

**LISTENing & ACTing:**  
**A Plan for Child, Youth and Community Empowerment**

**The Report of the Select  
Committee on Children's Interests  
Newfoundland House of Assembly**

St. John's, Newfoundland  
June 1996

Published under the authority of the Speaker of the House of Assembly  
Honourable Lloyd G. Snow

---

---

## **World Wide Web**

**This report is also available on the Government of  
Newfoundland and Labrador's Home Page on the World Wide Web**

**Site Address: <http://www.gov.nf.ca>**

Newfoundland. House of Assembly. Select Committee on Children's Interests.

LISTENing & ACTing: a plan for child, youth and community empowerment : the report of the Select Committee on Children's Interests, Newfoundland House of Assembly. St. John's, Nfld. : Select Committee on Children's Interests, 1996.

"June 1996."

Chair: Gerald Smith.

Cited as: Cowan Committee, after former Chair Patricia Cowan.

PARTIAL CONTENTS: Children's advocate program in Canada : an incomplete review of background papers and mandate/role / Don Alexander -- A description of four Canadian children's advocates / Leslie Erhardt -- Child, youth and family advocacy act, 1994, Statutes of British Columbia, Ch. 28 -- An act respecting the Office of the Auditor General and the auditing of the public accounts of the province, Revised Statutes of Newfoundland, Ch. 22.  
ISBN 1-55146-047-5

1. Child welfare--Newfoundland. 2. Family policy-- Newfoundland. 3. Newfoundland--Social policy. I. Smith, Gerald. II. Cowan, Patricia. III. Title.

HV745.N6N44 1996

CaNfSM

**ISBN 1-55146-047-5**

---

---

### The 42<sup>nd</sup> General Assembly

The first committee was established by the 42<sup>nd</sup> General Assembly on December 16, 1994. It ceased to exist when the Assembly was dissolved on January 29, 1996 for a provincial General Election.

The committee members were:

**Patricia Cowan, M.H.A.**

Conception Bay South  
Chairperson

**Harvey Hodder, M.H.A.**

Waterford-Kenmount  
Vice-Chairperson

**Gerald Smith, M.H.A.**

Port au Port  
Member

### The 43<sup>rd</sup> General Assembly

The second committee was established by the 43<sup>rd</sup> General Assembly on March 28, 1996. It is this committee which is bringing forward the work that was accomplished by its predecessor.

The committee members are:

**Gerald Smith, M.H.A.**

Port au Port  
Chairperson

**Harvey Hodder, M.H.A.**

Waterford Valley  
Vice-Chairperson

**Mary Hodder, M.H.A.**

Burin-Placentia West  
Member

---

---

### Support Staff

#### Clerk of Committees

Elizabeth J. Murphy

#### Recording Technician

John Oates

#### Researcher/Analyst

Richard Abraham

#### Public Hearings Coordinator

Richard Abraham

#### Media Relations

Richard Abraham

#### Editor

Bert Riggs

#### Report Design & Layout

Richard Abraham

#### Report Cover Design

Richard Abraham

#### Cover Photo

Picture of Harry Warren  
taken by his father,  
Scott Warren

***All Rights Reserved***

June 17, 1996

Honourable Lloyd G. Snow, M.H.A.  
Speaker  
House of Assembly  
Confederation Building  
St. John's, Newfoundland  
A1B 4J6

Dear Mr. Speaker:

It is our honour and privilege to present to you and, through your office, to the members of the honourable House of Assembly, the final report of the Select Committee on Children's Interests.

**LISTENing & ACTing: A Plan for Child, Youth and Community Empowerment** is the culmination of over 15 months of work. This committee, and its predecessor created by the 42<sup>nd</sup> General Assembly, conducted extensive public consultations and research to arrive at this final document. Its recommendations reflect a realistic plan for meeting the social challenges that face our children, families and communities.

We would like to thank all members of the House of Assembly for commissioning us to undertake this work. The opportunity to begin the process of renewing and revitalizing our approach to social policy has been rewarding.

Sincerely,

---

**Gerald Smith, M.H.A.**  
Port au Port

---

**Harvey Hodder, M.H.A.**  
Waterford Valley

# TABLE OF CONTENTS

---

---

Letter of Transmittal . . . . .	v
Acknowledgements . . . . .	xi
Executive Summary . . . . .	xiii
Dedication . . . . .	xviii
<b>INTRODUCTION . . . . .</b>	<b>1</b>
The Call for Change. . . . .	3
Purpose . . . . .	4
Scope . . . . .	6
Philosophy . . . . .	7
<b>ROLE OF A LEGISLATIVE COMMITTEE . . . . .</b>	<b>11</b>
<b>PUBLIC CONSULTATION</b>	
Introduction . . . . .	15
Scope & Structure . . . . .	17
Public Hearings . . . . .	19
Departmental Hearings . . . . .	20
Departmental Hearings -- <i>In camera</i> . . . . .	21
Youth-in-care Sessions -- <i>In camera</i> . . . . .	21
Attitude . . . . .	22
<b>STRATEGIC PLAN FOR GOVERNMENT AND SOCIETY ON CHILDREN, YOUTH AND FAMILIES</b>	
Introduction . . . . .	25
Attitudinal Change . . . . .	28
<b>A Child, Youth and Family Secretariat</b> . . . . .	<b>33</b>
Mandate . . . . .	38
Objective . . . . .	42
Reporting Structure . . . . .	43
Community Input . . . . .	44
Civil Service Input . . . . .	45
Personnel . . . . .	46
Financial Implications . . . . .	47
Legislative Framework . . . . .	49
Interprovincial Cooperation . . . . .	50

# TABLE OF CONTENTS

## (Continued)

---

---

<b>A Child and Youth Advocate</b> . . . . .	51
Mandate . . . . .	54
Objective . . . . .	62
Reporting Structure . . . . .	64
Community Input . . . . .	65
Civil Service Input . . . . .	66
Personnel . . . . .	66
Financial Implications . . . . .	68
Legislative Framework . . . . .	70
Interprovincial Cooperation . . . . .	71
<b>Working Together to Effect Change</b> . . . . .	72
 <b>SPECIFIC RECOMMENDATIONS</b>	
Introduction . . . . .	77
All Departments . . . . .	78
Child, Youth & Family Secretariat . . . . .	82
Specific Departments & Agencies	
Office of the Child & Youth Advocate . . . . .	91
Executive Council - Native Policy . . . . .	92
Department of Justice . . . . .	92
Department of Social Services . . . . .	95
Department of Education . . . . .	103
Department of Health . . . . .	109
Department of Municipal & Provincial Affairs . . . . .	113
 <b>CONCLUSION</b> . . . . .	115
 <b>BIBLIOGRAPHY</b> . . . . .	119
 <b>APPENDICES</b>	
Appendix A Mandate	
i) As Given by the House of Assembly . . . . .	127
ii) As Interpreted by the Committee . . . . .	128
iii) Discussion Guide . . . . .	129

## TABLE OF CONTENTS (Continued)

---

---

Appendix B	Contributors to the Public Hearings . . . . .	141
Appendix C	List of Individuals Who Participated in the Public Hearings . . . . .	147
Appendix D	List of Provincial Government Departments and Personnel Who Appeared During Public Departmental Hearings . . . . .	155
Appendix E	<i>In camera</i> Sessions -- Provincial Government Departments . . . . .	156
Appendix F	<i>In camera</i> Sessions -- Youth-in-Care . . . . .	157
Appendix G	i) Children's Advocate's Program in Canada by Don Alexander (Office of the Children's Advocate - Alberta) . . . . .	159
	ii) A Description of Four Canadian Children's Advocates by Leslie Erhardt (Office of the Children's Advocate - Saskatchewan) . . . . .	173
Appendix H	i) <u>Child, Youth and Family Advocacy Act</u> Province of British Columbia . . . . .	185
	ii) <u>Auditor General Act</u> Province of Newfoundland . . . . .	191

The problem with writing acknowledgements for any piece of work is where and with whom to start and then where and when to stop. I will attempt to be as comprehensive as possible, but I apologize for any person or group of persons whom I might omit.

At the very beginning, let me express the thanks of committee members to the literally hundreds of people who came forward and participated in the public consultations. Without your participation, this report could not have been possible. The expression of your hopes, fears, dreams and aspirations were the guiding light for the committee as we set about placing your collective thoughts into a comprehensive framework.

The work of Elizabeth Crawford, the Director of Child Welfare and her staff should be acknowledged. Their efforts made possible the committee's private sessions with children who are or were in the care of the state. It was very important for the committee to hear some of the life stories of children-in-care. We thank them for coming forward and we thank the Division of Child Welfare for their assistance in making it possible.

The committee would be remiss if we did not thank those people from other provinces and jurisdictions who gave quite freely of their time to speak with us about their initiatives and approaches to child, youth and family policy. We thank particularly the people we met in British Columbia, Alberta and Manitoba during our fact-finding trip in February of 1995. Additionally, the Children's Advocates of Canada were quite gracious in permitting us to send one of our staff members to two of their meetings to seek their advice and input. We thank you all most sincerely.

The committee would also want me to thank the Newfoundland-Labrador Human Rights Association for their support in bringing in the Deputy Ombudsman (Children & Youth) of British Columbia, Brent Parfitt, to speak to a Public Forum and to Cabinet in December 1995. As well, the committee would like to thank the School of Social Work at Memorial and the National Crime Prevention Council for their support in facilitating a visit to St. John's by a leading expert in the cost analysis of social programs, Dr. Martin Knapp of the London School of Economics. Dr. Knapp's address to a meeting of Ministers and Deputy Ministers just prior to the release of this report was very helpful in highlighting one of our major themes.



As noted on one of the first few pages of this document, this report represents the culmination of the work of two committees of the legislature. The original committee formed by the 42<sup>nd</sup> General Assembly did the vast majority of the work under its chairperson, Patt Cowan. I would also like to publicly acknowledge the work and commitment of my colleague from Waterford-Kenmount, now Waterford Valley, Harvey Hodder and my colleague from Burin - Placentia West, Mary Hodder, for their thoughts and input. The work of this committee is testimony to the good work that can be done through bipartisan cooperation.

Finally, the committee would do a great disservice to our staff if we did not acknowledge their commitment to the goals and objectives of our work. Elizabeth Murphy (clerk of committees), Jack Oates (recording technician), Bert Riggs (editor) and Richard Abraham (researcher/analyst) have all been of assistance to us in completing the committee's mandate.

I would like to especially reference the work of Richard Abraham whose title does not adequately describe the work that he has done for the committee. Richard handled everything from organization, media relations, interprovincial liaising, planning and coordinating our public hearings and helping us to assemble this report. His commitment to our work has been greatly appreciated and now duly noted.

---

**Gerald Smith, M.H.A.**  
Port au Port  
Chairperson

**"Children are the messages that we send to a time when we will not be there."**

Newfoundland Ancestor, vol. 11, 4 (Winter 1995)

**LISTENing & ACTing: A Plan for Child, Youth and Community Empowerment** is the product of over 15 months of work by two select committees of the Newfoundland legislature on children's interests. The committees heard from over 600 Newfoundlanders and Labradorians.

The people of the province expressed their concern about the current approach of government and society toward children and youth issues. This report provides a comprehensive framework for renewing, revitalizing and refocusing our approach to social policy, in general, and to children and youth issues, in particular.

The philosophy underlying the report and its conclusions can be summarized in two phrases "devolution legislation" and prevention-oriented social policy. Devolution legislation concerns involving children, families, communities and community organizations in seeking to address social challenges.

Prevention-oriented social policy refers to focusing our efforts on addressing potential problems before they overwhelm government and society. Early identification and treatment of learning differences and early childhood development are just two examples of a prevention-oriented social policy.

The report is structured into two main sections:

- ▶ ***Strategic Plan for Government and Society on Children, Youth & Families;***
- ▶ ***Sixty-four (64) specific recommendations concerning policy and legislation affecting children, youth and families.***

**The Strategic Plan** provides a comprehensive framework within which to initiate, facilitate, and implement a renewed social policy. The Plan recommends the creation of two new government agencies to achieve this renewal: **A Child, Youth and Family Secretariat and A Child and Youth Advocate**.

***The Secretariat*** will act as the agent of change within government. It will serve as the lead agency within government administering many of the detailed recommendations. The

Secretariat will be given an unequal status and position within the structure of government in order to permit it to effect change in an efficient and effective manner. It will have a legislated lifespan of between five and six years.

**The Advocate** will be a continuing entity within the structure of governance. The Committee recommends that the Advocate be commissioned as an officer of the legislature similar to the Auditor General. The Office of the Child & Youth Advocate will serve as the voice of children to government, but it will also be mandated to play a very significant role in the revitalization of the province's social policy.

The second section contains specific recommendations for government department and agencies. **The 64 recommendations** should not be viewed as stand-alone recommendations. For the most part, the recommendations should be viewed as a single package that if undertaken together will lead to a happier, better educated and more employable populace.

**It is every father's and mother's dream that their child is going to grow up, go to school, get married. When we were in one session with a doctor she even said, 'What are your short term goals for your son.' I said, 'I would give anything just to hear him say, *I love you dad.*' She said, 'What are your long term goals?' I just shock my head and said, you know, my long term goals are for him to go to school, university, to get a job, to get married and have kids.**

**Richard Chow**

referring to his son  
who is autistic

Richard Chow and his wife, Jackie, are an ordinary couple who told the Committee of their extraordinary efforts to help their three-year-old son who is autistic. Their efforts have focused not so much on getting treatment for their son Richard as attempting to ensure that the system does not neglect him.

Jackie and Richard Chow are two people who have advantages that many Newfoundlanders and Labradorians do not. Both are well educated, young professionals who live in one of the province's largest urban areas, Corner Brook.

Richard and Jackie told the Committee of their efforts to ensure early treatment for their autistic child once he had been diagnosed. They told members of their willingness to spend tens of thousands of dollars to get help for their son when the waiting list for government-funded care was too long.

With all these advantages in life and all

their efforts to ensure the very best help for their son, underlying their comments, there were unspoken fears for their son's future. If this family has fears about the future, then how much more at a disadvantage are other families. The family in a rural and isolated community or a family where parents cannot afford private treatment for their son or daughter, how do they secure a bright future for their children?

The challenges facing the Chows and their three children are not unique. These challenges confront professionals who must decide whom to see and when. These challenges confront top-level decision makers who must decide how to allocate resources to maximize their benefits for the whole of our society.

This report lays out a framework for a renewal of this province's approach to social policy. If society is to help children who are autistic; children from economically poor families; and children

who have or are experiencing problems associated with the law, then we must dramatically change our approach to social policy and the governmental structures that deliver it.

How does society exchange the old approach to social policy for a new and dynamic one? Stephanie Michael of Clarenville offered the committee some advice on where to begin this process of renewal.

**When we see children, we also require seeing their parents as well because we believe that a child cannot be seen in isolation. We feel that they must be treated within their environment and by that we mean their family.**

***Stephanie Michael***  
(Transcript No. 9, 10)

Ms. Michael is a clinical psychologist at the Dr. G.B. Cross Memorial Hospital. Her comments concerned addressing

the psychological needs of children and youth, but they speak to a more universal truth.

The challenges facing our children are not limited to individual children. The challenges facing children affect and are affected by their family and by their community. **If society chooses to view a child with problems in isolation, then society has chosen to treat a symptom, not the root cause of the problem.**

The question then becomes what are the roots of the problems and what are the best ways of addressing them. This was the task placed before this committee, the Select Committee on Children's Interests.

Members of society have the ability to find the solutions to social challenges either as individuals or as members of a larger community. There are solutions to the long-term challenges that face our children and their families. Society

needs only the strength to embrace new structures and new responsibilities.

It is our challenge to find both the strength and vision to make changes to the structure of government and to the laws that affect children, youth, their families and communities. Society must embrace these changes if we are to effect a necessary evolution in social policy. This evolution will reflect the reality of today and tomorrow, not the reality of the 1950s and 1960s.

### **THE CALL FOR CHANGE**

When the Committee began the process of consulting the people of Newfoundland and Labrador and researching social policy approaches toward children and youth issues, members did not think there would be a need to call for significant structural and attitudinal changes within government and society.

Over the past few years, many reports had been commissioned and presented to government calling for substantive change. Additionally, there are many more reports from around the world that could have been adapted to the Newfoundland and Labrador situation. All these reports could have been used to improve social programs.

Time and again individuals and groups who came forward to present their ideas and concerns to the Committee, complained that these reports had been “shelved.” They asked what was the point of our work since this Committee’s report, like all others before it, would only be shelved.

Why have these reports not been fully implemented? Why has there not been more of a fundamental change in social policy affecting children and youth?

It is the firm belief of the Committee that it is not because of lack of commitment or lack of knowledge on the part of

politicians or the provincial bureaucracy. Rather, it is because the call for change in these reports goes too far outside the “conventional wisdom” upon which the welfare-state government of this province is based. The problem or “hurdle,” if you will, lies in the structure of government and the attitude of society, in general.

## **PURPOSE**

When the House of Assembly unanimously created the original Committee on December 16, 1994, it gave the Committee a very wide and general mandate [Appendix A,i.]. Simply stated, the Committee was asked to examine the current state of children in this province and to report to the House on whether new legislation was required and/or changes to existing statutes and policies were needed.

In January 1995 when the Committee first met, members brainstormed about

the issues and challenges affecting children and youth in this province. The list was long.

The question quickly became should the mandate be very narrowly defined or should the “floodgates” be opened to let everyone comment on the issues as they saw them? The answer for the Committee was, in the end, quite simple.

The Committee felt that as a legislative committee it was especially incumbent upon us to open the “floodgates.” A legislative committee is unlike any other investigative body within the structure of governance. It is a committee made up of the people’s representatives whose very reason for existence is to listen to the people and then to act in their best interests.

The Committee, therefore, produced a very broad, open-ended mandate [Appendix A, ii]. The mandate itemized only eight main points, but it made clear



within the mandate that members did not wish people to limit their comments to only those eight. The mandate was designed to serve only as a rough guide in the areas under examination and review.

As a Committee, members did not feel it was proper to define for the people what their concerns were even before the public consultations had begun.

The second purpose of the Committee's work was to put the views of the people into some sort of context. Other Royal Commissions and Parliamentary Committees have provided a more than adequate list of recommendations aimed at improving the lives of children and youth. This Committee did not wish to write another report replicating the work of others.

The Committee first listened to the views and concerns of those who presented to the public consultations. In response, a strategy was developed

for addressing them in both a flexible and comprehensive manner.

This report does not include the "magic" or one-step cure for all the problems and challenges facing children and youth. These challenges are far too complex to fit neatly into a clearly defined set of new rules, policies or programs. The report provides a plan that will be the basis or the "first step" toward responding in a more effective, comprehensive and timely manner to the needs of this province's young people.

Finally, for whom is this report written? In a strictly legal sense, the House of Assembly commissioned this report and it is written for the members of the House.

However, this report is written for two additional purposes. First, it is the hope of the Committee that the provincial Cabinet will consider and implement the plan outlined over the following pages.

The Committee hopes that Cabinet will establish the necessary mechanisms to effect change and to provide children and youth with an effective voice.

Shirley Squires of the Labrador West Status of Women's Council brought forward this point during her submission.

Second, the report is written as a political manifesto for both government and society. The Committee's examination of the issues affecting young people and their families at times left members angry and upset.

Committee members are genuinely concerned that too often both government and society do not meet the needs of children and youth. It is the Committee's hope that this report will act as a catalyst for positive change.

**The quality of life for the children and youth of our Province is inextricably meshed with the quality of life of their parents.**

**I have come to the conclusion that, in order to help the children, we must concentrate on the root of the problem and not just address the symptoms. We must help the families in a realistic, sensible manner.**

(Transcript No. 1, 51)

## **SCOPE**

Even the most rudimentary examination of children and youth issues will quickly determine that the quality of life for this segment of our society is closely linked to that of their family and community.

The work of the Committee, therefore, could not be artificially limited to examining children and youth outside the framework of family and community. Any attempt to do so would limit this Committee to examining the symptoms,

not the causes of the problems facing children and youth.

Some may say that by exploring issues affecting families and communities the Committee has exceeded the mandate granted to it by the House. With respect, the Committee would disagree.

The mandate from the House grants the Committee the power to investigate:

*the legislative changes, or enactments and policy change, if any, required to promote mechanisms through which the wellbeing of children may be enhanced, and c) other matters directly and necessarily related thereto.*

The matters of family and community are “necessarily related” to the wellbeing of children. The Committee invokes this section of its mandate granted to it by the House to expand its investigation beyond any artificial age limit.

### **PHILOSOPHY**

The philosophy that provides the basis for this report has been referenced above, but the Committee will draw a slightly tighter focus on it here. The new governmental structures and the specific recommendations included in this report are based on the belief that the community is the place where children and youth are enfranchised. Children and youth are also citizens of this province and this country, but they live in their local communities and in their homes.

Any solution that ignores this reality will fail. It will fail because it ignores the environment that most directly affects children and youth.

A second point flows out of the first. Solutions to the challenges facing children and youth must be based upon a model of community- and family-empowerment. Any program that does not seek to strengthen community and family, is treating a symptom of a

problem, not the cause.

Dr. Brian Wharf in Communities and Social Policy in Canada argues for such a partnership between government and community: a partnership where community is viewed as the vehicle through which social policy problems can and will be remedied.

Dr. Wharf speaks to the very core of what is deficient about our current social policy. He argues that while “senior levels of government should retain a responsibility for social policy . . . that when these governments plan FOR communities, not WITH them, the programs developed are frequently ineffective and inappropriate.” (Wharf, 20).

Third, the Committee views the role of the state as that of a facilitator assisting individuals and communities to meet their challenges. Civil servants must view the child or youth and in most cases, his or her family as active

participants, not merely as bystanders to prescribed solutions.

Moyra Buchan of the Canadian Mental Health Association in her presentation argued that this type of approach will provide the means for comprehensively addressing social challenges.

Ms. Buchan said, “I guess this is one of the fundamental tenets - one of the fundamental points from the perspective of the Mental Health Association - is that empowerment, in itself, is intrinsic to mental health. It is a basic principle that the more people feel they have control over the environment that impacts on them and the decisions that affect them the more their mental health improves” (Transcript No. 30, 10). It is a logical and intuitively sound response to social challenges.

Fourth, government programs should be preventive in nature and work to support the families who most need the help of the state. This support should be

targeted to help families viewed to be at “high-risk” and families in or near crisis. The delivery of remedial programs should not be the objective of government or society.

Finally, the Committee does not believe that solutions to social challenges are easy or one-time events. A family with high risk factors does not have these risk factors disappear with a single intervention.

Both society and government must endorse a philosophy that there is no single magical solution to social challenges. Solutions take time, resources and an integrated government and community response to achieve positive results.

Debra McPhee, the acting Executive Director of Iris Kirby House, a St. John’s shelter for abused women and their children, summarized the simple truth of how a good and caring society is built. “We cannot have peace in our society

without peace in our homes” (Transcript No. 16, 6).

The challenge then is to find a means of building this peaceful society. Society and government must start with each single child and then slowly ‘build’ out from them to encompass family, then community, then region and then province.

Finally, it is sometimes helpful to have a statement of principles with which to compare our words and our subsequent actions.

