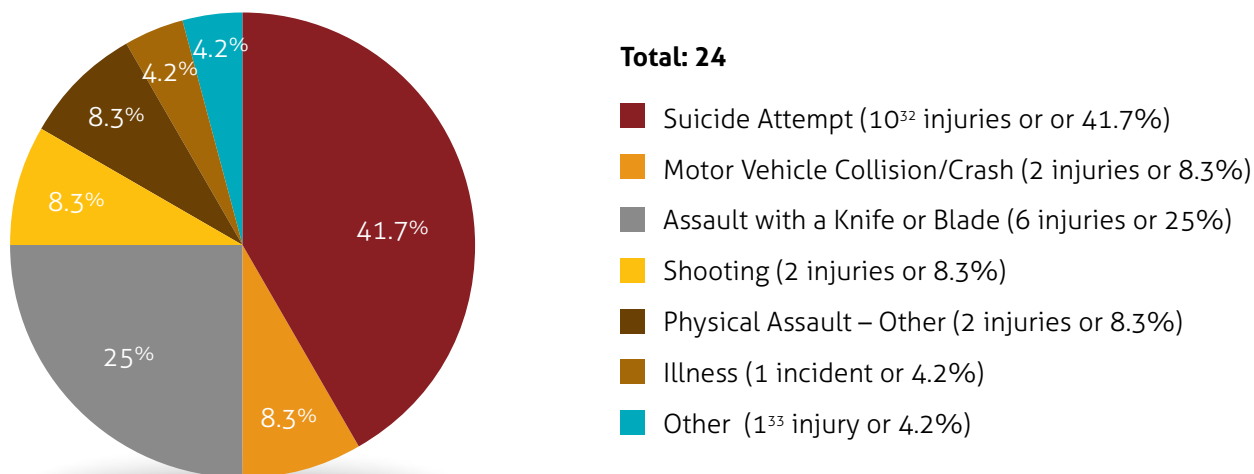
²⁸ The Advocate is notified of the death of a child or youth who is currently receiving, or has recently received, child and family services (CFS) from the Ministry of Social Services or by a provincially delegated First Nations Child and Family Services agency. CFS – “Other Services” may include active 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.

²⁹ This total is 3 higher than the total number of injuries, as the Advocate learned that 3 youth involved in notifications received from the Ministry of Corrections, Policing and Public Safety were also receiving services from the Ministry of Social Services (2 youth were in the care, and 1 was in the custody of a PSI caregiver).

³⁰ Both of these youth experienced their injuries in the community after having escaped open custody.

³¹ One of these youth was serving a community sentence, however, their injury occurred while in provincial cells awaiting a court appearance.

2022 CAUSES OF CRITICAL INJURIES/INCIDENTS



³² This total includes 2 notifications from the Ministry of Social Services that, on their own, would not have met the Ministry’s criteria for reporting to our office. However, as these young people had experienced multiple mental health events or suicide attempts, the Ministry elevated their cases for review. It also includes a young person who attempted suicide at the end of 2021, but whose injury was reported by the Ministry of Corrections, Policing and Public Safety in 2022.

³³ This child was born with high medical needs necessitating multiple surgeries and was designated palliative.

Looking Ahead

It is with gratitude that 2022 allowed our office to conduct our work in a more direct and interactive way with children, youth, and stakeholders. As we had hoped, our new *Speak for Yourself* self-advocacy workshop proved to be so well received that we are now booking new workshops months in advance. Our ability to connect with young people and stakeholders in the province that serve children and youth, in person, enables our staff to do our work more meaningfully and effectively. We are also witnessing the relief experienced by our youngest population who are now able to participate in social activities more fully, which is critical to positive psycho-social development.

We are now halfway through our 2020-2024 strategic plan. In 2022, we took inventory of our achievements since implementing our plan

and refocused our attention to the most critical outstanding goals that we will work toward in the coming two years. In 2023, we expect to closely monitor the commitments made by government to our recommendations in mental health, addictions, group home and PSI care, bullying and restraint practices, and other open recommendations. We also anticipate releasing the report on our investigation into independent schools.

While we move ahead on new projects, we continue to collaborate with key stakeholders including the Elder Advisory Council and our Youth Advisory Council. The Advocate continues to forge or strengthen relationships with other stakeholders in the community that will be key to our success in advancing children's rights in Saskatchewan.



Budget

Non-Statutory Expenditures	2021-22 Budget	2022-23 Budget
Personal Services	\$2,050,000	\$2,089,000
Contractual Services	\$467,370	\$474,380
Advertising, Printing and Publishing	\$38,460	\$39,040
Travel and Business	\$103,710	\$105,265
Supplies and Services	\$8,060	\$8,580
Capital Assets	\$22,400	\$22,735
Budgetary Total	\$2,690,000	\$2,739,000

Statutory Expenditures		
Personal Services	\$239,000	\$239,000
Statutory Total	\$239,000	\$239,000
Total	\$2,929,000	\$2,978,000

Advocate and Staff (at December 31, 2022)

Saskatchewan Advocate for Children and Youth

Lisa Broda

Deputy Advocate

Leeann Palmer

Executive Administrative Assistant

Michelle Beattie

Administrative Assistant

Vanessa Neale

Investigators

Jonathan Keens-Douglas

Virginia Lane

Joni Sereda

Cheylene Turenne

Systemic, Policy and Research Advocate

Marci Macomber

Regional Advocates

Courtney Carlberg

Terri Chatterton

Jamie Gegner

Ashley Huysamen

Darren Hubick

Chris Litke

Meredith Newman

Jennifer Peterson

Jordan Raymond

Cheryl Starr

Director, Advocacy

Jacqueline Peters

Director, Investigations

Connie Braun

Manager, Human Resources

Wanda George

Manager, Finance and Administration

Caroline Sookocheff

Manager, Communications and Public Education

Karen Topolinski

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