In their submission to the Committee, the Newfoundland and Labrador Association of Social Workers (NLASW) put forward a set of “. . . values and principles as a guide to future developments in favour of Newfoundland’s children” (Newfoundland & Labrador Association of Social Workers, viii).

It is a set of values and principles that the Committee strongly endorses.

---

---

## STATEMENT OF VALUES & PRINCIPLES

- **We recognize children as human beings having their own rights and responsibilities;**
- **Children should have adequate access to the resources necessary for a healthy development;**
- **All children belong with families and need enduring relationships with adults. Children are uniquely dependent on their families for their survival, nurturance and development. This dependence implies that a child-centred approach is necessarily a family-centred approach;**
- **Bringing up children cannot be seen merely as a private matter, and therefore costs (financial and otherwise) of children should be shared between the family and society;**
- **Family/professional collaborations and partnerships are key to a child welfare system that is proactive, preventative and facilitative;**
- **The interdependence of social and economic development requires an integration of social and economic policies. Specifically, children should have a right to participate in the life and decision-making of society, directly or indirectly according to the child's age and development.** (Newfoundland and Labrador Association of Social Workers, viii-ix).

Any member may, if he gets the chance, initiate legislation. Every session a large number of Bills are introduced by 'private' members, i.e. by members who hold no ministerial office. It is increasingly rare for Bills thus initiated to come to legislative fruition, but the discussion of such projects is far from being invariably wasted. Occasionally the Government adopts as its own the project formulated by a private member; sometimes it grants him exceptional facilities for passing it into law; still more often a private member's Bill [that] is stifled in infancy in one session . . . ultimately finds an honoured place in the ministerial program.

It would probably be within the mark to say, that of the important legislative enactments of the nineteenth century half made their debut in the House of Commons under the aegis of a private member. But the tendency is for the Government more and more to absorb the time of the House and to demand priority for their own legislative proposals. With the increasing complexity of public business, the ever-widening responsibilities of the House of Commons, and the growing demand for legislation on every conceivable topic, this tendency is irresistible; but no one can doubt that the extinction of legislative activity of the private member would result in a deterioration in the quality, if not the quantity, of Parliamentary enactments.

John Marriott  
English Political Institutions, (p. 231-232)

---

During the public consultation process many people asked what exactly was a select committee of the legislature? What is its role? What powers does it have? This section examines the role and responsibility of a legislative committee.

The above quotation from John Marriott offers insight into the general role of private members of the House. It is testimony to his insight into the workings of parliament that English Political Institutions, originally published in 1910, was republished as late as

1975.

The Committee has chosen to use this quotation because it summarizes very well the collective frame of mind of Committee members toward this report and the work that has gone into it.

This Committee is not all powerful, but committee members feel that the findings and recommendations of this report, if implemented, will lead to improved programs for the people of this province. The Committee relies quite heavily upon Marriott's assertion, himself a one-time private member of the British House of Commons, that initiatives of private members do enhance the quality of "Parliamentary enactments."

Earlier attention was drawn to the fact that by its very nature and composition, a legislative committee is different from any other investigative body that can be created within the structure of governance. The three members of this

Committee are not just three private members of the House who, of their own initiative, began investigating children and youth issues. Rather, the Committee has been duly mandated, instructed and financed by the House to carry out this review.

Further to this point, members of a legislative committee are chosen by their peers to examine and report on a given issue, in this case children and youth issues. The Select Committee on Children's Interests has not been commissioned by government nor by private industry to serve as a think tank.

The members of the House of Assembly have deemed this issue important enough to mandate this Committee to investigate our approach, as a government and as a society, toward children and youth. Committee members accepted this mandate and have carried it out.



Furthermore, the British Parliamentary system is a unique system of democratic government. Unlike a pure republican system, the executive and legislative branches of government are combined. In practical terms, there is no division of powers between the two “branches” of government.

This is pointed out simply to highlight the fact that our House of Assembly, composed of both private members and members who are part of the Cabinet, created this Committee by unanimous agreement. Indeed, this Committee was created by two different Assemblies: the 42<sup>nd</sup> and 43<sup>rd</sup> General Assemblies.

This said one might think that all the Committee has to do is issue its report and implementation will follow shortly thereafter. Nothing in life works that easily.

The Committee is not bound to carry out the wishes of government, but neither is government required to carry out this

Committee’s recommendations. **A legislative committee has considerable influence, but no direct power to implement its findings and recommendations.**

The power and influence of this Committee is due to two things. First, as outlined above, it is that it is a legislative committee.

Second, the influence of this Committee is enhanced, in part, by the numbers of people who expressed interest in its work by appearing at the public consultations. The public consultations clearly illustrated that the people of this province want government to redirect its efforts with respect to social policy. Furthermore, the public has clearly indicated that they are willing to participate as partners in this process.

The task of this Committee could simply have become one of reporting to the House of Assembly the views of the electorate without comment or without

placing their comments into a proper context. Edmund Burke, the noted 18<sup>th</sup> century English politician, is often quoted about the relationship between the elected member and his or her electorate. It is a quotation many may say is too often employed by politicians.

Burke's caution was as follows:

Your representative owes you, not his industry only, but his judgment; and he betrays instead of serving you if he sacrifices it to your opinion.

Even with a coalescence of opinion, it became obvious to Committee members that there was little, if any, effective means of permitting this input to reach decision makers. The Canadian Mental Health Association in its presentation, while endorsing the work of this Committee, was critical of the fact that it represented only a one- time effort to consult the people and bring them into the decision making process. (Transcript No. 30 ,6).

With this in mind, the Committee came to a conclusion about its work. The Committee decided that it should be its primary responsibility to find and then recommend means that would facilitate ongoing public input into the evolution of social policy.

This is where Burke's caution, to give our electorate more than just our energies, was followed. Instead of issuing a report listing a countless number of recommendations on every conceivable topic affecting children and youth, the Committee has chosen to follow a different path.

In this report, many specific recommendations are outlined, but not all the suggestions raised by the general public are included in the recommendations of this report. The Committee came to the conclusion that it was most important to find mechanisms to ensure ongoing input into social policy rather than detailing every issue raised.

**INTRODUCTION**

In government issues are often differentiated in importance by labelling some issues as “grand issues” and others as merely “ordinary issues.” (Wharf, 16).

Grand issues would include those dealing with redistribution of wealth or constitutional issues. Ordinary issues are ones of ongoing policy concern and implementation: should “x” number of dollars be spent on this program or another program.

The argument then follows that grand issues are the ones that affect all the people of a democracy and in which the people should have a direct say: how powers should be divided between the federal and provincial levels of government.

The argument continues that as “ordinary” issues are ones of ongoing

policy implementation, the people should leave these to their government and its civil servants to administer.

This Committee disagrees with this attempt to artificially differentiate between issues in which the people should participate directly and the ones best left to government alone. In the area of social policy, this attempted differentiation is artificial at best, but at worst it is counter productive to efficient and effective social policy.

A case in point was put forward by Dr. Gale Burford, an Associate Professor with the School of Social Work at Memorial University, during his presentation to the Committee. Dr. Burford’s comments were made in reference to the province’s Child Welfare legislation, but they hold some insight into the current approach of the province toward social policy issues.

Dr. Burford said:

**. . . we are one of the few provinces that is described as what's having the whole style interventionalist state involvement, making all the decisions, spending all the resources, thinking that the experts have to solve the problems, versus what's being called these days devolution legislation, legislation that includes families, includes partnerships, & making decisions . . .**

(Transcript No. 13, 10)

**Social policy requires the active participation of the people.**

In most cases, over the long-term neither a well-intentioned government nor a well-intentioned person, will amend and improve the plight of a person without that person's active involvement and commitment to the goals of that social

policy plan or intervention.

All people, whether they realize it or not have the capacity, over the long term, to actively participate in their own renewal. Without fostering this belief in themselves, the state will be limited to treating symptoms.

The Committee is quite clearly not recommending that government only respond to long-term needs and not provide short-term interventions that are needed to ensure the safety of a child. Rather, Committee members are arguing that government must refocus and redirect its efforts to involve the parents, the extended family and community in attempts to solve the underlying causes of symptoms.

Through the new government structures the Committee is recommending, it is hoped that a means will be provided for involving the individual, family and community in redefining and changing the objectives and role of government.

In a sense then, in the area of social policy, all issues must begin to be regarded as “grand” issues: issues that require the advice and consent of the people.

John Marshall, a 19<sup>th</sup> century American jurist of the, offered the following advice concerning the “grand” issue of the constitution:

The people made the constitution, and the people can unmake it. It is a creature of their own will, and lives only by their will.

We, as a society, would do well to heed this advice in the area of social policy as well. If the constitution lives only by the will of the people, how much more true is it then for social policy.

It was in this frame of mind that the Committee undertook to ask the people of Newfoundland and Labrador their opinion of issues affecting children and youth.

## **SCOPE & STRUCTURE**

The consultation process undertaken was extensive. The Committee felt it important that as many people and organizations become involved in this process as possible. As already noted, a legislative committee has a special role to play in representing the views and ideas of the people.

In April and May of 1995, the Committee sent letters soliciting input and participation to in excess of 1500 community leaders and organizations across Newfoundland and Labrador. In August, the Committee sent discussion guides to an expanded mailing list of 2500 leaders and organizations [Appendix A, iii].

Both the letter and guide encouraged these people and organizations to become involved in the public consultation process that was to take place over the fall. The Committee established a public hearing schedule based upon the responses received.

In an effort to initiate further public debate, the Committee co-sponsored a Public Forum on Children and Youth issues in St. John's on December 7, 1995. The Deputy Ombudsman for British Columbia, Mr. Brent Parfitt, gave the keynote address.

Mr. Parfitt's speech centred on the United Nations Convention on the Rights of the Child and how it can be used as a guide in our local communities.

Besides the Public Forum, Mr. Parfitt also spoke to members of the provincial Cabinet. Mr. Parfitt provided an extensive briefing to Cabinet ministers on some progressive social policy initiatives underway in British Columbia.

The Committee would like to acknowledge and thank the Newfoundland-Labrador Human Rights Association, a non-governmental agency, for paying the costs associated with Mr. Parfitt's trip. The Association

co-sponsored the Public Forum and without their assistance Mr. Parfitt's trip to St. John's would not have been possible.

In late May 1996, the Committee, in conjunction with Memorial University, arranged a visit to St. John's by Dr. Martin Knapp of the London School of Economics and Political Science. Dr. Knapp is an internationally recognized expert in the cost analysis of social programs. Professor Knapp spoke with key decision makers within the provincial government about his work analysing the total costs of social programs to society, not just analysing the cost implications to government and its departments.

\* \* \* \* \*

### **PUBLIC CONSULTATIONS**

Starting in September 1995 and continuing until the middle of January 1996, the Committee undertook to ask the people for their thoughts and ideas on this matter.

The consultation process consisted of four distinct segments:

- 1) Public hearings for members of the general public;
- 2) Public hearings for departments and agencies of the provincial government;
- 3) *In camera* sessions for provincial government employees; and
- 4) *In camera* sessions for children and youth who were or are in the care of the Director of Child Welfare.

#### **1) Public Hearings**

On September 11, 1995, the Committee heard its first submission in Labrador City. On January 19, 1996 the last submission was received in St. John's.

Over this four-month period, the Committee accepted 215 briefs and heard from more than 600 individuals. This consultation process was one of the most extensive ever held in this province. (A complete list of those who participated in the public consultation may be found in Appendices B, C, D, E and F).

The Committee travelled to thirteen communities across Newfoundland and Labrador. In addition, video- and teleconferencing technology was used to speak with people from isolated parts of this province and from different parts of Canada and the world.

When conducting the public consultations, the Committee afforded each presenter at least 30 minutes to bring forward his/her ideas and then enter into some discussion with the Committee. Other public consultations have limited presenters to between five and ten minutes. It was the Committee's wish, however, to ensure

that presenters had time to fully explain their ideas and concerns.

Additionally, the Committee offered each presenter the opportunity to make their remarks in camera. This was done to protect their privacy and to make it as easy as possible for people to present their life-stories, concerns and ideas. Only a very few availed of this opportunity.

Committee members also decided to limit their comments during all sessions to seeking clarification of points raised by the presenter. Committee members felt that it was extremely important that no one feel intimidated by this process or feel that Committee members were attacking their views. Members felt their role was to listen to what the public had to say. It was not the role of the Committee to lead the discussion or to frame the issues affecting children and youth as Committee members saw them.

## **2) Departmental Hearings**

Near the end of the public consultations, the Committee called a number of provincial government departments and agencies. The complete list of those departments and the civil servants who appeared with their departments may be found in Appendix D.

The three line-departments --- Health, Education and Social Services --- were called for two reasons. First, the Committee wanted to give them an opportunity to present their ideas as a department to the Committee. Second, these hearings gave the Committee the opportunity to ask the departments to respond to issues raised by presenters to the public consultations.

The Auditor General's Office and the Women's Policy Office were asked to appear for a different reason. The Committee wished to explore with them the workings and mandate of their respective offices.



In the next section, the Committee will outline a plan for effecting a necessary evolution of our province's social policy. Central to this evolution are two new government structures: one, a central agent within government, and the other, an independent office reporting to the legislature. The Committee called the Auditor General --- an independent officer of the House --- and the Women's Policy Office --- a central agent ---- in order to speak with them about the work of their respective offices.

### **3) In Camera -- Departmental**

During the period of public consultations, the Committee included time for off-the-record private conversations with members of the province's civil service. It was the Committee's intention to speak with a sampling of civil servants to give members some insight into their work and the direction in which they wished to see social policy move.

These sessions were held in a number of communities across the province. No recordings were made of what was said. The Committee promised these civil servants that they would not be identified either by name or department. The Committee intends to keep that promise.

These sessions were enlightening for members personally and as a Committee. They have given Committee members a better understanding of the challenges facing the civil service in the area of social policy. It is the Committee's hope that the changes recommended in this report will help civil servants to better do their jobs and to increase their feeling of job satisfaction.

### **4) Youth-in-Care Sessions**

These sessions were among the most moving and productive of all the hearings the Committee held.

In consultation with the Director of Child Welfare and her officials, a number of sessions were organized in three communities. These sessions were private and off-the-record.

The Committee met with thirty-five young people who were or currently are in the care of the Director of Child Welfare. The participants reflected a broad spectrum of ages and provided a good cross-section of those in care.

In Appendix F, a more detailed comment is offered on these sessions. The Committee wants to note here, though, that these sessions were excellent opportunities for members to meet with the people who know from personal experience the strengths and weaknesses of the Child Welfare System.

The Committee recommends that government should create and finance a Youth-in-Care network in this province. The information government could

collect through a properly functioning Youth-in-Care network would help greatly in attempts to reform child welfare and foster home policies. Any funds spent to operate such a Network would help to ensure that monies in the area of child welfare are better spent in the future.

### **ATTITUDE**

This series of consultations has given the Committee a greater understanding of the issues confronting the children, youth, families and communities of this province. Committee members do not claim to know everything and every issue affecting children and youth, but members now have a better understanding of the situation.

The Committee has met and heard from many different people from many different occupations and with many different life histories. In each of these sessions and with almost every

individual who came forward, the Committee detected positive, new attitudes.

In the next section, a more detailed discussion of this change in attitude will be offered. It is important to note here that this Committee has solicited the input of not just the elite few, but from the people of the province in general.

If we, as a society, have the will, this attitude can provide the firm foundation required to change our social policy stance. This new attitude will help to create an evolutionary and responsive social policy if only our society has the strength to embrace new ideas.



## **INTRODUCTION**

As noted earlier, the Committee did not wish to write a report consisting of a re-examination and a re-issuing of the findings and recommendations of previous Royal Commissions, parliamentary committees and non-governmental agencies. The Committee, rather, looked at the challenge facing it as one of examining why these reports had not been fully implemented. Indeed many of those who presented to the public consultations asserted their belief that many of these reports had not even been considered by government.

Experience indicates that few reports are ever fully implemented. Differences of opinion will always exist.

The Committee acknowledges that there are many reasons why governments do not fully implement reports. This does not necessarily occur because governments are unwilling to address a

given issue. It is, rather, that governments and indeed many others may disagree with the premise on which the report and its recommendations are based.

**To this point, the Committee has focused its energies and based its recommendations upon an examination of government structures, programs and legislative changes that are already proving their worth in other jurisdictions.**

Consequently, the Committee turned its attention to the structures within the provincial government that both **care for** children, youth and their families and **represent** their interests within government and to the legislature. It will come as a surprise to no one who is involved with children's issues that a fragmented service/program delivery system that is top-down in nature and crisis-oriented was found. Furthermore, the Committee found little means for the

people of this province to have regular, systematic and ongoing input into how their government addresses children and youth issues.

The former Deputy Minister of the federal Department of Fisheries and Oceans, Bruce Rawson, has said in a criticism of modern government bureaucracy that “. . . *the system is not built to serve. It is built more to avoid error, deflect criticism and justify action.*” (Rawson, 493). The OECD probably makes an even more cutting point when, in a report entitled The Public as Client, it says “. . . *individual public servants look first through the hierarchy to the relevant authority and only second, outward to the client in front of them.*” (OECD, 67).

So, do civil servants like this system? It may surprise some to hear that the civil servants with whom the Committee met echoed many of these same complaints. They expressed their

concern about the way we deliver services to children, youth and families. They expressed frustration with a bureaucratic structure that is rigid, process- and crisis-oriented. They want change as much as the people of this province want change in how the provincial government delivers services.

The Committee also heard from the middle and senior management level at the Confederation Complex. They also acknowledged that change is necessary. The much discussed Classroom Issues Report that resulted from collective bargaining between government and primarily the Newfoundland and Labrador Teachers' Association is a step in the right direction. The Committee very much cautions that it represents a small, but significant step along the road to better service integration and a client and community driven social policy.

So the question becomes then, how can this coalescence of opinion among the general public, special interest groups, front-line civil servants, middle and senior management be harnessed?

The Committee's examination of the current situation in this province and research into the efforts of other jurisdictions to better integrate services has led to the conclusion that three changes are required immediately to effect fundamental change:

- 1) **A Child, Youth & Family Secretariat;**
- 2) **A Child & Youth Advocate;**
- 3) **Attitudinal Change.**

The first two items are probably the easiest to put in place because government can legislate them into existence. The third item, attitudinal change, is the hardest to create, but conversely the most necessary of the three.

In one sense it is the eternal chicken and egg debate: Which comes first? Without attitudinal change in society and government then the Secretariat and Advocate will surely fail. Without these two new government structures, however, all the goodwill and new attitude will result in little, if any, substantial change in the way government conducts its business.

The secret formula is to have a shift in attitude followed swiftly by a change in government structure and service delivery. Then both changes have to re-enforce each other as the halting and difficult journey of changing the roles and responsibilities of government and society evolve.

In the following three sections, the Committee will provide a detailed examination of three things. First, the Committee will provide an examination of the attitudinal change or shift that has already begun in the society of

Newfoundland and Labrador. Second, an explanation of the structure and mandate of both the Secretariat and Advocate's office will be provided. Third, the Committee will offer an explanation of how the two offices would work together to effect change.

### **ATTITUDINAL CHANGE**

Over the preceding pages, the Committee outlined how the mandate granted to it by the House of Assembly was fulfilled. Most importantly, the Committee provided a summary of its efforts to involve the people of this province in the work of the Committee.

During the public consultation process, Committee members heard from many community leaders. These leaders called for change.

They called for a new partnership between government and the people it serves: a real partnership that reflects

the **pre-eminent** position of the community in meeting its own challenges. The Committee endorses this philosophy.

In the end, government and the civil service cannot, **independent**, of the child, family and community, **prescribe** a solution to the challenges they face. Government and its employees are faced with the need to evolve from the current prescriptive model of the modern welfare state.

Society must embrace a new model that sees professionals within the civil service as **facilitators** of the needs of children, families and communities. Again, the Committee returns to the comments of Dr. Burford in the previous section: “. . . devolution legislation . . . that includes families . . . partnerships . . .” (Transcript No. 13, 10)

**Professionals must come to be viewed primarily as the facilitators of**



**the problems and challenges as the child, their families and communities see them placed against a norm for good conduct and proper care of a child. The days of prescribing solutions to social challenges are over.**

These solutions, because they ignored the **preeminent** role of the child, family and local community in solving their own problems, were always destined to have mediocre results. To prescribe a solution to a personal social problem can only place a bandage on a wound that may require painful, but necessary surgery.

To paraphrase the criticism of the modern welfare state offered by the Speaker of the U.S. House of Representatives, Newt Gingrich, . . . *if spending money on social problems could solve all the problems in our country, then they all would have been*

*solved by the spending of the 1960s and 1970s.*

Speaker Gingrich has a point. The spending of large sums of money on social problems is no guarantee of a “cure” for social problems. If children, families and communities are not engaged in trying to solve their own problems then the possibility for success is limited.

Perhaps Arthur Schlesinger, an American historian, offers the best summary of the point the Committee is making when he commented upon the philosophy behind U.S. President Franklin Roosevelt’s New Deal:

The problems are indeed complex. The answers are not in the back of anyone’s books . . . “It is common sense to take a method and try it,” FDR said. If it fails, admit it frankly and try another. But above all try something.

(Howard, 184)

This is the central message of the New Deal that we, as a society, in the industrialized Western world, have forgotten over the past 60 years. The problem of the modern welfare state is not that we spend money on social programs, but rather the ways in which we spend that money.

Society has failed to permit the Welfare State to evolve and this province is no exception. Western society has developed a system that penalizes individual initiative and disempowers people and their communities.

During the public consultations, many presenters expressed their concern about the impact the current social safety net was having on individuals in this province. Shirley Squires, vice-president of the Labrador West Status of Women's Council, brought this point

home in her presentation when she said:

**Most of the unemployed -- the unemployment program and the social services -- mitigate against people taking these jobs because it is really risky for somebody to get out of this shelter and go on to something else especially if they have no help, nothing to fall back on.**

(Transcript No.1, 51)

Is it then a system that is now so complex and rigid that it will stop society from reforming it and tailoring it to meet our current needs as the 21<sup>st</sup> century approaches? Is it a system that society will dismantle because it lacks the vision of how to reform it?

How do government and society change the very nature of the welfare state that everyone has come to rely on since 1949? Is it an impossible task and can

the only solution be to end the modern welfare state and go back to a laissez-faire style of governance?

There are two reasons to be optimistic that the modern welfare state in this province can be successfully reformed. The first is the financial position of the province and the second is attitude.

Yes, the financial position of this province should be viewed as a force for positive change! U.S. President Roosevelt's greatest ally when he successfully created the New Deal was the crisis and panic of the Great Depression. Roosevelt was successful in establishing an interventionist state because people could see the results that a laissez-faire style of government was having on themselves and on their neighbours.

In the same way today, the U.S. Republicans make the case for a return to laissez-faire government based upon

the perceived failings of the modern welfare state. The challenge in Newfoundland and Labrador is to learn today from the United States and then follow the "road" they have not taken.

The problem with the modern welfare state is that Roosevelt's words have been forgotten . . . to try something and if it does not work, then STOP and try something else. Western governments have created a system of services that has alienated both the people it was designed to serve and the civil servants employed to deliver the services.

The precarious financial position of this province, like the Great Depression of the 1930's, offers government the opportunity to effect radical change to social programs and the structure of government. Newfoundland and Labrador society can follow the path of the United States and move government out of social programs or we can choose to follow a different path . . . a

path that sees social policy in this province as an ongoing, evolutionary process that contributes to our social and economic wellbeing. Social policy can be reformed in a way that will lead to more responsive and adaptable social programs, to a results-oriented government and to an empowerment of communities and civil servants.

The second reason to be optimistic is that during the Committee's extensive public consultations, members have heard and seen a new attitude among both within and without government. Members have seen and heard from people who are directly affected by the challenges that confront us. Members have seen people who want and demand change in government's approach to social programs. They are demanding changes to the way programs are administered.

In sessions with members of the

province's civil service, the Committee heard very strongly from them that they require a change in the way government approaches the social challenges of our province. They talked about the need to change from a process-oriented bureaucracy to a results-oriented one. They spoke of the need to move from crisis-oriented programs to preventive ones. They talked about the need to be given the freedom to use their **professional** judgement rather than being forced to go through a bureaucratic labyrinth in order to find solutions for their clients.

The gauntlet has been thrown before the Committee. Committee members asked the people what they wanted out of their government with respect to social policy and they told us. The Committee was challenged by its employers --- the electorate --- to find a way to realize their dreams and aspirations.

This is when the Committee's attention turned to an examination of government structures that would be effective in making change within government. Additionally, mechanisms needed to be created that would be successful in making the views of the people as well as the front-line civil servants heard within government. This Committee is endorsing a two-pronged approach that will work cooperatively to effect change and to ensure meaningful input, namely: **A Child, Youth and Family Secretariat** and **A Child and Youth Advocate**.

[Pages 41 & 54, respectively for organizational charts].

### **A CHILD, YOUTH & FAMILY SECRETARIAT**

The current system of child and youth related services is extensive, but often fragmented and uncoordinated. The acceptance of the Classroom Issues Report is testimony that professionals

both inside and outside government acknowledge this to be the case.

This situation is not isolated to Newfoundland and Labrador. Jurisdictions across Canada and around the world are wrestling with the challenges posed by a wide range of programs and/or services that do not meet the needs of many of our children, youth, families and communities. This is especially the case for those people most in need of services.

Neither is the situation a new one. In his book Changing Bureaucracies, William Medina draws a quotation from Richard Nixon's 1971 State of the Union Address. Nixon said that there was ". . . wide fragmentation of responsibility through the executive establishment for setting goals and translating them into programs." There was a need, therefore, to strengthen central authority to facilitate the efficient and effective functioning of departments

and their programs. It would appear that the title of Medina's book might be a misnomer given that there seemingly has been little fundamental change (Medina, 2).

The question is how does one seek to rectify this problem. One approach is put forward in the recently released report into the child protection system of British Columbia: The Gove Inquiry. Judge Thomas Gove argues for a centralization of the services affecting children and youth into one single line ministry. The logic being, that if one single ministry has responsibility for the "whole" child then, there is much less of a chance that children and youth will "fall through the cracks."

The Committee thought at great length about the possibility of recommending that government create a full-fledged ministry of Children, Youth and Family, but we have decided to recommend

against such a ministry being created for this province.

The Committee's goal, as it was Judge Gove's, is to see a better use of existing services and programs as well as new ones. No child, youth or their family deserves to "fall through the cracks." No taxpayer deserves to see his or her money wasted on inappropriate interventions and programs. It is the view of the Committee that the challenges facing children and youth in this province cannot and should never be divorced from the problems affecting families and communities, **in general.**

This is not to argue for a family-centred as opposed to a child-centred social policy. It is rather to say that the challenges facing children and youth must be seen in a wider focus.

The challenges facing children and youth must be seen to affect all departments of government and,

conversely, we must see that decisions of all government departments affect children and youth, either directly or indirectly. Solutions to the challenges facing children and youth must be seen as coming from all departments of government.

Furthermore, the Committee is concerned that logistically the creation of a Child Ministry may be impossible, or at least impractical, given the relatively small size of the province's civil service. By this, the Committee means that there are many areas where one person is responsible for both child and adult healthcare or social services. The rhetorical question then is how could government divide that civil servant into two?

It seems contrary to Committee members, therefore, to isolate the needs of children and youth into a

single ministry. It is the fear of the Committee that issues affecting children and youth would be "marginalized" into a junior ministry. The goal of government, however, should be to educate and involve all departments and levels of government in designing and implementing appropriate social programs and policy.

The Committee has also examined the idea that a more responsive and integrated social policy could be created by bringing together the Departments of Health and Social Services into one single Department of Health and Human Services. Once again, the Committee recommends against taking this step without first instituting an interim step. The Committee recommends against the immediate consolidation for the following reasons.

First, the creation of a "super-department" would not lead to a recognition by all departments that their

decisions and policies can and do affect children, youth and their families.

Integration of services and a community responsive social policy could be limited to the new “super department.”

Second, there is no guarantee that this new “super-department” would establish mechanisms for real, ongoing community input. The input the Committee seeks would ensure input into public policy making and program implementation at both the community and provincial level.

The second point deserves expanded comment. The Department of Health through its initiatives over the past number of years has reached out and included community in the development and implementation of healthcare in this province. The policy development and program implementation structures of the Health Department are more separate than in the Social Services Department. In Social Services, the

Department is directly responsible for both policy development and program implementation.

In a brief submitted to the Committee by the Community Services Council, the Council argued that the Department of Social Services should develop a structure similar to that of the Community Health Boards. The Department’s role would then be limited, for the most part, to policy issues. The Community Boards would be responsible for implementing programs (Community Services Council, 17-18).

The Committee is not opposed to this idea nor to the idea of a “super-department,” but we feel very strongly that an interim step is required. This step would ensure that any integration at the community and provincial level also includes a means for public input that will be given real consideration. Additionally, the Committee feels a new mechanism within government (with a



“sunset clause”) is needed to ensure that all departments dealing with children, youth and their families have prevention-oriented programs and results-oriented bureaucracies.

It is to this end that the Committee has decided to recommend the creation of a central agency within the structure of government to effect change. **A CHILD, YOUTH AND FAMILY SECRETARIAT**, in conjunction with **AN OFFICE OF A CHILD AND YOUTH ADVOCATE**, offers a real chance to address systemic and long term problems with the structure and delivery of social policy.

The Committee recommends that as part of its mandate, the Secretariat be given responsibility for analysing the possible benefits and disadvantages of combining the Departments of Health and Social Services into one “super-department. The Secretariat should be instructed to carry out this review within the first year and a half of its mandate.

Before beginning a discussion of the mandate and workings of the Secretariat, it will be helpful to outline the traditional definition and role of a central agency. Timothy Plumptree in his book *Beyond the Bottom Line* offers the following description:

Central agencies are the units of government most closely associated with Cabinet as a collective institution.

Outside the circle of central agencies lies a larger cluster of organizations sometimes referred to as operating, or line, departments.

(Plumptree, 65)

Unlike traditional line departments of government, for example Health or Municipal and Provincial Affairs, central agencies have been relieved of the “burden of public administration” in that they do not deliver services and programs to the general public. Rather they work within government to improve the overall performance of government

departments. (Campbell and Szablowski, 28).

Central agencies such as Executive Council and Treasury Board are, therefore, given significant influence and power. Since power is a zero-sum game, this requires the weakening of the power and control of individual line departments over their “internal” affairs. (Campbell and Szablowski, 8).

This is where the Committee envisions the Child, Youth and Family Secretariat differing in its role as a central agency. Political scientist Kenneth Kernaghan has argued that the growing power of central agencies has led to two things. First, departmental accountability to central agencies based upon an “adherence to rules and procedure,” not results. Second, the resulting centralization has, in part, led to a movement to decentralize power away from the centre and back to the line departments (Kernaghan, 557).

What the Committee recommends as the role for the Secretariat is exactly the opposite to instituting more or even keeping existing rules and procedures. It is exactly the opposite to the goals of this Committee to create a new central agency to bring more power to the centre at the expense of community and front-line workers.

In the following pages, the Committee will draw an outline of a secretariat with a mandate to empower community and front-line workers and to move from a process-oriented bureaucracy to a results-oriented one. The Committee envisions creating a central agency that has continual input from and into the community. This Secretariat will help to develop social policy that reflects the goals and aspirations of individual communities.

#### **MANDATE**

During the public consultations, presenters made it quite clear that

increased cooperation and collaboration between and amongst government departments and agencies was of paramount importance. The Newfoundland and Labrador Association of Superintendents of Education recommended the creation of an agency that would “. . . operate as an arm of the Premier to identify problems and issues as they relate to children.” (Transcript No.10, 9).

The Central Newfoundland Mental Health Advisory Committee recommended the creation of regional mental health agencies to work toward and to measure “. . . the outcome benefits of a collaborative action, single entry service delivery approach to mental health issues and children.” (Central Newfoundland Mental Health Advisory Committee, 12).

Their goal was to change government’s and society’s “way of doing” and to make service delivery more “. . . client

centred, locally accessible and administratively lean” (Ibid, 14).

Through the creation of a Child, Youth and Family Secretariat, on a provincial basis, the Committee is endeavouring to provide a powerful and cost effective means of reaching this goal.

In her submission, Lieutenant Connie Snow of the Royal Newfoundland Constabulary said, that while some progress had been made toward inter-agency cooperation, she felt that “. . . from a government perspective we would like to see a little more leadership and a little more direction” (Transcript No. 10, 17). The Secretariat will provide that leadership.

The Secretariat would have a mandate composed of three distinct sections. First, it would examine, and make recommendations to government on, the viability and advisability of creating a single Department of Health and Human Services. Second, it would work to

improve coordination and integration of the services offered by government that affect children, youth, their families and communities. Third, the Secretariat would take the lead role for government in identifying which programs and services should be carried out by government and which by the private and/or nonprofit sector.

As part of this mandate, the Secretariat would identify program and service efficiencies, through a zero-based budgeting process and cost-effectiveness analysis. In so doing, the Secretariat would work to expedite the transition from a crisis-oriented to a prevention-oriented social policy stance and to a results-oriented civil service. The Secretariat would oversee departments making such changes to ensure compliance.

This Secretariat in no way is intended to serve as an advisory body within

government and for its departments.

The mandate requires that it be granted significant powers to effect change, over the objections of individual line departments if need be.

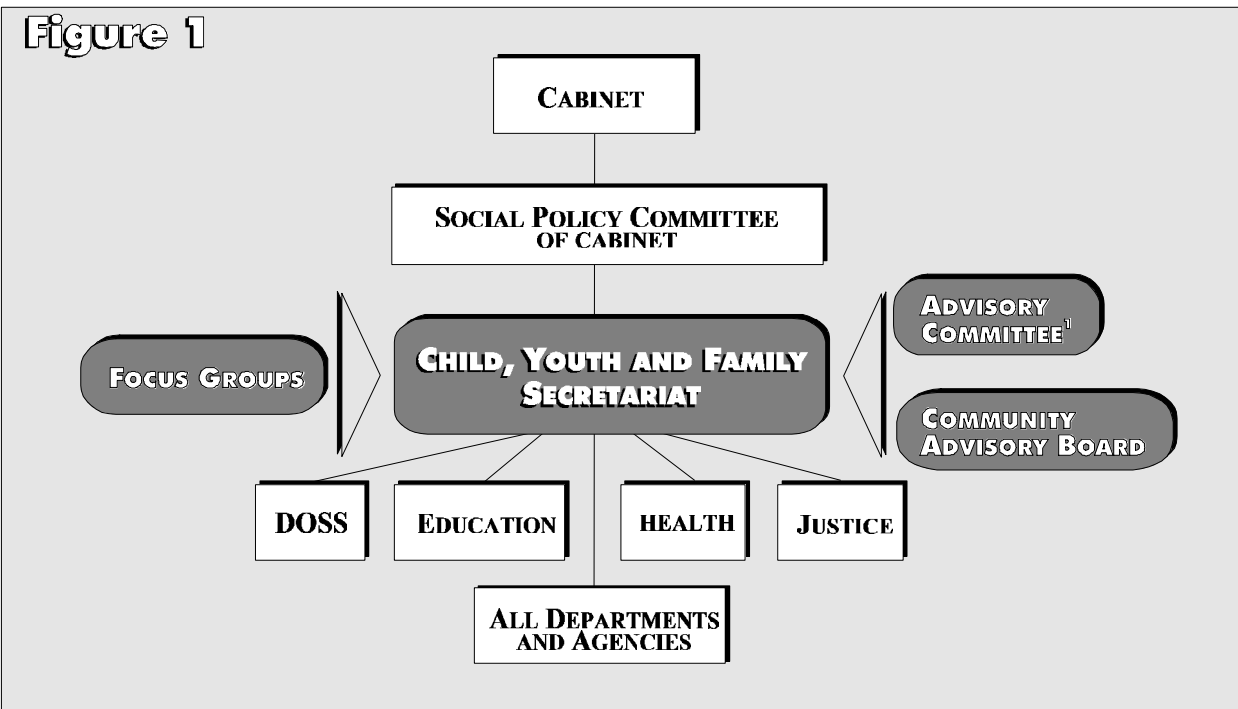
The powers granted to it would be both formal and informal in nature. A major source of the Secretariat's ability to effect change would come from its ability to recommend directly to Cabinet, independent of any other line department or central agency, changes in policies, programs, legislation and government structures/departments. Furthermore, the Secretariat would be given oversight responsibility to ensure that any changes approved by Cabinet are followed through by the government department and agencies affected.

The Departments of Health, Social Services, Education and Justice would be most directly affected by creation of

the Secretariat because they are the four departments most responsible for children and youth issues. However, the Secretariat's power and influence would not be limited to only those four departments. The policies of, for example, the Department of Works, Service and Transportation concerning road construction can affect children and youth. The Secretariat should quite legitimately

have the right to review any policies that may have a negative impact upon children and youth.

The timeframe or lifespan for the work of the Secretariat would be limited to between five and six years. This period of time, if combined with strong support from the Cabinet, should ensure that it can be an effective agent of change within government.



1. An Advisory Committee composed of the Deputy Ministers of Health, DOSS, Education and Justice

In summary then, the Secretariat would be mandated to:

- 1) recommend to Cabinet changes that will see a results-oriented bureaucracy;
- 2) recommend to Cabinet changes that will see an emphasis on prevention-oriented programs;
- 3) provide government with cost-effectiveness analysis in the area of social policy;
- 4) recommend departmental and program changes to Cabinet;
- 5) oversee all departmental and program changes approved by Cabinet;
- 6) facilitate the spending of federal and provincial social policy dollars to ensure maximum benefit;
- 7) institute mechanisms within social programs and government, generally, that will facilitate age appropriate input from children into decisions that affect them (Canadian Mental

Health Association) ;

- 8) evaluate which social policy area programs are better carried out by government and which by not-for-profit, non-governmental agencies; and
- 9) evaluate the advisability of creating a single Department of Health and Human Services.

**OBJECTIVE**

The main objective is to better coordinate and integrate the services offered by government that affect children, youth and their families.

The Secretariat would take a lead role within government, in determining the role and limit of government action and those roles best carried out by non-governmental agencies.

The major objective would be to facilitate a better integration of services between the four line departments that

deal most with children, youth and families: Health, Education, Justice, and Social Services.

As a means of facilitating this integration and realignment of responsibilities, the Committee recommends the creation of a vetting process for new and existing legislation and programs. The **Family Policy Grid**, as put forward by the Premier's Council on Alberta Families, and the **Child Impact Statement**, as put forward by Rosenbaum and Newell in Taking Children Seriously: A Proposal for a Children's Rights Commissioner, are two examples of frameworks that can assist government in examining its approach to child, youth and family issues.

Both the Family Policy Grid and the Child Impact Statements establish frameworks through which all pertinent government policies, programs and legislation would be "sifted" to ensure

that they do not negatively impact upon children, youth and families. The Secretariat, at its discretion, would direct the review by line departments of legislation and programs affecting children, youth and their families using a vetting process such as the Grid or the Statements.

Whether employing the Grid or the Statements, there would be specific time frames involved for detailed responses from the departments to the issues raised by the Secretariat. After the exchange between the Secretariat and a department, the final decision would, quite rightly, rest with the Cabinet.

### **REPORTING STRUCTURE**

The Secretariat should be a separate central agency within government. Nominally, it may be a part of Executive Council for administrative purposes.



The Committee feels that for the public to have confidence that it can and will carry out this important mandate of renewal and reform, the Secretariat needs to be seen to be separate from the existing structures of government.

The Secretariat is a new type of central agency for government and the ministerial responsibility structure should reflect its philosophy of integration and cooperation. Therefore, no single minister should be responsible for its operation to the exclusion of the other key ministers with responsibility for children and youth. It is the Committee's contention that four ministers should be jointly responsible to the House of Assembly for the actions of the Secretariat: namely the Ministers of Health, Education, Social Services and Justice.

The Secretariat would report to Cabinet through the Social Policy Committee of Cabinet. Cabinet papers would be

drafted in the name of the four Ministers and the Ministers, jointly, would bring initiatives forward to Cabinet.

### **COMMUNITY INPUT**

One of the primary reasons the Secretariat would be a new type of central agency is its mandate to facilitate public input into the decision-making process at both the community and provincial level. Through a **Volunteer Community Advisory Board** and **Focus Groups**, the Secretariat would be linked to the ideas and aspirations of individuals and communities. The Committee advocates community participation on all ad-hoc or inter-sectoral working groups established by the Secretariat to work on specific areas of child and youth policies. [Figure 1 on page 41].

The Secretariat would define a social policy for this province that makes communities, families and individuals

part of the solution to the challenges which confront them. It runs counter to this argument if there is no means of soliciting public input on an ongoing basis.

**The Volunteer Community Advisory Board** should include among its number youth representatives. The membership of the Board should reflect a wide spectrum of individuals from all age groups who are recognized as community leaders in the area of social policy. The Board positions should be selected by the Ministers of Health, Social Services, Education and Justice after an open nomination process.

The Volunteer Community Advisory Board should meet at least six times a year. Board members would be reimbursed for all reasonable travel expenses, but there should be no personal remuneration. In addition, to the regular meetings, board members would be expected to be available to the

Secretariat staff on an ongoing basis to provide input and suggestions.

During the public consultation, the Committee heard from community activists who just wanted to have input into the solutions government offers to the challenges that confront their communities. They saw no need for personal remuneration; so neither does the Committee.

The other form of public input would be **Focus Groups** organized and carried out by Secretariat staff. These sessions would take place in different regions of the province, but primarily when Secretariat staff would be travelling to a particular area. It is envisioned, therefore, that these sessions would cost little, but would be done on an ongoing basis.

**CIVIL SERVICE INPUT**

It is important to also permit meaningful input into the work of the Secretariat by

the provincial civil service. Again, this would follow a structure similar to that for community input.

First, an advisory committee of the Deputy Ministers of Health, Education, Social Services and Justice would be established to facilitate the work of the Secretariat. Second, Focus Groups would be conducted with front-line civil servants on an ongoing basis similar to those conducted with the general public. Once again these advisory mechanisms would be low in cost.

### **PERSONNEL**

The Secretariat's staff would be small. The Committee sees a staff complement of no more than fifteen to twenty people at any one time, although personnel may change over the life of the Secretariat.

An Assistant Deputy Minister would head the Secretariat seconded from within government. He or she would

then in turn second personnel from the Departments of Health, Education, Social Services, Justice and Finance & Treasury Board. The Secretariat could second staff from other government departments and agencies as required.

The Committee sees a need to have a mix of personnel brought into the Secretariat both from within and from outside of government. Where possible expertise should be found through secondments from within government, but there should be no hesitation to hire additional personnel, on a contract basis, from outside of government as required. This action should enable the costs associated with running the Secretariat to remain as expenditure neutral as possible.

Second, the Assistant Deputy Minister would, with the consent of Cabinet, have the power to second whomever he or she chooses from any government department. The choice of whom to

second should not be given to the Deputy Minister of the line department. No department could refuse a secondment to the Secretariat.

### **FINANCIAL IMPLICATIONS**

Money is always a concern both in the sense of the money required to run the Secretariat and the money required to carry out the reforms mandated by it.

The Committee was concerned from the beginning that any recommendations for new structures of governance carry the smallest “price tag” possible. ***The Committee feels strongly that new monies are needed to help nurture and support our children and youth, but members did not want to see these new monies going to create yet another government agency when it could be better used on the enhancement of programs for children, youth and families.***

First, in the area of staffing, the Committee has recommended a structure that will require little new money. The secondment of existing personnel (both full-time and part-time secondments) without replacement in their existing departments would incur no additional costs. Any costs associated with staffing the Secretariat would be incurred when the required expertise is not available within government and additional personnel from outside of government have to be retained.

Earlier, it was noted that Committee members were impressed with the comments and ideas expressed by many of the civil servants currently employed by the province. The Committee, therefore, sees only small numbers of personnel, on an ad-hoc basis, having to be brought in from outside of government.

Second, with respect to the advisory bodies, the only one with any appreciable cost is the Volunteer Community Advisory Board. The Board which will meet six times a year will demand the expenditure of new monies in order to ensure that board members come from outside the Avalon peninsula. The two types of focus groups and the Deputy Minister Advisory Board should cost little, if any, new money.

Third, the actual money required to effect the change to prevention-oriented programs and a results-oriented bureaucracy can be done by using existing money. The Secretariat will have the power, independent of any other department or agency within government, save the Cabinet, to effect change in policies, programs, legislation and government structure/departments. The Secretariat should and must be staffed with the brightest and best people within and outside of

government; people in whom both the Premier and Cabinet and the general public have unequalled confidence.

The Committee wishes to be quite clear that neither monies nor programs will be removed from the departments and handled directly by the Secretariat. The Secretariat will identify programs, structures and service delivery mechanisms that require change and with the consent of Cabinet oversee implementation of the changes by the affected department or departments.

Some presenters to the public hearings argued that change can be made by bringing together all affected parties and through goodwill reach the proper decision. The Committee feels, however, that the Secretariat needs both a “carrot” and a “stick” if it is to make the changes necessary within the five to six-year lifespan.

**LEGISLATIVE FRAMEWORK**

The Secretariat's power would come from a combination of legal power (legislative or cabinet directive) and informal power (Cabinet commitment to its mandate).

First, with respect to formal power, the Committee strongly favours the concept that the Secretariat be created by statute. The Act Respecting the Executive Council grants to the Premier the right to create departments or secretariats without placing appropriate legislation before the House. The Committee recommends that the Premier not exercise this power, but rather create the Secretariat through legislative enactment. There are four reasons for the Committee recommending that this course of action be followed.

First, the legislation should clearly state the goals and objectives of the Secretariat and grant to it the significant

powers it needs to carry out its mandate. Second, Committee members feel that it is important that a "sunset" clause be written into the legislation. The Secretariat should be given a clearly defined period of time to accomplish its work: five to six years.

It is not the Committee's wish to create another permanent bureaucratic structure within government. The specific time frame with significant powers and Cabinet commitment should provide government with an internal mechanism to effect necessary changes without building another "empire."

Third, the legislation should also direct the Secretariat to issue a final public report summarizing its work. Fourth, the legislation should require the Secretariat to recommend any future structure(s) that would replace it.

The second source of power and influence is informal power. The

commitment of the Premier and Cabinet to the goals of the Secretariat is of FUNDAMENTAL importance to its success.

A proper legislative framework is necessary, but far from sufficient if change is to occur. The members of Cabinet must commit themselves to the goals of the Secretariat if it is to succeed.

**INTERPROVINCIAL COOPERATION**

It is important that this province work closely with other jurisdictions, especially in this country, to learn from their attempts to reform social policy. Other provinces have and are continuing to move toward pro-active and community-empowerment social policy stances. This province can learn from them. Much of what you have read in the preceding pages concerning the Secretariat is closely modelled after the Manitoba experience.

There is, however, one very significant difference. In the Manitoba model, Cabinet has given the Secretariat control over 2% of the budgets of the four “child” departments -- Social Service, Justice, Education and Health. The reason for granting this control is to expedite integration of services and cooperation among departments.

The Committee recommends that government first attempt to structure and empower the Secretariat as has been outlined. If the move toward integration and cooperation between and among departments and agencies does not proceed efficiently, however, then the Committee recommends that government reposition and reinvigorate the Secretariat by granting it control of up to 2% of the budgets of the four “child” departments.

There is no doubt that this way of reforming social policy is somewhat novel in Canada, but it is not

revolutionary. The Committee sees great worth in adopting this model in Newfoundland and Labrador. It is very low cost and because this province's Secretariat can work with Manitoba, it can learn from their experience.

### **AN OFFICE OF A CHILD AND YOUTH ADVOCATE**

The Committee envisions the Secretariat working together with a Child and Youth Advocate to effect change. In this regard, the Committee is recommending a system that differs significantly from the one in Manitoba or for that matter anywhere else in Canada.

The Committee feels that the Secretariat should reflect the fact that family is usually the most natural and nurturing place for a child. The Advocate, however, should balance this with the fact that for many children this

is simply not so. The Advocate should unapologetically be an advocate for the rights of the child or youth as an individual who deserves respect from his or her family and government.

The lack of an effective mechanism to represent the interests of children is one the Committee heard from many of the presenters at the public consultations. Trudy White of the Straits Area Child Protection Team summarized the feeling of the many presenters who are strongly in favour of the creation of an independent Children's Advocate.

**Children do need someone to speak up for them, they are too scared to speak up sometimes . . . [an Advocate] who has the responsibility and are specifically dealing with children's issues and can focus their time on something like that. I think it would be great if we had someone."**

(Transcript No.10, 11)



Presenters criticized the lack both of input into the formulation of new government policy and programs and into existing programs. Through the creation of the Advocate's Office, the Committee hopes to provide a permanent mechanism for ongoing public input. After all, it is only through continuing input that government can move to a truly evolutionary social policy stance.

Since the establishment of the first children's advocate or ombudsman in Norway in 1981, there has been a growing awareness that the rights and views of children and youth are, at best, under-represented by our present governmental structures. Rosenbaum and Newell summarize this movement as follows:

There has been an international trend towards:

- a) recognizing the lack of input from a children's perspective into many

- decisions which affect them: and
- b) consequently the creation of institutions to promote children's interests and rights (at national or local levels) with the following important characteristics:
  - i) the institution is established by a public authority and has some sort of official status;
  - ii) it is substantially if not completely independent in actions and attitudes;
  - iii) it has a wide-ranging remit across different policy areas.

(Rosenbaum & Newell, 44)

In Canada there are currently six provincial children's advocates as well as one municipal advocate (City of Vancouver). The mandate and structure of these offices differ greatly from province to province. (See Appendix G).

A brief outline of how the offices differ both in structure and mandate is offered below. There is a wide divergence in their organization and legislated responsibilities. The

Children and Youth Advocate's office that this Committee is recommending is one with independence, but one tailored to the financial position and democratic traditions of this province.

### **Childrens' Advocates of Canada & Their Powers**

- |    |                  |    |         |    |              |
|----|------------------|----|---------|----|--------------|
| 1) | British Columbia | 2) | Alberta | 3) | Saskatchewan |
| 4) | Manitoba         | 5) | Ontario | 6) | Quebec       |

**1) Nomination of the Advocate**

- ◆ by the Legislature OR by the Cabinet

**2) Term of Office**

- ◆ "at pleasure" OR specific term

**3) Reporting Structure**

- ◆ to the Legislature OR Minister of a line Department

**4) Mandate/Powers**

- ◆ all or most departments of government
- ◆ limited to Child Welfare only

**5) Powers within Legal system**

- ◆ Some Provincial Advocates have the power to appoint advocates in Court cases involving children and others do not.

**6) Structure**

- ◆ One central office OR regional office structure

**7) Budget**

- ◆ Quebec \$ 3,200,000
- ◆ Manitoba \$ 300,000

**MANDATE**

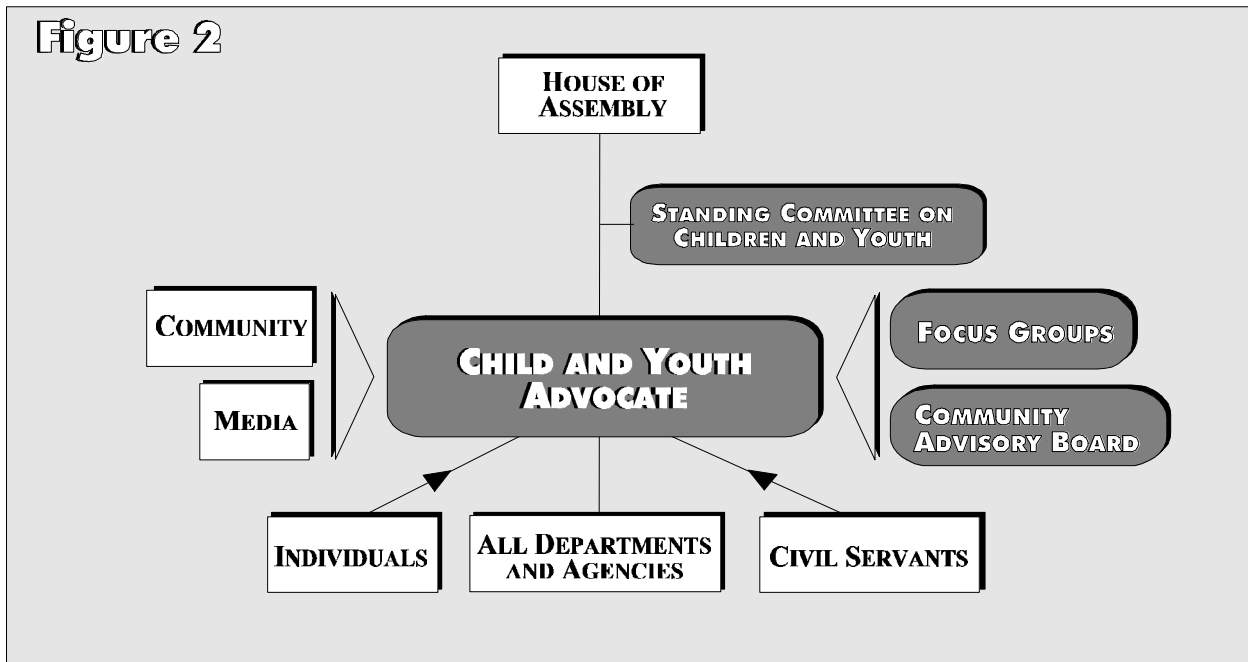
The Committee recommends creating an Advocate’s Office with the following components in its mandate:

- 1) An Independent Office;
- 2) A Government-Wide Mandate;
- 3) A “Systems” Advocate
- 4) A Research Office;
- 5) A Provincial Clearing House;
- 6) A “Pendulum” Monitor.

The Committee recommends that the Advocate report to the legislature as opposed to Cabinet through a line minister. This reporting structure would be very much similar to that of the Auditor General. The organizational chart below illustrates the relationship the Advocate will have within government and with individuals and communities.

The Advocate’s mandate should

comment upon the operations,



empower the Office to review and

programs and mandate of all provincial

government departments and agencies.

Additionally, he or she should be granted the right to comment upon the approach of municipal governments toward children and youth.

The Committee **strongly recommends** that government not limit the Advocate to a role within government for the following two reasons. First, the Child, youth and Family Secretariat will already fulfil the role of agent of change within government. An “in-house” advocate would then be limited to being a poor echo of the efforts of the Secretariat.

Second, the Committee envisions the Advocate acting as a guide for government and society to help us see the larger picture. In more colloquial terms, the Advocate will help us “to see the forest for the trees.” An “in-house” Advocate with a severely restricted mandate could not play this role.

### **Child Impact Statements**

In the earlier section dealing with the Secretariat, the idea of **Child Impact Statements** was discussed. The Committee recommends that the Advocate be granted the right to request a Child Impact Statement from any government department or agency, or any municipal government.

The Committee envisions the Statements performing a dual function. First, they provide a mechanism for ongoing input into the operations of government, thereby facilitating evolutionary change in social policy. Second, the Statements and the Advocate’s conclusions based upon the response of the departments would provide useful data for the Advocate’s Special and Annual Reports.

As an independent officer reporting to the legislature, the Advocate should be granted similar rights, privileges and

responsibilities as the Auditor General. However, where the Auditor General's Act specifically prohibits him or her from commenting upon the policies of government, the Committee strongly recommends that the Advocate be granted such power.

It is important that the Advocate be permitted to comment not just on how monies are spent in areas that affect children and youth, but on whether the policies of government are the most appropriate. Without a right to comment on policy direction and choices, the Advocate would be greatly inhibited in fulfilling a meaningful role for government. By commenting on policy, the Advocate will assist government to see better ways of addressing the challenges facing children and youth.

"Systems" Advocacy

One of the other key questions that must be addressed is the role the

Advocate should play with respect to "case" versus "systems" advocacy.

*Case advocacy* is advocacy on behalf of an individual child or youth while *systems advocacy* uses specific cases and/or research to press for changes in the programs and legislation of government.

The Committee recommends that government create primarily a systems advocate, but one with access to the type of information one can only get from case advocacy . One of the Committee's concerns is the cost associated with creating this new office. Members were concerned that any money used to create this new office would have to be taken away from monies that could be used to provide other needed programs.

The physical size of the province would require a central office and several regional offices and would cost in

excess of \$1,000,000 per year to operate. This cost factor alone is one reason the Committee is not recommending this model.

A second reason the Committee is not recommending a case advocacy model is the nature of our representative democracy and the role of the M.H.A. As members of the House of Assembly, Committee members speak with some authority on this issue.

The role and responsibility of a member of the Newfoundland House of Assembly differs greatly from that of any other legislator in this country. The local M.H.A. is expected to fill the role of advocate not only for his or her district, but also for each constituent in any dealings they may have with government. The people of this province naturally turn to their M.H.A. in times of trouble to a level and extent unheard of in any other province.

The Committee, therefore, envisions a close working relationship between the House and the Advocate through the creation of a **House of Assembly Standing Committee on Children and Youth** to facilitate the exchange of information between the Advocate and members of the House. A flow of information concerning individual cases that may suggest larger systemic problems within government could therefore flow to the Advocate.

The Committee is cognisant of the fact that this is not a perfect system. Ideally, we, as a society, should fund an Advocate's Office to conduct individual advocacy. It is the opinion of the Committee that this province simply cannot afford to reallocate from existing and future programs, the resources necessary to fund such an office right now.

It is the Committee's hope that by facilitating a working relationship

between the case advocacy carried out by M.H.A.s and the systems advocacy of the Advocate, an effective albeit imperfect system will be pieced together. With this said, however, the Committee realizes that this relationship between M.H.A.s and the people of this province is far from a fail-safe system for promoting and protecting the interests of children and youth.

This relationship did not work as a mechanism for responding to the suffering of children at the Mount Cashel orphanage during the 1970's. It did not help alleviate the suffering of some of the young people with whom the Committee spoke during in camera sessions for children who were or currently are in the care of the Director of Child Welfare. Nor did it help to alleviate the suffering of one of the presenters to the public consultations, Cynthia Whitshire. Ms. Whitshire suffered years of abuse at the hands of her foster parents and her appeals for

help to government went unheard. (Transcript No. 34, 22-24).

The Committee, therefore, recommends that the following safeguard protocols be established:

- 1) the Advocate accept individual requests for assistance, but be empowered to act upon only those cases determined, in his or her professional judgement, to be of sufficient importance to require individual advocacy;
- 2) that legislation affecting children in closed custody or otherwise in care of the state, be amended to ensure that government officials are required to make these children aware of their right to appeal to the Advocate for assistance;
- 3) the Advocate be mandated to carry out an ongoing public awareness campaign: a campaign designed to inform the public and especially children

- and youth of the role and mandate of the Advocate; and
- 4) the Advocate provide means for young people to contact the Advocate's Office (e.g., A well-publicized 1-800 number)

#### Research Office

The fourth component of the Advocate's mandate is to act as a Research Office.

The Advocate should:

- 1) commission research into given areas affecting children and youth;
- 2) monitor ongoing research and publications both academic and governmental and tailor them to the Newfoundland context; and
- 3) monitor departments and agencies of government to ensure that they are not commissioning research that duplicates already existing research (O'Sullivan, 2)

#### Provincial Clearing House

During the public consultations, many presenters told the Committee of the important work conducted by the now defunct Working Group on Child Sexual Abuse. The Working Group helped to coordinate the work of many governmental and non-governmental agencies across Newfoundland and Labrador.

The Working Group, presenters said, played an important role as a clearing house for information about approaches and programs on sexual abuse in other parts of the world. As well, it helped facilitate an information flow among communities in this province.

The Committee recommends that the Advocate play this role not just with respect to child sexual abuse issues, but across all issues affecting children and youth. In fulfilling this part of the mandate, the Advocate would also assist communities in identifying and fostering the development of their own



local natural advocates.

Within this part of the mandate, the Advocate's office would also have responsibility for assisting non-governmental organizations (NGOs) in obtaining access to funding from private foundations. The task of determining which foundations an NGO should approach for funding and of preparing the actual submission is well beyond the capacity of many NGOs. The Committee is not recommending that the Advocate's office should be given the responsibility of applying for grants on behalf of NGOs. Rather, the role of the Advocate should be limited to that of a facilitator, helping NGO's identify and then apply to foundations from across Canada and around the world.

#### A "Pendulum" Monitor

This may be the most important responsibility of the Advocate over the long term. The attitude, conventional wisdom and academic thought of today

is very much biased toward community-based, results-oriented and responsive social policy.

This move toward community empowerment and results-oriented social policy will, in the future, lead society to question if there is not enough central control: to question if everyone is getting similar treatment from government in similar situations. In short, the "pendulum" will, in all likelihood, move too far toward an *overly* responsive social policy that may lack central focus.

This type of question arose during the public hearings with respect to the current education reform initiated by the Williams Royal Commission. Teachers from Sacred Heart Elementary School in Marystown raised the issue of whether the current emphasis on mathematics and sciences would actually hurt the growth and academic achievement of children and youth.

Carol Myers, a primary resource teacher at Sacred Heart, highlighted a theory put forward by Howard Gardiner in his book: The Theory of Multiple Intelligence. His theory “. . . basically proclaims that we all have particular talents that just need to be tapped. And unfortunately, the way I see reform happening, we’re focusing heavily on maths and sciences -- and I’m not saying that’s not important -- but I think we need balance.” (Transcript No. 7, 10).

The Canadian Music Educators Association was much stronger in its criticisms of the current educational reforms. Dr. Brian Roberts argued that reforms are “. . . making the (educational) situation worse rather than better, and the preoccupation with mathematics and sciences, in the curriculum reform is misguided.” (Transcript No. 10, 1).

Dr. Roberts presented evidence that a strong component within the curriculum

not just for music, but for the arts, in general, will lead to a better educated, more intellectually stimulated and more employable populace: the very goals of the current education reform initiative.

Would it not then be more productive if we, as a society, could moderate the swinging of the policy “pendulum” before it goes too far to one extreme or the other? Would it have been better if society could have found a means of addressing the debilitating parts of the unemployment system before it created a cycle of dependency for generations of our people? Would it not be better for our future if government and society could stop the educational “pendulum” from travelling too far into a total concentration on the “three R’s” at the expense of looking at the “whole” child? (Canadian Music Educators Association).

The Committee recommends that the Advocate be mandated to serve as a

self-correcting mechanism for government. The Advocate should help government and society from travelling too far into the extremes for too long a period of time. In short, the Advocate should be empowered to help adjust the swing of the social and fiscal policy “pendulum.”

The Advocate should be responsible for assisting government to see the ways and means of spending its resources more wisely and using its employees more productively. Quite simple to say, but how can it be made to work -- and work effectively.

**OBJECTIVE**

The objective for the Advocate’s office is twofold. First, he or she must provide constructive advocacy that will help government and society see a larger vision of how to improve social policy. The Advocate must help us to see social policy as something that is in a continual state of evolution. Second, if

the mandate is to be fulfilled then the Advocate must be independent of the Executive level of government and must be seen to be so. In a very real sense these two objectives can and will at times be contradictory.

**The Advocate must be seen as a useful instrument of governance by government while at the same time not appearing to be, or in fact to be, an instrument of the government.**

Constructive advocacy places a certain expectation and responsibility on the incumbent. Criticizing government for not eradicating child poverty or hunger without identifying legitimate solutions is simply not useful in the long-term for achieving this goal. It is simply not good enough for the Advocate to say that government should spend millions of dollars on some area affecting children and youth without identifying where this money will come from and supplying a cost analysis.

In Act V, scene v of MacBeth, Shakespeare has MacBeth verbally strike out against life and its injustices:

**Life's but a walking shadow, a poor player  
That struts and frets his hour upon the stage,  
And then is heard no more; it is a tale  
Told by an idiot, full of sound and fury,  
Signifying nothing.**

(MacBeth, V.v.)

This quotation concerning life is instructive of the type of role the Committee seeks for the Advocate.

An Advocate who simply strikes out at issues affecting children and youth without a plan for addressing them will quickly marginalize himself or herself in the eyes of government, the media and society, in general. It is important that the Advocate position himself or herself as a sage advisor and repository of information and solutions rather than positioning himself or herself for the quick "sound bite." This will take a great deal of self control and discipline on the part of the Advocate given its second objective: an independent voice.

The Advocate, at the same time as providing constructive criticism to government, must not be seen by the public as an apologist for government. For example, if government moves toward a prevention-oriented and community-based social policy (as this Committee is recommending), Committee members would see the Advocate assisting government in explaining the benefits of this change in social policy. At the same time, the Advocate should criticize moves by government that, in the Advocate's opinion, are not of benefit. It is very much a high-wire act.

Later in this section, the Committee will address in greater detail the question of staffing the Advocate's office, but it is important to note here the demands that will be placed upon the Advocate. The Advocate will require considerable diplomatic skills to avoid marginalization. Government must not come to view the Advocate as

something “full of sound and fury signifying nothing.” The public must, at the same time, retain trust in the Advocate as a defender of the rights and concerns of children and youth.

### **REPORTING STRUCTURE**

As noted earlier, the Committee recommends that the Advocate’s Office report directly to the House of Assembly. The Advocate would be an officer of the House in a manner similar to that of the Auditor General.

The organizational chart on page 54 illustrates the relationship the Advocate will have with the House, government departments, civil servants, the general public and the media.

In order to facilitate the work of the Advocate, the Committee recommends the creation of a **Standing Committee of the House of Assembly on**

**Children and Youth.** A five-member Committee structured and empowered in accordance with parliamentary tradition and the Standing Orders of the House of Assembly would oversee the work of the Advocate. The Standing Committee would also provide a means for ensuring a level of case advocacy input to the work of the Advocate.

The legislation creating the office of the Advocate would require the Advocate to table an annual report to the House of Assembly. As well, the legislation should permit the Advocate to table special reports to the House throughout the year. Special reports would permit the Advocate to have input into the system of governance when he or she deems it necessary and not just on a yearly basis.

### **COMMUNITY INPUT**

The Committee views ongoing input from the people of Newfoundland and

Labrador as a crucial and necessary component for effecting an evolutionary and responsive social policy stance.

The means the Committee is recommending to facilitate community input mirrors those outlined for the Secretariat: namely, a **Volunteer Community Advisory Board** and **Focus Groups**.

The **Volunteer Community Advisory Board** would consist of six members. Members of the Board would be appointed by the Advocate after an open process soliciting nominations from across this province. Board members would be appointed for four year terms with half the Board being appointed every two years. (The inaugural Board would have half the members appointed for a four year term;

the other half would be appointed for a two-year term).

The Board should meet six times a year, but Board members would be expected to actively participate in the work of the Advocate's office throughout the year. The members of the Board would not receive remuneration for their services. Members would be reimbursed for travel expenses to attend meetings, but the Committee recommends that the Community Advisory Board be volunteer based.

Once again, the Committee recommends that the Board include a mix of community leaders and activists, and young people. Individuals who are members of the Secretariat's Community Advisory Board would be ineligible for appointment to the Advocate's Board and vice versa.

The other avenue for public input would be **Focus Groups**. These groups

would provide a means of soliciting input from different groups of individuals on an ongoing basis. The Focus Groups would be organized and facilitated by the Advocate and his or her staff.

As was the case for the Secretariat's Focus Groups, these sessions would take place in different regions of the province. Where possible, the focus groups would only occur when the Advocate and his or her staff would be travelling to a specific area of the province. The costs associated with providing this form as a means for public input would, therefore, be negligible.

### **CIVIL SERVICE INPUT**

The Committee feels that it is important to permit input from civil servants to the Advocate's office. As the Committee found out during its in camera sessions, civil servants have many useful suggestions of how to reform the system

in which they work.

The question then becomes how do you facilitate this necessary input without damaging the internal reporting structures within each government department?

The Committee recommends that the legislation enacted to create an Advocate's Office exempt the Advocate from having to disclose information under the Freedom of Information Act. This would provide a means for civil servants to privately inform the Advocate of their concerns and ideas without having to establish an elaborate structure that might be seen to undermine ministerial accountability.

### **PERSONNEL**

The Committee recommends the creation of a small permanent staff to carry out the work of the Advocate's Office. If, in the years to come, it is decided the scope and responsibilities

of the Office should be expanded (e.g., case advocacy) the mandate can be redefined and additional staff hired.

At this time, the Committee recommends that the staff complement be limited to the Advocate and four permanent positions:

- 1) Deputy Advocate,
- 2) Community/Public Relations Officer,
- 3) Computer Programmer
- 4) Secretary/Receptionist/ Intake Person.

In addition to the permanent staff, the Advocate's Office should conduct research and data analysis by awarding research grants to university students and other qualified professionals as required. By structuring the staff component in this manner, it will give the Advocate the necessary research capability while at the same time provide valuable work experience for these students and professionals.

#### Appointment of the Advocate

The appointment of the Advocate should reflect his or her position as an officer of the House of Assembly. The Committee recommends that Cabinet, through the Public Service Commission, solicit nominations from the people of the province. After careful consideration, Cabinet would then recommend to the House an individual for appointment to the position of Child and Youth Advocate.

The nomination of the Child and Youth Advocate would be confirmed by a simple majority vote of the House of Assembly.

#### Term of Office

The Advocate should hold office for a five-year term. He or she should be eligible for reappointment for one additional term of five years. The Committee feels that the position of Advocate should not be viewed as a



life-long or “career” position.

Another question that must be addressed is that of political and bureaucratic neutrality. The Advocate must be and must appear to be a nonpartisan officer of the House and of the people. The Committee **very strongly** recommends that any current or former provincial or federal politician be disqualified from holding the Office of Child and Youth Advocate for at least five (5) years after leaving elected politics.

The Committee, further, recommends that this same prohibition apply to all middle to senior management personnel from the provincial civil service (Regional Manager through Deputy Minister level). These measures should ensure, in the eyes of the public, that the Advocate has no vested interest in either a political party or the provincial civil service.

### **FINANCIAL IMPLICATIONS**

The Committee estimates, based upon an examination of other Canadian jurisdictions, that this type of Advocate’s Office based out of a single office in St. John’s will cost approximately \$400,000 per annum.

The salaries for the Advocate and the four other employees would cost approximately \$245,000 per annum. This cost is similar to offices such as the provincial Human Rights Commission.

More specifically, the salary of the *Child and Youth Advocate* should be equal to that of the Auditor General (a Deputy Minister’s designation). The *Deputy Advocate* should be remunerated at the Director level (HL-26).

The remainder of the staff complement should be compensated at the following levels. The *Community/Public Relations*

*Officer* at a Senior Policy Analyst level (GS-40), the *Computer Programmer* at a Computer Programmer/Analyst level (GS-36) and the *Secretary/Receptionist/Intake Person* at a Word Processing Equipment Operator II level (GS-20).

A breakdown of the proposed budget of \$400,000 for the Advocate's Office is provided below. This estimate reflects a fully staffed Advocate's office operating for a twelve-month period fulfilling all the tasks outlined in this section.

Salaries	\$245,000
Transportation/Communications	65,000
Purchased Services	5,000
Research Contracts	20,000
Supplies	15,000
Property and Equipment	15,000
Information Technology	35,000
<b>TOTAL</b>	<b>\$400,000</b>

The Committee believes that the expenditure of approximately \$400,000 is prudent based upon a total provincial budget in the range of \$3.4 billion dollars per annum. The Committee feels this is an expenditure the province can afford in order to give a voice to children and youth and to assist government in establishing a new and more responsive social policy.

Independent Research Fund

The Committee would also like to encourage the public to directly contribute to the work of the Advocate. In the legislation creating an Advocate's Office, provisions should be made to permit the Advocate to establish an Independent Research Fund that would be funded by contributions from private individuals and corporations.

Other jurisdictions receive the benefits of having either private or community foundations that provide needed and flexible funding to community agencies

and organizations. It is time that such a fund be established in this province.

This fund, over time, could give the Advocate the resources necessary to carry on extensive research. As well, the fund would provide “seed” money for pilot projects in the area of social policy. The Committee recommends that contributions to the fund be tax deductible.

The legislation creating the fund should quite clearly indicate that these funds are not part of the general funds of government. If the Advocate’s Office were to be abolished, the legislation should state unambiguously that the monies in the fund are to be disbursed to private, nonprofit organizations and not become part of the general revenues of government.

**LEGISLATIVE FRAMEWORK**

The Committee recommends that when drafting the legislation for this Office,

the drafters pay close attention to this province’s Auditor General’s Act and the Child, Youth and Family Advocacy Act of British Columbia. A copy of each Act is provided in Appendix H i) and ii), respectively. These two pieces of legislation provide a succinct, but future-directed, outlook for both Offices and will be very helpful in drafting the appropriate legislation for this province’s Advocate.

The Committee has mentioned throughout this section that it seeks to create an Advocate that is appropriate to the present fiscal and social policy position of this province. Committee members feel very strongly that government should not view the legislation creating this office as set in stone.

The Advocate in his or her annual report should be required to indicate any changes required to renew the mandate and to make the Office more

relevant to the people of this province. Committee members think especially here of the role of the Advocate as a 'case' advocate or of an extension of his or her role to include the power to appoint legal counsel for individual court cases in which a child or youth is a direct or indirect participant.

The Committee wishes to make one last recommendation concerning the legislative framework. It is imperative that the first Advocate be given sufficient time to establish his or her office. The Committee recommends, therefore, that there be a period of between three and four months from the date when the Act is proclaimed and when it comes into force. This recommendation is based upon input received from children's advocates in other provinces.

#### **INTERPROVINCIAL COOPERATION**

In an earlier subsection, the Committee noted that it views interprovincial

cooperation as crucial in helping the Advocate fulfill his or her mandate. The rationale is quite simple. The Advocate's Office that has been recommended is small and will probably be unable to carry out a large research function.

The Committee further views interprovincial and, indeed, international cooperation as important because Committee members see no reason why this province should "reinvent the wheel." Other provinces have and continue to carry out studies and pilot projects on a variety of issues affecting children.

A second reason for stressing the need for interprovincial cooperation, especially with other Advocate's Offices, stems from the fact that many issues affecting children and youth are not limited to local or provincial jurisdictions. Through joining together with the other six provincial advocates,

the Committee sees a cost-effective way of providing children and youth with a national voice.

The Committee wishes to acknowledge and thank the six provincial Child and Youth Advocates and the Advocate from the City of Vancouver for their input.

### **WORKING TOGETHER TO EFFECT CHANGE**

The preceding pages have provided a detailed examination of the two new government structures the Committee believes are required to effect change and to provide children and youth with an effective voice. But how does government go about bringing these two structures into existence? How will they work together? And what is the role for the Advocate in the long-term after the Secretariat has fulfilled its mandate?

First, how to move from this report to implementation? The Committee prefaces these comments simply with the observation that they are based upon the premise that government will accept the Committee's recommendations.

The Committee recommends that soon after the tabling of this report in the House of Assembly, government appoint a Commissioner. The Commissioner would be responsible for:

- 1) coordinating the drafting of the legislation necessary to create the Child, Youth & Family Secretariat and the Child & Youth Advocate;
- 2) preparing the process for the selection of the first Advocate; and
- 3) beginning the process of identifying the personnel who will staff the Secretariat.

The Commissioner should be mandated to have the necessary legislation ready for presentation to the House of Assembly for the Fall sitting of 1996. This time frame is a realistic considering that existing legislation from other jurisdictions can be used in the drafting process.

The Committee would envision the House considering and passing the necessary legislation during the Fall session. The Secretariat would begin its work immediately with the Advocate beginning its mandate in May or June 1997. The Office of the Advocate would only become fully operational beginning in the Fall of 1997. At the end of this section, a more concise and readable Implementation Flow Chart is provided.

The Committee feels the timetable set out here is prudent. Given both the current economic position of the province and the usual period taken to draft legislation, the Committee feels

these recommendations reflect a realistic path for government to follow.

The second question is how does the Committee envision the Secretariat and Advocate working together to effect change?

As the preceding pages have explained, the Committee sees a restructuring within government (Secretariat) and a new structure outside of government (Advocate) as necessary to effect meaningful change. If government were to chose to create one of these structures and not the other, this would severely impact upon the effectiveness of that structure.

An Advocate without a Secretariat would have limited impact in beginning the change in the direction and content of social policy. A Secretariat without an Advocate would quickly lose direction and focus in the labyrinth that is government.

At the beginning of this section, the Committee spoke of societal attitude and the two new structures re-enforcing each other as the process of reforming and renewing of social policy is begun. It is equally true that the Secretariat and the Advocate will assist each other in seeing what changes are necessary and how these changes should be carried out to ensure community and familial acceptance and participation.

The task laid out is not an easy one to accomplish. With the establishment of both the Secretariat and the Advocate, government will benefit from having a new dual-mechanism for reform that will be comprehensive in its approach and will involve the people of this province in helping to address social challenges.

The third point is that of the role for the Advocate both during the five to six year mandate of the Secretariat and afterwards. The mandate and objectives for the Advocate's office go

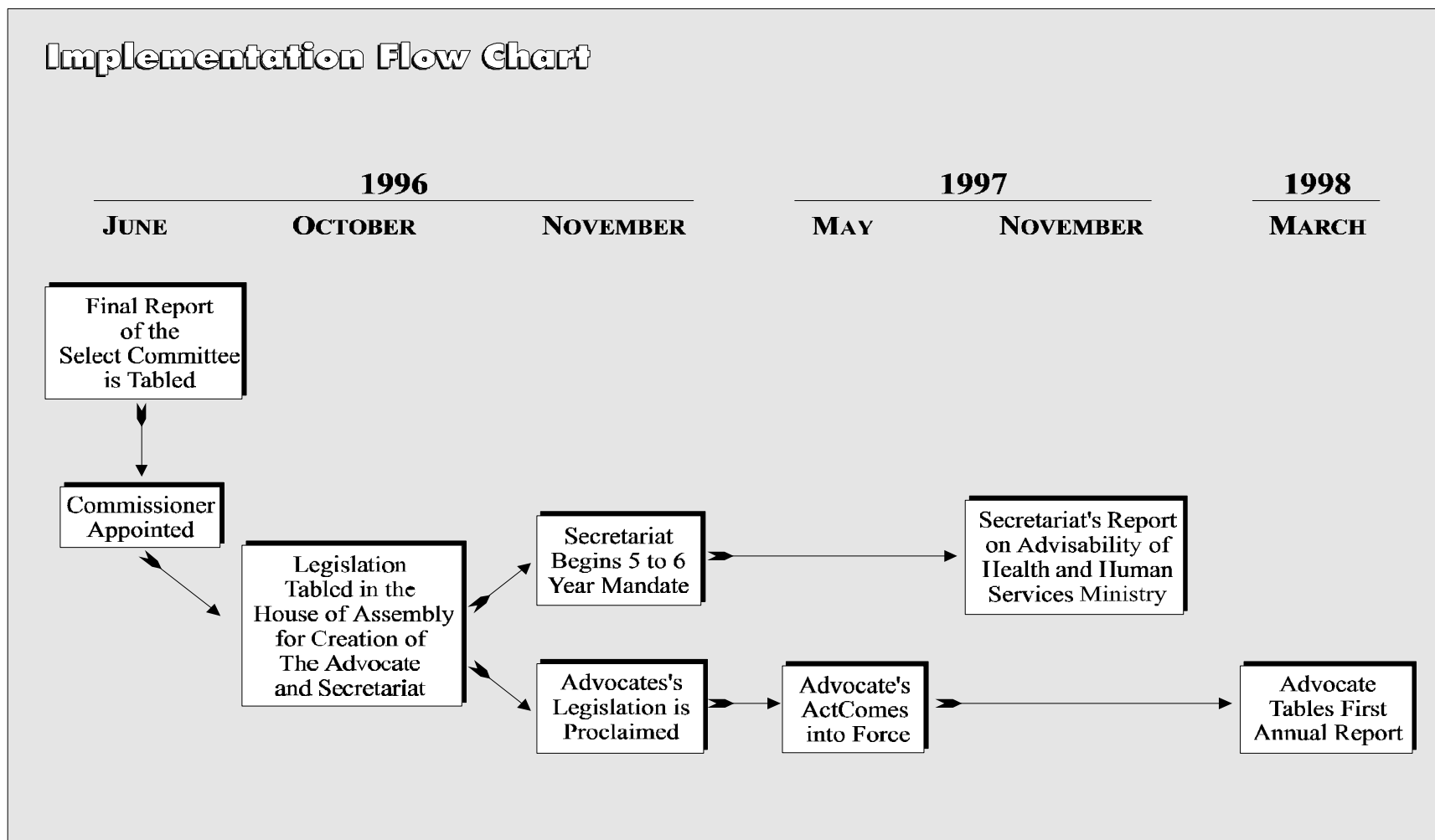
beyond that of providing support for the Secretariat.

The Committee has outlined an ongoing systems advocacy role. In addition, the Committee has designed an Advocate's office that has the capacity for case advocacy on a selective and indirect basis.

The primary goal of the Advocate should always be to provide an effective voice for Children and Youth to their government. This voice should assist government in having an evolutionary social policy rather than one that changes only in response to a crisis situation.

The Advocate clearly has a continuing role to play after the term of the Secretariat is completed. Our children deserve a voice and the adult members of our province have a responsibility to give children this voice through an independent Advocate.

# STRATEGIC PLAN FOR GOVERNMENT AND SOCIETY ON CHILDREN, YOUTH AND FAMILIES





**STRATEGIC PLAN FOR GOVERNMENT AND SOCIETY  
ON CHILDREN, YOUTH AND FAMILIES**

---

---

### INTRODUCTION

This report concerns the shifting of government's social policy priorities in a rational and comprehensive manner. In the previous section, the Committee outlined two new agents of change for government -- the Secretariat and the Advocate -- to facilitate this shift. The Committee does not intend to outline the structure and mandate of the Child, Youth & Family Secretariat and the Child & Youth Advocate, again.

**This section contains a total of 64 recommendations (within the enumerated 41 recommendations).** The recommendations reflect specific initiatives that, if undertaken together in a coordinated and integrated manner, will establish a new prevention-oriented social policy for this province. Not all ideas and recommendations brought forward during the public consultations are included in this section.

The recommendations are categorized as follows:

- ▶ First, recommendations that affect more than one department (ALL DEPARTMENTS);
- ▶ Second, recommendations that affect a department or a number of departments, but where the Child, Youth & Family Secretariat is to be designated as the lead agency; and
- ▶ Third, recommendations that affect a specific department and recommendations for which that department is to be designated as the lead agency.

The Committee believes that all these recommendations are of equal value. The reader should not, therefore, assign a greater level of significance to recommendation #1 over recommendation #59.

### **ALL DEPARTMENTS**

#### **1) Legislation**

The Committee was fortunate to have Professor Alastair Bissett-Johnson of the Department of Law, Dundee University, Scotland make a presentation via video-conference. Professor Bissett-Johnson's submission provided a comprehensive analysis and assessment of the type of legislation the House of Assembly should be endeavouring to enact and the limitations of law when applied to social policy.

The Committee also received a written brief from the Newfoundland Branch of the Canadian Bar Association. The Association's first recommendation argued that inconsistency in the definition of "child" among different provincial legislation dealing with children made it difficult to coordinate the handling of legal matters involving children. The Committee has responded to Professor Bissett-Johnson's and the Bar Association submissions in the following manner.

***The Committee recommends that the Child, Youth & Family Secretariat, in cooperation with the Office of the Legislative Counsel, undertake to draft "... a comprehensive code of laws relating to children."*** This Act would be similar in nature to the Yukon Children's Act, 1984.

This legislation should among other items:

- i) define a common definition of "child;"
- ii) use simple, non-legal language to the greatest extent possible;
- iii) avoid referral to other legislation by incorporating pertinent section of other legislation within a new Children's Act;
- iv) contain the meaning of the legislation within the legislation instead of within complex policy manuals;
- v) be incremental in nature, moving from least intrusive measures to protect the interests of the child to more intrusive and irreversible interventions; and
- vi) reflects the concept of a child's sense of time.

(Bissett-Johnson, 2-4)

### 2) Legislation versus Policy Manuals

***The Committee recommends that government departments with a direct or indirect interest and/or responsibility for children, youth and their families undertake, in cooperation with the Child, Youth & Family Secretariat, a review of pertinent legislation and policy manuals.*** The objective of this review should be the drafting of new legislation that will use simple, non-legal language and be sufficiently comprehensive to replace, for the most part, policy manuals.

The new legislation should be sufficiently specific to instruct civil servants on how to properly carry out their duties, but not so complicated that a reasonably educated individual could not understand his or her rights and responsibilities as articulated in the legislation.

### 3) Policy Manuals as Public Documents

In December of 1992, the Child Welfare League of America released a report entitled Newfoundland/Labrador Department of Social Services Child Protection Services Evaluation. Recommendation #4 of that report directed the Department of Social Services to make public its policy manuals to anyone and everyone upon request (Child Welfare League of America/Canada, 35).

Policy manuals in government are the means through which the laws passed by the House of Assembly are interpreted so that civil servants can have a framework upon which to make their decisions. In many ways then, a policy manual is the legislation. By keeping policy manuals as private documents, it can be argued that citizens are being barred from seeing the laws under which they are governed.

In recommendation #2 of this section, the Committee recommends that new legislation be drafted and enacted that will create less reliance on policy manuals. ***The Committee recommends that as a complementary step, all policy manuals of government, that control the type and quality of service received by clients of government, be made public documents.***

### 4) Flex-Time

The provincial government should play a lead role in encouraging all employers to recognize the important role employees play in raising their children and participating in the life of their family and community. Government should illustrate its commitment to children and family in a concrete and helpful way.

***The Committee recommends that government institute a policy of flex-time for all its employees.*** Flex-time would enable civil servants to take as little as one hour off at a time without having to take a half day or full day of annual leave. Therefore, each civil servant's annual leave would be based upon a total number of hours, not of days.

For example, a flex-time arrangement would enable a civil servant to take one hour off to visit their child's school and talk to his or her teacher. It would encourage and facilitate increased participation in the life of his or her child and, in the opinion of the Committee, would lead to increased job satisfaction.

### 5) The Transition from Institutionally-Based to Community-Based Professionals and the Related In-Serving of Employees

Over the past number of years there has been a shift to community-based care from institutional-based care. The Committee applauds this effort by successive administrations to move the provision of care into a community setting.

During the public consultations, Dr. Ian Bowmer, Dean of the Faculty of Medicine at Memorial University, brought forward his concern that professionals trained within an institutional setting will need retraining and related support to make the transition to a community-based work environment. Community-based care brings with it a need for a different type of interdisciplinary training. The "virtual" community health centres that can evolve from this initiative will require a professional from one discipline to rely upon professionals from other disciplines in new ways (Transcript No. 17, 9).

Dr Bowmer put forward the case for "reentry education" for these professionals who have worked in institutional settings and now must make the transition to community-based care. ***The Committee recommends that government and especially the Departments of Health, Education and Social Services, in cooperation with Memorial University and the Child, Youth & Family***

*Secretariat, develop the necessary training components to assist professionals upgrade their skills to meet the unique challenges associated with community-based care.*

### **CHILD, YOUTH & FAMILY SECRETARIAT**

#### **6) Zero to Six Years -- The Investment Years**

Success for a person in later life can, and often is determined by the support during the first six years of life. Yet, government and society have left this important period in a person's life almost entirely to each individual's family. The programs and facilities outlined below are designed to provide for a comprehensive assessment and ongoing support system for these families and especially for families-at-risk.

##### **A) FAMILIES-AT-RISK**

***The Committee recommends that the Department of Social Services, with the cooperation of the Secretariat, institute a program for early identification of families at risk similar to the Healthy Start Program in Hawaii.*** Such a program would identify families with high risk factors in the period leading up to the child's birth (e.g. unemployment, lower levels of education, parents unmarried and lack of extended family). The necessary supports and programs would then be provided through a combination of professionals and expertly trained volunteer assistance.

**COST IMPLICATIONS:** Significant Early Investment

##### **B) FAMILY RESOURCE CENTRES**

These centres play an important role in helping parents learn how to parent. The Centres provide a non-threatening support system staffed by a combination of paid staff and volunteers who provide information and assistance to parents. It is a central place within a community for young families to gather and for children to develop social skills.

The Committee commends the federal government for its continued funding of nine centres across the province. ***Committee members encourage both levels of government to assist in funding the creation of centres in other communities where both the need is demonstrated and where community support, and therefore sustainability, has also been demonstrated.***

**COST IMPLICATIONS:** Will vary depending upon number of centres opened & the level of volunteer support.

**C) PARENTING PROGRAMS**

Unlike most other things in life there is no test one has to pass to become a parent. Few professionals receive courses during their training to prepare them to become parents. The Committee endorses the use of parenting programs such as “Nobody’s Perfect”, Systematic Training for Effective Parenting (STEP) and Program for Early Parenting Support (PEPS) to assist people in becoming parents.

Furthermore, ***the Committee recommends that these government-funded parenting programs be carried out, where possible, by non-governmental organizations (NGOs).*** The DayBreak Child Parent Centre, the Boys and Girls Clubs, the YMCAs and the Family Resource Centres, to name just a few, are groups and organizations that can carry out these programs, probably better than government can.

The Committee recommends that NGO’s carry out these programs, instead of officials from a government department, for a number of reasons. First, social workers and public health nurses already have a heavy caseload and may simply not have the time to administer a parenting program in their area. Second, it seems counter-intuitive to ask a mother or father who is having difficulty in parenting to confide in officials of the very same government that may apprehend her or his child if abuse or neglect is reported.

**LEAD AGENCY:** CHILD, YOUTH & FAMILY SECRETARIAT

**COST IMPLICATIONS:** Will vary depending upon the number of courses offered and individual contract arrangements entered into with NGOs.



### D) EARLY EDUCATION

If there was one recurring theme throughout the public consultations, it was the need for early education and with that early identification and treatment of learning differences. Dr. Julia O'Sullivan of the Faculty of Education at Memorial University left the Committee with a stark vision of the small window of opportunity that exists to reach the children:

**Interventions aimed at young children have a high probability, if they are decent intervention, of being effective. If we lay wait it is too late. The latest work with these children indicates that by the time they are one, at best eighteen months old, they need to be in a stimulating pre-school environment if we have much choice of decreasing or reversing the effects . . . .**

(Transcript No. 20, 21)

A twelve to eighteen month window of opportunity to make decisions and to provide support that may very well decide the fate of an infant's entire life is a very small window indeed. In a sense then, interventions after eighteen months may be seen, at least in this context, as remedial.

Sophia Slaney, a guidance counsellor with the Conception Bay South Integrated School Board, brought to the Committee's attention a section of the primary curriculum guide produced by the Department of Education:

**The right to growth [within the guide] states that: 'children have a right to grow to their fullest potential.' Let's not wait until school entry before children can benefit from these rights. We need to put the supports in place right now, so that the children who are at risk have a better than fighting chance as early as possible to realize their potential and become successful members of our society.**

(Transcript 24, 26).

The Committee concurs with the above assessments.

The Committee recommends the following initiatives be undertaken:

- ▶ **Legislation governing daycare for children under the age of two years should be enacted;**
- ▶ **Government should begin the process of increasing the funding to daycares to bring funding levels to the national average over a period of five years;**
- ▶ **Government, in consultation with the Association of Early Childhood Educators Newfoundland and Labrador, should establish a minimum wage for child care workers that reflects the importance of their work.** Educators in our Primary, Elementary, Secondary and Post Secondary Institutions work upon the foundation laid by their colleagues who work in daycare or homecare.

### 7) Auditing Grants given to Outside Agencies

Each year government departments provide grants to organizations and businesses outside of government to fulfil some task or role associated with children and youth. The grants can be in the form of core and/or project funding.

***The Committee recommends that all such grants have a component that requires an audit procedure to ensure the goals and objectives of the grant have been met. The Committee further recommends that the Secretariat be given the lead responsibility for the development of this audit system for the entire government.***

### 8) Non-Historically Based Funding

This recommendation flows from the preceding one. As auditing procedures are developed and the evaluations that flow from them are carried out, it should be possible for government to issue all grants on the basis of the best value for money and to concentrate on areas of greatest interest.

***The Committee recommends that the Secretariat serve as the lead agency for the review and the repositioning of the system of issuing grants to non-governmental agencies.***

### 9) Protocols for the Sharing of Information

When attempting to respond to the needs of a client, a professional is often hindered in his or her task by the issue of confidentiality. For example, a social worker may have information valuable to a psychologist who is to treat his or her patient, but the rules of confidentiality prevent the sharing of information.

Bob Lundrigan of Holy Redeemer School in Spaniard's Bay summarized the frustration professionals feel:

**The enormous difficulty that I found was that we could never really talk about a particular child who was in desperate need of protection in some way or another. We could not talk about it because the Department of Social Services, the Department of Justice or the Department of Health will say well now we can only talk in general terms. We cannot deal with specific cases.**

(Transcript 5, 12)

The problem is intensified by the fact that, in many of our small communities, professionals are among the few outsiders. In this case, everyone in the community knows the problems an individual or family is having except the professionals.

The conundrum created by a client's right to confidentiality and the fact that the non-sharing of that information between professionals may actually endanger the client is a difficult one to resolve. The Committee does not intend to recommend an end to confidentiality. The role of the Committee is limited to pointing out the problems associated with the issue of confidentiality.

***The Committee recommends that the Secretariat be designated as the lead agency to explore with government departments, the university, professionals and professional organizations where the solutions to this issue lie.***

### 10) Case-Management, Global Budgets and Associated Protocols

The designation of one professional to manage a case that involves many professionals from many different disciplines is not a new concept. The Committee views a case management system as an instrument that can lead to more intelligent use of resources both in terms of finance and human potential.

***The Committee recommends that the Secretariat examine and report to government upon the most appropriate type of case management system to employ within government (e.g. Broker, Case Management Model).***

Within this examination, the Secretariat should be directed to examine:

- ▶ the probity of establishing a **global budgeting system** based upon either an individual social worker or health care provider or a district office basis; and
- ▶ the necessary **protocols** that may need to be developed to ensure that the system includes sufficient checks and balances to ensure the integrity of such a system.

**LEAD AGENCY:** CHILD, YOUTH & FAMILY SECRETARIAT  
Supporting:  
-- Department of Social Services  
-- Department of Finance & Treasury Board  
-- Department of Justice  
-- Newfoundland and Labrador Association of Social Workers  
-- Private Enterprise

**COST IMPLICATIONS:** None

### 11) School Lunch and Breakfast Programs

A hungry child is a child unlikely to learn at his or her full potential. If that child is provided with a breakfast and lunch each day during the school week, his or her chances of reaching his or her full potential will be greatly increased.

***The Committee recommends against government directly establishing and running school breakfast and lunch programs. The Committee recommends that government provide funding to not-for-profit community agencies to establish and run these meal programs where there is sufficient demand and community support.***

Indeed, while the Committee is recommending that the Secretariat be the lead agency within government, members recommend that the organizing of such a network of school meal programs be carried out by a non-governmental agency, such as the School Children's Food Foundation.

**LEAD AGENCY:** CHILD, YOUTH & FAMILY SECRETARIAT

**COST IMPLICATIONS:** Will vary depending upon the number of school and the ability to attract funds from private foundations.

**12) Intensive Family Preservation Program**

**Removing children from their families, although sometimes necessary, does not fix the problems in a family. It is a band-aid solution to very real, serious problems. It is only by working with entire families in a planned, preventative, therapeutic manner that we will begin to effect any real change.**

**We need to develop programs and resources for the purpose of Family Preservation. Teams of people - psychologists, social workers, youth care workers - work with families in their homes. The work is intensive, and the workers may be there every day for months until the family is ready to try it on their own.**

**(St. Francis Foundation, 5-6)**

***The Committee recommends that government through the Secretariat, investigate the possibility of establishing an Intensive Family Preservation***

***Program to assist families at risk before a crisis occurs and children have to be apprehended.***

**LEAD AGENCY:** CHILD, YOUTH & FAMILY SECRETARIAT  
Supporting: Department of Social Services

**COST IMPLICATIONS:** Significant ongoing expenditure

**13) Employing Outside Agencies to Collect Data on Children's Issues**

During the public consultation, the Committee heard from Shelley Levitz, a representative of the Kids Help Phone (KHP) in Toronto. Last year, the Kids Help Phone heard from over 102,000 children from Newfoundland and Labrador representing 186 different, and often isolated, communities (Transcript No. 38, 2).

The statistical information the KHP collects could be invaluable in assisting government to respond to the needs of children and youth in an appropriate and comprehensive manner. Data collection and the categorization of the information collected, tailored to study different issues and trends, would assist in facilitating the transition to a more responsive social policy.

***The Committee recommends that government designate the Secretariat as the lead agency to actively consider entering into contractual agreements with organizations such as KHP.***

**LEAD AGENCY:** CHILD, YOUTH & FAMILY SECRETARIAT  
Supporting: Department of Justice  
Department of Health  
Department of Social Services  
Department of Education

**COST IMPLICATIONS:** Undetermined

**14) Client-Centred Deployment of Staff and Programs**

Both clients and social workers within the Department of Social Services expressed concern that the deployment of social workers may be inhibiting the provision of good and timely service. For example, a social worker working a 9 to 5 shift may just be leaving the office at the time when his or her clients need them the most. This may be especially so for children who are in school until 3:00pm or 3:30pm.

Additionally, the deployment of social workers to individuals can and has caused difficulty within the school system. Fred Durante, the Vice-Principal of I.J. Sampson Junior High School, told the Committee that until he intervened directly with the provincial government, his school had to deal with 23 Department of Social Services personnel for 70 children. After the intervention, there are now only 2 Department of Social Services personnel, with whom that school has to deal. This change in service delivery structures seems to have caused no reduction in the quality of care these children are receiving from Social Services, but it has increased the school's ability to address the needs of these students (Durante, 1).

***The Committee recommends that the Secretariat be designated as the lead agency to work with individual departments to develop methods of staff deployment and program use that will more adequately respond to individual clients and the communities (i.e. school or town) in which they live.***

**LEAD AGENCY:**

Supporting:

CHILD, YOUTH &amp; FAMILY SECRETARIAT

- Department of Health
- Department of Justice
- Department of Education
- Department of Social Services
- Newfoundland Association of Public Employees

**COST IMPLICATIONS:**

Any additional costs should be limited to those associated with changing the hours worked by provincial government employees.

**SPECIFIC DEPARTMENTS & AGENCIES**

**Office of the CHILD & YOUTH ADVOCATE**

**15) Creation of a Youth-in-Care Network**

*The Committee recommends the creation of Youth-in-Care Network for this province.* The Network should be affiliated with similar Networks in other provinces. During its public consultations, the Committee was greatly impressed with the contribution made by children or youth who are or were in the care of the Director of Child Welfare.

The benefits that could be derived from such a Network are two-fold. First, the Network would provide a permanent mechanism for the exchange of information between children and youth who are in-care. This would provide a necessary support to these children and youth that only their peers can offer. Second, the children and youth who are or have been in the care of the Director can offer the best advice on how to reform and improve child welfare programs on an ongoing as opposed to an ad-hoc basis.

The Advocate, in close cooperation with the Director of Child Welfare, should facilitate the establishment of and fund a provincial Youth-in-Care Network. The Network would be composed of current and former children and youth who were in the care of the Director.

The cost of establishing this Network, based upon an examination of other jurisdictions, is between \$40,000 and \$60,000. This figure was not included within the \$400,000 annual budget previously outlined for the Office of the Advocate.

<b>LEAD AGENCY:</b>	CHILD & YOUTH ADVOCATE
<u>Supporting:</u>	-- Director of Child Welfare
	-- National Youth-in-Care Network
<b>COST IMPLICATIONS:</b>	\$40,000-60,000



### EXECUTIVE COUNCIL -- Native Policy

#### 16) Aboriginal Children & Youth

*The Committee recommends that the Native Policy Division within Executive Council facilitate, if Aboriginal groups across Newfoundland and Labrador desire it, a Commission composed of Aboriginal adults and youth to study the needs specific to children and youth of Aboriginal descent who live in Newfoundland and Labrador.* The Child, Youth and Family Secretariat would assist the Commission in fulfilling its mandate in a manner deemed appropriate by the Commission.

Additionally, the Commission could enter into discussion with the Child & Youth Advocate concerning delegated advocacy, if the Commission so chooses.

### Department of JUSTICE

#### 17) Child Support and the Support Enforcement Agency

##### A) CHILD SUPPORT

The Committee strongly feels that the maintenance of the standard of living of the child should be paramount in all separation and divorce cases.

*The Committee recommends:*

- ▶ *that legislation should direct judges to grant support for the child that will ensure, to the greatest extent possible, the retention for the child the same standard of living as before the separation and divorce; and*
- ▶ *that legislation should instruct judges to attach a cost of living provision to the court order. Any adjustments (increases or decreases) associated with the cost of living would be administered by the Support Enforcement Agency without requiring a return to the courts.*

**B) SUPPORT ENFORCEMENT AGENCY**

***The Committee recommends the following refinements to the powers of the Support Enforcement Agency:***

- ▶ ***an increase in the penalties and fines the Support Enforcement Agency can levy against delinquent parents including punitive measures (i.e. driver's licences, moose licences, right to receive government grants and assistance for business they may own);***
- ▶ ***the right to assess income of a delinquent parent based on average income for a person similarly trained if the Agency is unable to verify the delinquent parents actual salary;***
- ▶ ***the power to assess partnerships and incorporated firms in which the delinquent parent has a majority interest for the amount in arrears; and***
- ▶ ***the provincial and federal governments should develop a national data-base for the sharing of information on delinquent parents. The Provincial government, in cooperation with the federal government, should make all pertinent information regarding delinquent parents (including relevant data-bases) available to each province's version of the Support Enforcement Agency.***

**18) In-service Training of Judges, Lawyers and Court Officials**

The Committee heard during its public consultations that some judges, lawyers and court officials may lack the necessary training to appreciate the impact of court appearances on children and youth. As with pediatrics in the practice of medicine, the practice of law involving children and youth is different than the practice of law that involves only adults.

***The Committee recommends that the Department of Justice, in cooperation with the Law Society, Memorial University and the Child & Youth Advocate, institute a comprehensive in-serving program to assist legal officials in protecting the interest of the child while at the same time ensuring the integrity of our system of justice.***

### 19) **Child's Sense of Time**

This issue was referred to in a previous recommendation (All Departments #1), but it deserves specific comment with respect to the Department of Justice and the Judicial system.

Professor Bissett-Johnson from Dundee University made the following point:

**. . . although adults think of time in a particular way children think of time in a very much more acute way. A child's sense of time is not an adult's. What you and I think is a reasonable time may for a child be an eternity.**

(Transcript No. 39, 13)

The time it takes to move a case through court --- civil or criminal --- whether the child is the accused, the defendant or the affected bystander --- can do great harm to that child. A child who is placed in a foster home is first disrupted by that placement, but, if at the end of a year-long proceeding, that child is removed from that setting to another, then the child is further damaged.

The Committee is cognisant that judicial matters take time and Committee members certainly are not recommending that some specific time limit be "set in stone" for any case involving a child. ***Rather, the Committee is recommending that the courts work cooperatively with the Departments of Justice and Social Services and the Advocate to monitor the relationship between the length of a specific legal action involving a child and the impact upon the quality of life for that child.*** This monitoring process should provide a means to permit the judicial system to institute remedies, where possible, to lessen the negative impacts long trials or proceedings may have upon a child.

**Department of SOCIAL SERVICES****20) Inclusion of 16-18 Year Olds Under the Child Welfare Act**

The Child Welfare Legislation of this province currently does not offer protection and services to children 16 to 18 years of age. The Social Services Act only offers assistance to these people once they reach the age of 19.

During the public consultation, this injustice was discussed again and again. Children 16 to 18 years old deserve and require the special protection of the state.

***The Committee VERY STRONGLY RECOMMENDS that children aged 16 to 18 be included under the province's child welfare legislation. The provision written into the Act should include wardships based only upon voluntary agreement between the Director of Child Welfare and the 16 to 18 year old in question.***

The Committee wishes to emphasize the recommendation made above. The people told the Committee that this was not a case of something the province should do, but that it was a case of fundamental justice. If taxes have to be increased or other programs across government have to be curtailed in order to pay for extending this protection, then that is what must be done. The Committee concurs with the people's assessment.

**LEAD AGENCY:** DEPARTMENT OF SOCIAL SERVICES

**COST IMPLICATIONS:** The new provision will be based upon only voluntary agreements so no new monies are required to actively secure wardships for these children. New costs will only be incurred if children voluntarily seek the care of the state after they reach the age of 16.

**21) Establish a 1-800 “Crisis” or “Warm” line for Parents**

***The Committee recommends the establishment of a 1-800 number for parents.*** The 1-800 number would respond to parents with a variety of questions and concerns, as well as those in crisis.

Newfoundland and Labrador is a province of many small and isolated communities. Parents who are in crisis with their children or need advice on how to parent cannot simply travel to a different section of town as they might in a larger city to avail of advice and assistance, anonymously. Questions could range from; “how do I budget and provide healthy meals for my children?” to ‘I can’t control my child and I don’t know how much longer I can control myself.’ (Transcript No. 1, 45-46, Transcript No. 38, 8).

Some individuals may say that there are professionals in many of our communities who can answer these questions, but in a small community, even if there is such a professional, availing of such services will most likely carry a societal stigma. The establishment of a 1-800 line for parents would be a move toward providing a necessary service which would protect anonymity.

Based upon an analysis of the 1-800 number for career information run by the Department of Development and Rural Renewal, the Committee estimates the cost of operating the 1-800 number with two staff at \$95,000 per annum.

**LEAD AGENCY:**

DEPARTMENT OF SOCIAL SERVICES

Supporting:

- Department of Health
- Department of Justice
- Department of Education

**COST IMPLICATIONS:**

\$95,000 per annum

**22) Family Group Decision-Making Model**

The strengthening of family and community in order to provide a safe and nurturing environment for a child has been a goal of this Committee's work. The Family Group Decision-Making Model is a type of case management system that involves placing the family in a responsible position within the decision-making process.

Two professors from the School of Social Work at Memorial University, Drs. Joan Pennell and Gale Burford, have piloted the use of this model in Nain, Stephenville and St. John's. The results of these pilots, at least over the short term, appear positive and certainly deserve the right to further use and study (Pennell & Burford, 271-272 ).

This technique should not be seen as a "cure all" for families in crisis, but it should be seen as one of the techniques that professionals can employ to help protect children and address the root causes of family violence and abuse.

**We do not want to leave the impression that family group conferences will come anywhere close to the final answer on what to do about family violence. At the same time, we want to make it clear that we find no good reason to marginalize the extended family and other key members of the abused person's support network from the decision-making process.**

**The family group conference is not a panacea, but it is a way of revitalizing the sense of togetherness necessary for finding effective and long-term solutions to stop family violence.**

(Pennell & Burford, 278-280)

***The Committee recommends that government, through the Department of Social Services, bring forward the necessary legislation to enable the use of the Family Group Decision-Making Model.***

**LEAD AGENCY:** Department of Social Services

**COST IMPLICATIONS:** The history in both this province and elsewhere show this model to be expenditure neutral.

**23) Seniority Rights within the Collective Agreement and Social Workers**

Seniority rights within the collective agreement provide some fundamental job protection to employees on the basis of duration of employment. In sessions with children and youth who are or were in the care of the Director of Child Welfare, the Committee was told of the problems caused by the “bumping” procedures. During private sessions with social workers, Committee members were told how the seniority clause adversely affected the social workers ability to do their jobs and to derive maximum job satisfaction.

There is clearly a need for reform. The Committee, however, is not recommending that government move to end seniority rights and the “bumping” procedures that flow from it.

***The Committee recommends that government sit down with the Newfoundland Association of Public Employees (NAPE) and the Newfoundland and Labrador Association of Social Workers (NLASW) to negotiate changes to the collective agreement for social workers that will ensure no child and/or family has to experience a situation where they must deal with multiple social workers over a short period of time.***

<b>LEAD AGENCY:</b>	DEPARTMENT OF SOCIAL SERVICES
<u>Supporting:</u>	-- Department of Finance & Treasury Board
	-- Newfoundland Association of Public Employees
	-- Newfoundland and Labrador Association of Social Workers
	-- Foster Families Association
	-- Youth-in-Care Network
	-- School of Social Work - Memorial University

**COST IMPLICATIONS:** None

**24) Most Experienced and Capable Social Workers in Most Challenging Jobs**

*As part of the comprehensive review of the Department of Social Services and of social work practice, in general, the Committee recommends that the Department, in cooperation with the Secretariat, investigate ways and means of ensuring that the most experienced and most capable social workers are committed to the most difficult tasks within the Department of Social Services (e.g. Child Welfare).*

The review should include, but not be limited to granting more benefits and increased salary to these workers, permitting increased flexibility in the manner they carry out their duties and increased policy instruments to meet their objectives. The Committee is cognisant that none of these items can be changed overnight, but that does not mean that government should not begin to work toward achieving these objectives. The use of pilot projects may be of assistance in gauging the relative merits of this type of reform.

**LEAD AGENCY:** DEPARTMENT OF SOCIAL SERVICES  
Supporting: -- Child, Youth & Family Secretariat

**COST IMPLICATIONS:** Significant, but only limited cost should be incurred in the short- to medium-term (2 to 4 years).

**25) Increase Number of Social Workers to meet Minimum Standards of the Child Welfare League of America**

The 1992 report of the Child Welfare League of America/Canada into the operation of the province Department of Social Services found that “DOSS caseloads were much higher, perhaps, double, triple or more in some instances, than CWLA’s recommended levels” (Child Welfare League of America/Canada, 17,18).

The Department has been permitted to hire additional staff even during the current hiring freeze and Committee members commend government for taking this action. The Committee, however, has heard and seen that more needs to be done. In our discussions with social workers and children-in-care, Committee members heard that the size and complexity of caseloads is still causing difficulties for social workers to provide timely assistance to clients.



***The Committee recommends:***

- ▶ ***the Department of Social Services, with the assistance of the Secretariat, investigate different ways of delivering its programs and services. This investigation would include the use of different models of case management, the creation of global budgets for social workers and/or clients and the deployment of staff in a more time effective manner. The aim of this investigation would be to maximize the use of existing personnel.***
- ▶ ***after concluding the process outlined above, the Department of Social Services should be directed to create a realistic plan for hiring the additional staff deemed necessary over a five year period.***

**COST IMPLICATIONS:** The investigation and deployment should be expenditure neutral, but the costs associated with hiring additional employees will be significant.

**26) Creation of New Personal Management Plan for Children-in-Care**

In her submission, the Chair in Child Protection at Memorial University, Dr. Kathleen Kufeldt, told members of the work she and the Director of Child Welfare, Elizabeth Crawford, are doing with respect to creating a new personal management plan for children-in-care. Dr. Kufeldt referred to a British initiative entitled Looking After Children as the model they are trying to amend for the Canadian situation. Looking After Children “. . . is a highly effective, monitoring assessment and action records to ensure that children in care receive the quality of parenting to which they are entitled” (Kufeldt, 22).

The Committee has reviewed Looking After Children and, in our opinion, see it as worthy of further study. ***The Committee recommends that this work continue with a view to developing and then adopting a Looking After Children personal management plan that is suited to the Newfoundland and Labrador situation.***

**COST IMPLICATIONS:** The costs of developing the plan should be negligible. The costs of implementation would have to be determined after the exact specification of the new plan is determined.

**27) Increased Training for Foster Parents**

The task of caring for a foster child can and often is quite difficult for the foster parent(s). Even parents who raised their own children to become happy and well-adjusted will, in all likelihood, be unprepared to provide the depth and complexity of care that many foster children require.

***The Committee recommends that the Department of Social Services, in cooperation with non-governmental organizations (NGOs), develop training modules for the training of foster parents. The modules could then be administered by departmental officials or highly trained personnel from NGO's (volunteer or paid staff).***

**LEAD AGENCY:** DEPARTMENT OF SOCIAL SERVICES

**COST IMPLICATIONS:** Development costs of the training packages should not be excessive if government uses programs developed in other provinces and adapts them to the Newfoundland and Labrador situation.

The costs of contracting NGOs to train volunteers or to carry out the training, on behalf of the government, will have be determined in negotiations with NGOs.

**28) Monitoring of Foster Homes**

During the sessions the Committee held with children who are or were in the care of the Director of Child Welfare, issues were raised concerning the monitoring of foster homes by the Department of Social Services. The children and youth raised concerns surrounding the number of visits and the use of announced visits as opposed to unannounced visits from social workers.

***The Committee recommends that:***

- ▶ ***the Department of Social Services permit and increase the use of unannounced visits by social workers to foster homes;***

- ▶ *the Department of Social Services require all of its officials to inform children who are in the care of the Director of Child Welfare of their right to appeal to the Child & Youth Advocate for assistance; and*
- ▶ *the Department of Social Services, as part of the review to be carried out by the Secretariat into the nature and structure of service and program delivery, include an examination of ways to deploy existing staff that will increase the frequency of both announced and unannounced visits to foster homes.*

**LEAD AGENCY:** DEPARTMENT OF SOCIAL SERVICES

**COST IMPLICATIONS:** Existing staff could be used to carry out these duties.

**29) Mandatory Initial In-Serve Training of all Social Workers**

The province of British Columbia is currently moving toward providing a significant in-serving or orientation program for social workers prior to putting them out in the field. In its 1992 report, the Child Welfare League of America/Canada recommended that "DOSS should provide orientation for new workers immediately upon employment" (Child Welfare League of America, 66).

The School of Social Work at Memorial University provides a sound academic training for its students, but there is a need to orient them to their jobs as social workers.

***The Committee recommends that the Department of Social Services undertake to establish an orientation program and to provide this program to new recruits before placing them in the field.***

**LEAD AGENCY:** DEPARTMENT OF SOCIAL SERVICES

**COST IMPLICATIONS:** The orientation program will demand the expenditure of new monies, but since hiring, is for the time being, frozen or next to frozen, the costs should be minimal.

**Department of EDUCATION****30) Universal Half Day Pre-Kindergarten**

The Committee heard many references to the importance of early childhood education. The period between birth and entry into Kindergarten is being seen increasing as crucial to whether a child will succeed in life. Earlier, comments made by Dr. Julia O’Sullivan of Memorial University concerning the importance of the zero to eighteen month period in the life of the child were highlighted. The Appalachia Roman Catholic School Board, a leader in the move to early intervention and in-school pre-schools, made the following point in their submission:

**. . . many children, particularly in rural communities which have no day-care or pre-school services, enter kindergarten at a considerable disadvantage to children who have received a high degree of stimulation, either in day-care programs or in their homes. To help ensure that all children enter school with a reasonable chance to succeed, programs should be made available for pre-school children in those communities which have no other supports . . .**

(Appalachia Roman Catholic School Board, 5)

Over the last few years, government has put forward the idea of creating a full day Kindergarten, but little emphasis has been placed upon providing earlier intervention and educational assistance to children. The Committee recommends against the creation of a full-day Kindergarten for the time being. The Committee feels that the money that would have to be spent on a full day Kindergarten can be better spent by providing earlier, universal educational opportunities for children.

**The Committee recommends that government create a universally accessible half day pre-Kindergarten.**

**LEAD AGENCY:** DEPARTMENT OF EDUCATION

**COST IMPLICATIONS:** Significant early investment, but medium- to long-term fiscal benefits.

**31) Youth Services Division**

***The Committee recommends that the mandate and structure of the Youth Services Division of the Department of Education be reviewed by the Secretariat.*** This review should be carried out within the first six months of the Secretariat's existence. The purpose of this review is to redefine the role of the Division or to recommend the creation of a new entity that will better address the needs of the youth and youth serving agencies of this province.

***The Committee further recommends that this review include the possibility of creating a new government-wide granting agency.*** This new agency would be responsible for issuing all grants and project funds to non-governmental organizations. The agency would have an oversight responsibility to ensure that the goals and objectives of each individual grant is met. The mandate of the new agency would not be limited to youth.

**LEAD AGENCY:** CHILD, YOUTH & FAMILY SECRETARIAT  
**Supporting:** All organizations who currently or may in the future receive funding or assistance from the Division.

**COST IMPLICATIONS:** None

**32) Employment of Non-Traditional Professionals within the School System**

Counsellors and speech pathologists can and do provide excellent support to the children and youth they serve and to the in-classroom teachers they indirectly assist. During the public consultations, it was brought to members attention that the province may not be using these two resources to their greatest potential.

- A) **COUNSELLORS**  
During the public consultations, the Committee heard from a guidance counsellor who is expected to respond to the guidance needs of students in 11 or 12 different schools in a wide geographic area and teach a course as well. Jack Jardine, president of the School Counsellors' Association, summarized what this type of deployment has meant to the quality of care counsellors can offer students. "In actual fact we are going in and putting out 'fires' in almost every instance" (Transcript No. 14, 20).

***The Committee recommends:***

- ▶ **Counsellor to Student Ratios**  
Ratios, currently set at 1,000 to 1 must be reduced. ***The Committee recommends that the Department of Education establish a clear policy to reduce this ratio over the next five years to a level of half the current ratio.*** This will not address all the concerns of guidance counsellors, but it should assist school boards in deploying counsellors to a limited number of schools instead of areas.
- ▶ **Geographical Sensitivity**  
A counsellor who is responsible for 1,000 students in the St. John's area has an infinitely more manageable job than does a counsellor in some parts of rural Newfoundland and Labrador. ***The Committee recommends that the deployment of counsellors occur not simply on the basis of counsellor to student ratio, but that each deployment be given a weight to account for the geographical area and population density of the area for which he or she is responsible.***
- ▶ **School Sensitivity**  
In the same way that geographic consideration must be considered when allocating counsellors so too must the nature of the school. Certain schools, for a variety of reasons, have children and youth who require more assistance and guidance than a school with a comparable population in another town or city. ***The Committee recommends that the deployment of counsellors also be given a weight to account for the different needs of the school population be served.***
- ▶ **Teaching Responsibilities**  
***The committee recommends that the Department of Education place a prohibition on assigning teaching responsibilities to counsellors.***
- ▶ **Counsellors in Primary and Elementary Situations**  
The Committee cautions the Department of Education and indeed society, in general, not to forget the importance of early guidance and counselling for children in primary and elementary schools.

***As part of the renewed emphasis on early education and early intervention outlined in this report, Committee members underline the importance of continuing and improving early guidance and counselling.***

**B) SPEECH PATHOLOGISTS**

The service speech pathologists offer children is important not only for a child's educational achievement, but also for his or her development as a confident and socially adept person. The Committee has concerns that the break in therapy that occurs over the summer may be impeding the progress made by these children. Committee members acknowledge that some disruption over the three months of summer is inevitable, but members feels such disruption should be as limited as possible.

***The Committee recommends that:***

- ▶ ***Speech pathologists should be employed by the Community Health Boards not the School Boards; and***
- ▶ ***Speech Pathologists, employed by the Community Health Boards, be seconded to work within the school environment.***

The Committee recognizes that this redeployment, indeed reemployment, will not occur immediately. The Committee feels, however, that if speech pathologists were to be employed by the Community Health Boards it would permit the child to receive the same amount of therapy each week, of the calender year, not just during the school year.

**33) Corporal Punishment**

Section 79 of The Schools Act and Section 43 of The Criminal Code of Canada still permit the use of corporal punishment (e.g. strapping).

***The Committee recommends that the House of Assembly repeal Section 79 of The Schools Act and asks the House of Commons to repeal Section 43 of The Criminal Code of Canada.***

**34) Criteria C**

Criteria C refers to assistance offered students who have met certain requirements which leads to a classification as a challenging needs student. The level of assistance may include the assignment of a teacher's aide to a particular child. Bertha Taylor, the principal of Amalgamated Academy in Bay Roberts, expressed a view put forward by many presenters about the rigidity concerning the Criteria C classification when she said:

**We're finding if we succeed with the kids, the kids fall victim. They are taken out of Criteria C, so you are better off almost not succeeding with them.**

(Transcript No.5, 33)

***The Committee recommends that the Department of Education create, in consultation with schools and school boards, a more flexible arrangement that permits the growth of a child and does not inadvertently penalize him or her for it.***

**35) Alternative Programs & Schools**

During a visit to the Port au Port Peninsula, the Committee saw first hand the benefits of alternative schooling arrangements at the Pathfinder Learning Centre located within Bishop O'Reilly High School. By way of example, the Committee remembers one young women in her early thirties who had returned to the Centre to upgrade her skills.

The benefits of her returning to school were two-fold. First, this women is now more confident to go to her child's school and to talk to her child's teacher because of the improvement in her reading and communications skills. Second, she told the Committee of the effect her recommitment to learning was having on her son -- as he saw his mother valuing education, he committed more time to his studies and his marks improved. Alternative schooling and programs for both young people and adults can and does have a positive impact beyond just that one child or person.



As a society, we have begun to appreciate the fact that the conventional style of schooling does not meet the needs of all those wishing and/or needing to receive an education. The Brother T.I. Murphy Centre in St. John's, the Store Front Learning Program in Conception Bay North, and the Pathfinder Learning Centre on the Port au Port Peninsula are examples of alternative schools and programs that help to meet the needs of people who do not respond within the regular school system

Fred Durante of I.J. Sampson Junior High School, among others, also brought forward the issue of securing an alternative schooling arrangement for students who "persistently pose a threat to the safety and learning of others." Alternative schools for these students would protect these children's right to an education while at the same time protect the right of the majority of students to learn in a safe environment (Durante, 3).

***The Committee recommends that the Department of Education, in cooperation with school boards and with other departments of government, continue to fund alternative schooling and programming.***

**LEAD AGENCY:** DEPARTMENT OF EDUCATION

**COST IMPLICATIONS:** Significant

**Department of HEALTH****36) Folic Acid Supplements**

The rate of Neural Tube Defects (NTDs) is much higher in Newfoundland and Labrador than in any other Canadian province. Neural Tube Defects are severe birth defects that include anencephaly and open spina bifida. The cost to the province of caring for children born with NTDs is significant, but the costs in human terms are immeasurable (Health and Welfare Canada, 131-137).

Recent studies have shown that increased consumption of folic acid by women helps to reduce the incidence of NTDs by up to 70%. The problem lies in the fact that NTDs occur within the first 28 days of pregnancy, a time when most women do not even know that they are pregnant (Czeizel, 182-5).

One solution is to have women of child-bearing age consume folic acid supplements. A more comprehensive response is to have a folic acid supplement added to an everyday food product such as flour. The Department of Health is currently assessing the benefits of having folic acid added as a supplement to the flour Newfoundlanders and Labradorians consume.

***The Committee recommends that, if the Department of Health is satisfied that there are no harmful side-effects from a folic acid supplement, government should immediately move to ensure that folic acid is added as a supplement to the province's flour.*** The Committee further recommends that if flour mills are unwilling to add this supplement on the basis of cost recovery from the consumer, the provincial government should pay directly for flour mills to add the folic acid supplement.

**LEAD AGENCY:** DEPARTMENT OF HEALTH

**COST IMPLICATIONS:** The costs of adding this supplement to flour will most likely be recovered through the consumer by a modest increase in the price of flour.

**37) Foetal Alcohol Syndrome and Effect**

Like Neural Tube Defects (NTDs), Foetal Alcohol Syndrome and Foetal Alcohol Effect (FAS/FAE) have long term consequences for the quality of a child's life. Unlike NTDs, FAS/FAE is 100% preventable.

*FAS/FAE are the earliest forms of Child Abuse with permanent consequences for the child. FAS/FAE occur during the development of the fetus in his or her mother's womb. Through the consumption of alcohol, the mother can almost literally rob her child of a significant part of his or her intellect. No amount of intervention and remedial assistance after birth has proven successful in comprehensively returning that child to complete health.*

FAS/FAE are only the most severe affects of alcohol consumption during pregnancy. There is general consensus that all consumption of alcohol during pregnancy has potential danger for the fetus.

***The Committee recommends that the Department of Health, in conjunction with the Child & Youth Advocate, undertake an aggressive, high profile and sustained public relations campaign to decrease the incidence of FAS/FAE.*** Similar to the campaign to curb drinking and driving in the 1970s and early 1980s, it will take time to alter societal norms and values and government must be willing to sustain the campaign against FAS/FAE over a long period of time.

**LEAD AGENCY:** DEPARTMENT OF HEALTH  
Supporting: -- Child & Youth Advocate

**COST IMPLICATIONS:** Undetermined

**38) Breast Feeding**

The health and bonding benefits of breast feeding are well known, but in Newfoundland and Labrador today many children are bottle fed.

***First, the Committee recommends that government, through the Department of Health, increase its efforts to promote the benefits of breast feeding through a public relations campaign and additional support to new mothers.***

***Second, the Committee recommends that the Department of Social Services provide new mothers in receipt of Social Assistance with the necessary supports to facilitate their acceptance of breast feeding (i.e. breast pumps).***

***Third, the Advocate and the Secretariat, in cooperation with the Departments of Health and Social Services, should work to facilitate the use of the volunteer sector in assisting new mothers to cope with the difficulties of breast feeding for the first time.***

***Fourth, the Committee recommends that as a sign of its commitment to breast feeding, the provincial government prepare and release a Statement of Support. The Statement would commit government, and encourage private enterprise, to institute policies and practices that support women who choose to breast feed whether at home, in the community or in the workplace.***

Breast feeding is an important component of a healthy and natural society. We, as a society, must move away from the Victorian notion that breast feeding is somehow unnatural and something that should be hidden.

**LEAD AGENCY:** DEPARTMENT OF HEALTH  
**Supporting:** -- Child & Youth Advocate  
-- Child, Youth & Family Secretariat  
-- Department of Social Services

**COST IMPLICATIONS:** Undetermined

**39) The “Pre-School Health Check”**

[The Pre-School Health Check] provided early detection of physiological and developmental problems of pre-schoolers which, from an educational perspective, was instrumental in the development of individual program plans to meet the needs of these children.

Trudy Dwyer - St. Joseph's Elementary  
(Transcript No. 5, 23)

During the public hearings, the Committee was surprised to learn from a number of presenters that “Pre-School Health Checks” have become optional under the new Community Health Board structure. The Committee feels very strongly that the “Pre-School Health Check” played an important role in identifying health problems that affect a child’s ability to learn before a child entered kindergarten.

***The Committee recommends that the “Pre-School Health Check” be included as a mandatory service that all Community Health Boards must offer to the population they serve. This service must be offered on a universal basis not just to client’s who demand the Health Check for his or her child.***

**LEAD AGENCY:** DEPARTMENT OF HEALTH

**COST IMPLICATIONS:** Minimal. Existing personnel can provide this service.

**40) Children’s Mental Health**

There is a significant shortage of medical specialists not just in rural Newfoundland and Labrador, but in the province as a whole. Very few doctors specialize in the area of child psychiatry (Transcript No. 22, 22). No solution to the lack of available medical care for children with mental health illnesses will be simple or immediate.

***The Committee recommends that the provincial government, in cooperation with Memorial University of Newfoundland, develop an incentive program aimed at encouraging doctors and other healthcare professionals to specialize in the area of children’s mental health.***

**Department of MUNICIPAL & PROVINCIAL AFFAIRS****41) Youth Advisory Committees**

***The Committee recommends that the Department of Municipal and Provincial Affairs take a lead role in encouraging municipalities to facilitate the establishment and then actively support the development of Youth Advisory Committees.***

The Committee recommends against mandating municipalities to establish these committees. Rather, the Committee recommends that the Department of Municipal and Provincial Affairs work with municipalities to assist them in seeing the benefits of involving youth in the life of their community in a meaningful way. Ideally, the Youth Advisory Committees, with assistance from the community, should develop an Action Plan specifying a participatory role for youth in the life of the community

In a brief submitted by then Mayor Sandra Kelly of Gander, Ms. Kelly gave some examples of instances where the involvement of youth was invaluable in helping council understand the needs and aspirations of youth for their community. It was in this brief, that the concept of a Youth Advisory Committee to a municipal council was first raised. The committee endorses the recommendation of the town of Gander (Town of Gander, 2-3).

**LEAD AGENCY:** DEPARTMENT OF MUNICIPAL & PROVINCIAL  
AFFAIRS  
Supporting: -- Child and Youth Advocate

**COST IMPLICATIONS:** Minimal to none.

85. Just as it is gravely wrong to take from individuals what they can accomplish by their own initiative and industry and give it to the community, so also it is an injustice and at the same time a grave evil and disturbance of right order to assign to a greater and higher association what lesser and subordinate organizations can do.

Pope Pius XI  
*Quadragesima Anno*  
May 15, 1931

---

This report provides a place to begin the renewal of our approach to children and youth issues. It is not, to paraphrase Winston Churchill, the beginning of the end, but it is the end of the beginning.

The creation of a Child, Youth & Family Secretariat and an Office of a Child & Youth Advocate signal the beginning of the journey to reform and renew our approach toward children and youth. Through these two structures, society will be provided with the means to institute a new, dynamic, client- and community-based policy for children

and families.

Through the creation of the Secretariat, in conjunction with an independent Office of a Child & Youth Advocate, government and society will be provided with a mechanism to effect changes to our child, youth and family policy in a logical and comprehensive manner. These two new structures will provide the overall strategy for government's approach to child, youth and family issues. Out of their work will flow the tactics needed for those within and without government to implement an evolving policy that is client-centred and

community-responsive.

At the beginning of this report, the Committee referred to the struggle of Richard and Jackie Chow of Corner Brook to obtain timely treatment for their three-year-old son who is autistic. How will the preceding pages help them and people like them?

Earlier, the Committee referred to the work of Dr. Martin Knapp of the London School of Economics in costing social programs. Dr. Knapp's work revolves around examining the total costs of social programs, not the narrowly defined costs to government over a single or even multi-budget year.

If government provides an appropriate and timely intervention for an autistic child immediately upon diagnosis, what are the short-term costs of that intervention? What are the long-term costs of delaying that intervention?

What are the costs to his family as they struggle to obtain care for him?

The two new government structures, especially the Secretariat, are designed to answer these questions for government and society. They are there to provide sound information and analysis to the Cabinet and the House of Assembly.

If we begin the process of looking at the total costs of policy decisions, then we will begin to make better decisions that will positively impact not only upon our people, but upon the future financial position of the province. By way of example, if government intervenes and supports a family with high risk factors using the policies and programs outlined in the Recommendations, the chances of a child from that family dropping out of school or ending up in the Whitbourne Centre will be reduced. The Secretariat and Advocate through cost analysis and longitudinal studies



will assist government in seeing the path to follow.

It is in this way that the Committee hopes the report responds to the needs of the Chows and other families like them across Newfoundland and Labrador. It is a strategy that in the medium- to long-term will see the financial resources and professional expertise of this province move from crisis-intervention and remedial care to prevention-oriented programming and care.

This vision of a progressive, responsive and community-centred child, youth and family policy was the vision given to Committee members by the people who presented to the public hearings. This report reflects the views of Committee members, but it embodies the hopes and the fears expressed by the people.

The Committee's approach to consulting the people was not to define for them what Committee members thought their concerns were or should be. Rather, the Committee produced only a small discussion guide that asked the people to comment on the issues affecting children and youth as they saw them. The Committee's work was then limited to placing those thoughts into a framework and a series of recommendations to fit into that framework.

It is important to remember here and to reiterate the point that the specific recommendations of this report should not and cannot be viewed in isolation from each other or from the Secretariat and Advocate. The plan of this report is an integrated and comprehensive one that over time will cause an evolution in both the approach to child, youth and family policy and the contents of policies and programs.

The goals and objectives of this Committee were summarized in a submission from Choices for Youth:

The solution isn't as difficult as one might think, if we all focus on the needs of our young people, as opposed to our private domains and power bases as adults within the system. We have to stop throwing money at crisis. Crisis-oriented management is a complete waste of time and money. There is a better way to service children, youth and families. But first we have to understand that the needs of children and young people have not changed from what they were a hundred years ago. To be certain the pressures are different and therefore there are different areas in which young people should be educated. But despite the latest fad in youth care, young people simply require: safety, assistance in making sense of their often chaotic internal and external realities; they require our patience and our understanding that their behaviour occurs within the context of their struggle to gain mastery of their environment. With our guidance and support they can begin to make the decisions that will see them grow into healthy adults.

(Choices for Youth, 9-10)

**It is time for the process to begin!**

- Alberta. Commissioner of Services for Children. Focus on Children: A plan for effective, integrated community services for children and their families. Edmonton: November 1994.
- Alberta. Commissioner of Services for Children. Finding a Better Way: The consultations and research leading to the design of children's services in Alberta. Edmonton: November 1994.
- Alberta, The Premier's Council in Support of Alberta Families. Alberta Family Policy Grid: Guidelines for Departmental Reviews and Reports. Edmonton: Premier Council in Support of Alberta Families, [c. 1991].
- Alberta, The Premier's Council in Support of Alberta Families. A Family Policy Framework for the Province of Alberta. Edmonton: Premier Council in Support of Alberta Families, December 1991.
- Appalachia Roman Catholic School Board. Brief Submitted to the Select Committee on Children's Interests. Stephenville, September 18, 1995.
- Association of Early Childhood Educators Newfoundland and Labrador. Brief Submitted to the Select Committee on Children's Interests. St. John's, November 1, 1995.
- Aucoin, Peter and Herman Bakvis. The Centralization-Decentralization Conundrum: Organization and Management in Canadian Government. Halifax IRPP, 1988.
- Bissett-Johnson, Alastair. Brief Submitted to the Select Committee on Children's Interests. St. John's, November 2, 1995.
- Blankenhorn, David. Fatherless in America: Confronting Our Most Urgent Social Problem. New York: Basic Books, 1995.
- Boys and Girl Clubs of Newfoundland and Labrador. Brief Submitted to the Select Committee on Children's Interests. St. John's, January 15, 1996.
- British Columbia. Ministry of the Attorney General. Report of the Gove Inquiry in Child Protection in British Columbia: Mathew's Legacy, Volume 1. Victoria: Queen's Printer for British Columbia, 1995.
- British Columbia. Ministry of the Attorney General. Report of the Gove Inquiry in Child Protection in British Columbia: Mathew's Legacy, Volume 2. Victoria: Queen's Printer for British Columbia, 1995.

- British Columbia. Ministry of the Attorney General. Report of the Gove Inquiry in Child Protection in British Columbia: Executive Summary, Volume 3. Victoria: Queen's Printer for British Columbia, 1995.
- British Columbia. Office of the Ombudsman Public Services to Children, Youth and Their Families in British Columbia: The Need for Integration. [Report 22]. Victoria: Queen's Printer for British Columbia, 1991.
- British Columbia. Ministry of Social Services. Protecting Our Children -- Supporting Our Families. A Consultation Paper Prepared for the Legislative Review of the Family and Child Service Act. Victoria: Queen's Printer for British Columbia, January 1992.
- British Columbia. Ministry of Social Services. Making Changes: A Place to Start. Report of the Community Panel Family and Children's Services Legislation Review in British Columbia. Victoria: Queen's Printer for British Columbia, October 1992.
- Burford, Gale and Joan Pennell. Family Group Decision Making Project: Implementation Report Summary. St. John's, August 1995.
- Campbell, Colin and George J. Szabowski. The Superbureaucrats: Structure and Behaviour in Central Agencies. Toronto: MacMillan, 1979.
- Canadian Association of Family Resource Programs. Strengthening Families/Cherishing Children/Building Caring Communities. [Response to the Canadian Government's Green Paper, Improving Social Security in Canada]. Ottawa: December 1994.
- Canadian Mental Health Association - Newfoundland Division. Brief Submitted to the Select Committee on Children's Interests. St. John's, December 5, 1995.
- Canadian Music Educators' Association. Brief Submitted to the Select Committee on Children's Interests. St. John's, October 17, 1995.
- Child Welfare League of America and the Child Welfare League/Canada. Newfoundland/Labrador Department of Social Services Child Protection Services Evaluation. Washington and Ottawa, 1992.
- Children and Adults with Attention Deficit Disorder. Brief Submitted to the Select Committee on Children's Interests. St. John's, November 29, 1995
- Choice for Youth. Brief Submitted to the Select Committee on Children's Interests. St. John's, December 6, 1995.

- Chow, Richard and Jackie. Brief Submitted to the Select Committee on Children's Interests. Corner Brook, September 20, 1995
- Community Services Council. Brief Submitted to the Select Committee on Children's Interests. St. John's, November 14, 1995.
- Condon, Len. Brief Submitted to the Select Committee on Children's Interests. St. John's, November 1, 1995.
- Czeizel, A.E., Dundas, I. Prevention of the first occurrence of neural tube defects by periconceptual vitamin supplementation, N Eng J, Med. 1992;327:182-5.
- Durante, Fred. Brief Submitted to the Select Committee on Children's Interests. St. John's, January 18, 1996.
- Epilepsy Newfoundland and Labrador. Brief Submitted to the Select Committee on Children's Interests. St. John's, November 22, 1996.
- Gander, Town of. Brief Submitted to the Select Committee on Children's Interests. Gander, September 26, 1995.
- Howard, Philip K. The Death of Common Sense: How Law is Suffocating America. New York: Random House, 1994.
- Health and Welfare Canada. Folic Acid and the Primary Prevention of Neural Tube Defects. Ottawa: Health and Welfare, 1993.
- Hudson, Joe and Burt Galaway, Eds. Child Welfare in Canada: Research and Policy Implications. Toronto: Thompson Educational Publishing, 1995.
- Janeway Child Health Centre. Brief Submitted to the Select Committee on Children's Interests by the Chief of Child & Adolescent Psychiatry. St. John's, November 22, 1996.
- Janeway Child Health Centre. Brief Submitted to the Select Committee on Children's Interests by the Provincial Perinatal Program. St. John's, January 15, 1996.
- Kernaghan, Kenneth and David Segal. Public Administration in Canada: A Text. Toronto: Methuen, 1991.
- Kernaghan, Kenneth. "Career Public Service 2000: Road to renewal or impractical vision?" Canadian Public Administration. 34:4 (Winter 1991).

- Kufeldt, Kathleen. Brief Submitted to the Select Committee on Children's Interests. St. John's, November 14, 1996.
- Lawlor, Helen. Accessing Children and Youth Services: A Historical Perspective. St. John's, December 15, 1993.
- Lawson, Hal A. and Katherine Hooper-Briar. Expanding Partnerships: Involving colleges and universities in interprofessional collaboration and service integration. Oxford, Ohio: Danforth Foundation, 1994.
- Lawson, Hal A. and Katherine Hooper-Briar. Serving Children, Youth and Families through Interprofessional Collaboration and Service Integration: A Framework for Action. Oxford, Ohio: Danforth Foundation, 1994.
- Lundrigan, Robert. Brief Submitted to the Select Committee on Children's Interests. Carbonear, October 2, 1995.
- Marriott, John A.R. English Political Institutions. 4th Edition, 1938. Connecticut: Greenwood Press, 1975.
- Medina, William A. Changing Bureaucracies. New York: Marcel Dekker, 1982.
- National Symposium on Community Action for Children. Healthy Children/Healthy Communities: A Compendium of Approaches for Across Canada. Healthy Child Development Project, Ottawa, November 1995.
- New Brunswick. Foundations for the Future: A Proposed Framework for Family Policy in New Brunswick. Fredericton: Family Policy Secretariat, August 1995.
- Newfoundland. Auditor General. Brief Submitted to the Select Committee on Children's Interests. St. John's, January 18, 1996.
- Newfoundland Branch of the Canadian Bar Association. Brief Submitted to the Select Committee on Children's Interests. St. John's, January, 1996.
- Newfoundland. House of Assembly. Transcripts of the Proceedings of the Select Committee on Children's Interests. Issues 1-42.
- Newfoundland Dietetic Association. Brief Submitted to the Select Committee on Children's Interests. St. John's, December 6, 1995.
- Newfoundland and Labrador. Change & Challenge: A Strategic Economic Plan for Newfoundland and Labrador. St. John's; Queen's Printer, June 1992.

Newfoundland and Labrador. Royal Commission of Inquiry into the Delivery of Programs and Services in Primary, Elementary, Secondary Education. Our Children/Our Future [The William's Report]. Queen's Printer: St. John's, March 1992.

Newfoundland and Labrador. Royal Commission of Inquiry into the Response of the Newfoundland Criminal Justice System to Complaints: Volume One [The Hughes Inquiry]. Queen's Printer: St. John's, 1991.

Newfoundland and Labrador Association of Social Workers. Brief Submitted to the Select Committee on Children's Interests. St. John's, December 7, 1995.

Nova Scotia. An Act respecting Services to Children and their Families, the Protection of Children and Adoption [Children and Family Services Act]. Queen's Printer: Halifax, 1990.

Organization for Economic Co-operation and Development. Administration as Service: The Public as Client. Paris: OECD Publications Service, 1987.

O'Sullivan, Julia T. Brief Submitted to the Select Committee on Children's Interests. St. John's, November 15, 1995.

Pennell, Joan and Gale Burford. Family Group Decision Making Project: Implementation Report volume 1. St. John's, August 1995.

Plumtree, Timothy. Beyond the Bottom Line. Halifax: IRPP, 1988.

Pollick, Brian A. And Jocelyn Gifford. Maintenance Enforcement in British Columbia: A Comprehensive Plan. June 2, 1993.

Purchase, Byrne and Ronald Hirshhorn. Searching for Good Governance. Kingston: School of Policy Studies, 1994.

Rawson, Bruce. "Public Service 2000 Service to the Public Task Force: Findings and Implications." Canadian Public Administration 34:3 (Autumn 1991).

Rosenbaum, Martin and Peter Newell. Taking Children Seriously: A Proposal for a Children's Rights Commissioner. London: Calouste Gulbenkian Foundation, 1991.

St. Francis Foundation. Brief Submitted to the Select Committee on Children's Interests. St. John's, January 16, 1996.

Schorr, Lisbeth. Within Our Reach: Breaking the Cycle of Disadvantage. New York: Doubleday, 1988.

School Children's Food Foundation of Newfoundland and Labrador. Brief Submitted to the Select Committee on Children's Interests. St. John's, November 28, 1995.

School Counsellors' Association of Newfoundland. Brief Submitted to the Select Committee on Children's Interests. St. John's, October 25, 1995.

Slaney, Sophia. Brief Submitted to the Select Committee on Children's Interests. St. John's, November 22, 1996.

Sutherland, Sharon and Bruce Doern. Bureaucracy in Canada: Control and Reform. Toronto: University of Toronto, 1985.

United Kingdom, Department of Health. Looking After Children: Assessing Outcomes in Child Care. The Report of an Independent Working Party Established by the Department of Health. London: HMSO, 1991.

Wharf, Brian. Communities and Social Policy in Canada. Toronto: McClland & Stewart, 1992.

Wharf, Brian. Rethinking Child Welfare in Canada. Toronto: McClland & Stewart, 1993.

Yukon. Children's Act. Queen's Printer: Whitehorse, 1986.



# APPENDICES

## TABLE OF CONTENTS

---

---

<b>Appendix A</b>	Mandate	
	i) As Given by the House of Assembly . . . . .	127
	ii) As Interpreted by the Committee . . . . .	128
	iii) Discussion Guide . . . . .	129
<b>Appendix B</b>	Contributors to the Public Hearings . . . . .	141
<b>Appendix C</b>	List of Individuals Who Participated in the Public Hearings . . . . .	147
<b>Appendix D</b>	List of Provincial Government Departments and Personnel Who Appeared During Public Departmental Hearings . . . . .	155
<b>Appendix E</b>	In camera Sessions -- Provincial Government Departments . . . . .	156
<b>Appendix F</b>	In camera Sessions -- Youth-in-Care . . . . .	157
<b>Appendix G</b>	i) Children's Advocate's Program in Canada by Don Alexander (Office of the Children's Advocate - Alberta) . . . . .	159
	ii) A Description of Four Canadian Children's Advocates by Leslie Erhardt (Office of the Children's Advocate - Saskatchewan) . . . . .	173
<b>Appendix H</b>	i) <u>Child, Youth and Family Advocacy Act</u> Province of British Columbia . . . . .	185
	ii) <u>Auditor General Act</u> Province of Newfoundland . . . . .	191

# Mandate Given by the House of Assembly

---

---

App. A i) 127

On December 16, 1994, the Newfoundland House of Assembly unanimously approved the following resolution creating a select committee of the House on children interests:

**WHEREAS** society has a collective responsibility for the wellbeing of children;

**THEREFORE BE IT FURTHER RESOLVED** that the Members for Conception Bay South, Port au Port and Waterford-Kenmount, be, and are hereby appointed as a select committee to examine into and to report upon, (a) the present legislation and policies of Newfoundland and Labrador with respect to services to children, (b) the legislative changes, or enactment and policy changes, if any, which are required to promote mechanisms through which the wellbeing of children may be enhanced, and (c) other matters directly and necessarily related thereto.

That the committee be authorized to send for persons and papers, to sit in session and out, and sit from place to place throughout Newfoundland and Labrador, and that the committee are directed to report to the House by December 31, 1995.

The Committee interprets its mandate to include, but not to be limited to, examining the following issues:

- \* the legislation of governments with respect to children;
- \* the degree of coordination and integration of effort with respect to children and families:
  - (a) within departments and agencies of the provincial government;
  - (b) between departments and agencies of the provincial government;
  - (c) between departments and agencies of the municipal, provincial and federal governments;
  - (d) between governments, non-governmental agencies and academia;
- \* the amendments to legislation and government policy which may be necessary in order to identify children at risk and to provide mechanisms for appropriate intervention;
- \* the effects of poverty, social security reform and other socio-economic conditions upon children and the family and both the short- and long-term remedies to these circumstances;
- \* the significance of early childhood development in the development of a physically and intellectual healthy person;
- \* the policies and practices of government toward children with challenging needs;
- \* the circumstances which face native/aboriginal children, their families, communities and culture;
- \* the consequences of culture and gender in the educational, physical and mental development and well-being of children.

# Contributors to the Public Hearings

---

The Committee heard submissions at 13 sites across the province. The following pages provide a list of organizations and individuals who appeared before the committee. In addition, a list on persons who appeared before the committee via video- and tele-conference is provided as well as a list of those who submitted written briefs only.

A complete list of all individuals who participated in the public hearings with the exception of:

- 1) provincial civil servants appearing at hearings held with government departments;
- 2) provincial civil servants who appeared during in camera sessions; and
- 3) youths who are or were in the care of the Director of Child Welfare who appeared during in camera sessions.

The name of the presenter's town is only included if they did not reside in the community where the hearing was held. The list is in chronological order.

## Appearing In Person

### **LABRADOR CITY - September 11, 1995**

Roman Catholic School Board for Labrador  
 J.R. Smallwood Collegiate  
 Labrador City Collegiate  
 Notre Dame Academy  
 Canadian Association for Community Living  
 Labrador West Child Protection Team  
 Judith Squires-Lee  
 Labrador West Status of Women Council  
 Dave Thomas

### **SHESHATSHUI - September 12, 1995**

Ossie Michelin (Northwest River)  
 R.C. School Board for Labrador  
 Innu Nation

### **GOOSE BAY - September 13, 1995**

Martha and Ian Hopkins  
 Canadian Paraplegic Association  
 St. Micheal's School  
 Labrador College Daycare  
 Big Brothers Big Sisters - Lake Melville  
 Cindy Fleet  
 for schools in Black Tickle &  
 Davis Inlet

### **GOOSE BAY (cont'd)**

Shirley Barr  
 Bernadette Cabot  
 Gail Eddy  
 Clifford Abbott

### **ST. ANTHONY - September 14, 1995**

St. Anthony Elementary School  
 Straits Area Child Protection Team  
 (Flower's Cove)

### **STEPHENVILLE - September 18, 1995**

Sexual Abuse Community Services  
 Family Group Decision Making Project  
 Port au Port Community Action Committee  
 Pathfinder Learning Centre  
 Appalachia Roman Catholic School Board  
 W.E. Cormack Academy  
 Bay St. George Women's Council

### **PORT AUX BASQUES - September 19**

Port aux Basques Integrated School Board  
 St. James Elementary School  
 St. Micheal's Elementary School  
 Playground Committee (Rose  
 Blanche)

---

## Contributors to the Public Hearings (Continued)

---

### **PORT AUX BASQUES (cont'd)**

**Wayne** Strickland  
**Constable** Aletha MacDonald -RCMP

### **CORNER BROOK - September 20 & 21**

**Marilyn** Coles  
**Richard** and Jackie Chow  
**Marilee** Pittman  
**Royal** Purple Lodge 330  
**Humber** Valley Association for Independent Living  
**Community** Mental Health Initiative  
**Canadian** Paraplegic Association  
**Imperial** Order of Daughters of the Empire  
**Creating** Our Own Lives  
**Laubach** Literacy Society  
**Big** Brother Big Sisters  
**Dr.** J.R. Van Gelder  
**Cox's** Cove Early Childhood Centre  
 (Cox's Cove)  
**Sugar** and Spice Daycare (Pasadena)  
**Community** Health - Western Region  
**St.** Gerard's Elementary School  
**Gross** Morne Child Protection Team  
 (Daniel's Harbour)

### **GANDER - September 25 & 26**

**Notre** Dame Integrated School Board  
**Lewisporte** Integrated Elementary School  
 (Lewisporte)  
**Twillingate** Island Elementary School  
 (Twillingate)  
**Lewisporte** Integrated High School  
 (Lewisporte)  
**Community** Health - Central Region  
**Gander** Association for Community Living  
**Gambo** Association for Community Living  
 (Gambo)  
**Gander** Bay & Area Child Protection Team  
**Gander** Bay Boys and Girls Club

### **GANDER (cont'd)**

**N.L.T.A.** Special Interest Council -Home  
 Economics  
**Gander** Women's Centre  
**Town** of Gander

### **GRAND FALLS - September 27 - 29**

**Harbour** Breton-Connaigre Peninsula Child  
 Protection Team (Harbour Breton)  
**Fortune** Bay North Family Resource Centre  
 (Belleoram)  
**Grand** Falls-Windsor-Bishop's Falls  
 Community Food Bank  
**Exploits** Valley Community Coalition  
 (Botwood)  
**Kinnettes** (Botwood)  
**Janet** Sacry (Packet)  
**Windsor** Collegiate  
**Windsor** Academy  
**Town** of Grand Falls-Windsor  
**Central** Newfoundland Mental Health  
 Advisory Committee

### **CARBONEAR - October 2 & 3, 1995**

**Western** Avalon R.C. School Board  
**Holy** Redeemer School (Spaniard's Bay)  
**Amalgamated** Academy  
**St.** Joseph's Elementary School  
**Bill** Babb  
**CBN** Laubach Literacy Society  
**Susie** and Ray Boone (South River)  
**St.** Edward's School (Brigus)

### **MARYSTOWN - October 4, 1995**

**Sacred** Heart Elementary School  
**Burin** Peninsula Committee Against Family  
 Violence  
**School** Counsellors Association -  
 Burin Peninsula

---

## Contributors to the Public Hearings (Continued)

---

### **CLARENVILLE - October 5 & 6, 1995**

**Speech Pathology Unit**  
 Dr. G.B. Cross Memorial Hospital  
**Drug Dependency Services**  
**Musgravetown**, Bonavista and Gander  
 Literacy Outreach Offices  
**Adam Fitzgerald**  
**Bonavista-Trinity-Placentia Integrated**  
 School Board  
**Mental Health Services Unit**  
 Dr. G.B. Cross Memorial Hospital  
**Michelle Peddle & Isabelle Mason**

### **ST. JOHN'S - Oct. 17/95 - Jan. 19/96**

**Canadian Music Educators Association**  
**Newfoundland and Labrador Association of**  
 Superintendents of Education  
**Royal Newfoundland Constabulary**  
**Wendy Murdoch**  
**Shane & Dianne Martland (Carbonear)**  
**St. John's Youth Diversion Program**  
**C.N.I.B. of Newfoundland & Labrador**  
**St. Augustine's Elementary School**  
**Learning Disabilities Association**  
**R.C. School Board for St. John's**  
**Mercy Residence**  
**Family Group Conferencing Project (MUN)**  
**Morris Academy (Mt. Pearl)**  
**C-BARC Foundation**  
**Head Injury Association**  
**School Counsellors' Association**  
**Parents Head Start Program (Bell Island)**  
**Gay Parsons**  
**Buckmasters Community Centre**  
**Iris Kirby House**  
**Eastern Region Community Health**  
**Early Childhood Educators Association**  
**Allied Youth**  
**Family Violence Initiative**  
**Len Condon**  
**St. John's School Lunch Program**

### **ST. JOHN'S (cont'd)**

**Newfoundland & Labrador Medical Assoc.**  
**Chair in Child Protection (MUN)**  
**Community Services Council**  
**Immaculate Conception Elementary School**  
 (Bell Island)  
**Survivor's Action Group**  
**Dr. Mary Power**  
**Dr. Julia O'Sullivan**  
**Presentation House**  
**Circle Square Ranch (C.B.S.)**  
**Community Health - St. John's Region**  
**Adolescent Mental Health Team**  
 Janeway Child Health Care Centre  
**Candlelighters Association**  
**Newfoundland and Labrador School Board**  
 Association  
**Provincial Advisory Council on the Status**  
 of Women  
**St. Pius X P.T.A.**  
**Association for Community Living**  
**Aspen and Oaks**  
**Dr. Hubert White**  
 Janeway Child Health Care Centre  
**Upper Gullies Elementary School (C.B.S.)**  
**Epilepsy Newfoundland and Labrador**  
**Canadian Paraplegic Association**  
**Canadian Hard of Hearing Association**  
**Naomi Centre**  
**School Children's Food Foundation**  
**Reverend Bob Fillier**  
**Social Work Department**  
 Janeway Child Health Care Centre  
**Scouts Canada , Provincial Council**  
**Children and Adults with Attention Deficit**  
 Disorder  
**Family Home Child Care Association**  
**Happy Times Pre-School**  
**Administration and Nursing & Patient Care**  
 Janeway Child Health Care Centre  
**Health Care Corporation of St. John's**  
**Canadian Mental Health Association**

---

## Contributors to the Public Hearings (Continued)

---

### **ST. JOHN'S (cont'd)**

#### **CHANNAL**

**Newfoundland** Dietetic Association

**Choice** for Youth

#### **PACAL**

**St. Kevin's** Elementary School (Gould's)

**Lion's** Club (Gould's)

**Newfoundland** and Labrador Gays and  
Lesbians & The Newfoundland  
Amazon Network

**Big Brothers/Big Sisters** of St. John's

**Newfoundland** and Labrador Association of  
Social Workers

**C.B.S.** Integrated School Board (C.B.S.)

**Avalon** Consolidated School Board

**YMCA/YWCA** of St. John's

**Boys** and Girls Club of Newfoundland and  
Labrador

**Provincial** Perinatal Program

Janeway Child Health Care Centre

**ACAB** Group

**Children's** Rehabilitation Centre

**Newfoundland** and Labrador Foster  
Families Association

**Cynthia** Whitshire

**Provincial** Association Against Family  
Violence

**MUN-CSU** Childcare Centre

**Autism** Society-Newfoundland & Labrador

**George** Street Family Play Group

**Ms.** Pat Wright

**Parent's** Rights Group

**St.** Francis Foundation

**Federation** of Labour

**Psychology** Department

Janeway Child Health Care Centre

**Dr.** John Angel

**MacMorran** Centre

**Fred** Durant

**School** of Social Work (MUN)

**Faculty** of Medicine (MUN)

**School** of Nursing (MUN)

### **Appearing Via Video-Conference**

**Kid's** Help Phone

TORONTO

**Atlantic** Province's Special Education  
Authority

HALIFAX

**Professor** Alastair Bissett-Johnson

DUNDEE, SCOTLAND

### **Appearing Via Tele-Conference**

**John** Jenniex

CORNER BROOK

**George** Jefferies

CHARLOTTETOWN, LABRADOR

**Shawn** Fowlow

RENCONTRE EAST

### **Written Submissions Only**

**Big Brothers/Big Sisters**

Stephenville

**Canadian** Bar Association

ST. JOHN'S

**Girl** Guides of Canada

ST. JOHN'S

**Hillview** Academy

NORRIS ARM SOUTH

**Institute** for Human Resource Development

ST. JOHN'S

**J.J.** Curling Elementary School

CORNER BROOK

**Peter** Pan Pre-School & Daycare Centre

GANDER

**Primary** Healthcare Council

BAY BULLS

**MacMorran** Centre

ST. JOHN'S

**Matthew** Elementary School

BONAVISTA

**Victims** Services Advisory Committee

GRAND FALLS-WINDSOR

---

## Contributors to the Public Hearings (Continued)

---

---

### Written Submissions Only (cont'd)

**Judy** Smith

SPRINGDALE

**Newfoundland** and Labrador Childhood

Injury Prevention Coordinating

Committee

ST. JOHN'S

**Newfoundland** and Labrador Teacher's

Association

ST. JOHN'S

**Susan** Murray

ST. JOHN'S





# List of Individuals Who Participated in the Public Hearings

---

Below is a complete list of individuals who participated in the committee's public hearings with the exception of:

- 1) provincial civil servants appearing at hearings held with government departments;
- 2) provincial civil servants who appeared during in camera sessions; and
- 3) youths who are or were in the care of the Director of Child Welfare who appeared during in camera sessions.

Some individuals appeared before the committee more than once because of their involvement in different organizations. The committee has decided to have their names appear on the following list for each appearance they made before the committee in their different capacities.

The name of the presenter's town is only included if they did not reside in the community where the hearing was held. The list is in chronological order.

## **LABRADOR CITY**

*September 11, 1995*

Walter Crotty  
Gerry Pickett  
Garry Furlong  
Ern Condon

for J.R. Smallwood Collegiate

Robert Hogan  
Heather Baker  
Mercedes Lawrence  
Pat Furlong  
Sister Sarah Hynes  
Agnes McGrath  
Barry McGrath  
George Emberley  
Geoffrey Booth  
Marina Collier  
Jacqueline Cote  
Marg Pike  
Emerson Coish  
Ern Condon

for the Association for  
Community Living  
Maureen Angel

## **LABRADOR CITY (cont'd)**

Judith Squires-Lee  
Shirley Squires  
Francis Fry  
Dave Thomas

## **SHESHATSHUI**

*September 12, 1995*

Ossie Michelin (Northwest River)  
Cindy Fleet (Goose Bay)  
for the Roman Catholic  
School Board for Labrador  
Francesca Snow  
Peter Penashue  
Anne Rich  
Kathleen Nuna  
Apeman Pone  
Martha Hurley  
Judy Hill  
Mary Mac Osmond

---

## List of Individuals (Continued)

---

### GOOSE BAY

*September 13, 1995*

Martha Hopkins  
 Ian Hopkins  
 Henry Windelar  
     as principal of school attended  
     by the Hopkin's child  
 Sherry Dawe  
 Elaine Lyall  
 Elizabeth Dawson  
 Henry Windelar  
     for O.L.Q.P. School  
 Doug Abbass  
 Cathy Earles  
 Jackie Lullaly  
 Doug Bruce  
 Tammy McLean  
 Shirley Barr  
 Laurie Tretina  
 Cindy Fleet  
     for schools in Black Tickle &  
     Davis Inlet  
 Bernadette Cabot  
 Gail Eddy  
 Clifford Abbott

### ST. ANTHONY

*September 14, 1995*

Nelson Pilgrim  
 Trudy White (Flower's Cove)  
 Terry Sansford  
 David Sparkes  
 Brian White  
 Roger Snook

### STEPHENVILLE

*September 18, 1995*

Michelle Skinner  
     as a member of S.A.C.S.  
 Barry O'Keefe  
 Neil Stokes  
 Stella Campbell  
 Sharon Whalen  
 Beverley Kirby  
 Harold Reardon  
 Hughie MacNeil  
 Mary Gaultois  
 Shirley Bennett  
 Andrea Alexander  
 Roxanne Roses  
 Cindy Penney  
 Jania Dyke  
 Ronald Kane  
 Debbie Brake  
 Mary Brake  
 Laura Sheppard  
 Julian Hulan  
 Bryan Gallant  
 Andrew Butt  
 Peter Doyle  
 Derek Hounsell  
 Ken Warren  
 Evelyn Smith  
 Michelle Skinner  
     as member of the Bay St.  
     George Women's Council  
 Joyce Hancock  
 Linda Soper

---

## List of Individuals (Continued)

---

### **PORT AUX BASQUES**

*September 19, 1995*

JoAnn O'Brien  
 Ray Bown  
 Harold Rose  
 Elizabeth Keeping  
 Wilhelmina Hardy  
 Marilyn Bernard  
 Kathy Hatcher  
 Doreen Hardy  
 Louise Francis  
 Geraldine Hardy  
 Joanne Savoury  
 Bernie Best  
 Sharon Spencer  
 Wayne Strickland  
 Aletha MacDonald (RCMP)

### **CORNER BROOK**

*September 20, 1995*

Marilyn Coles  
     as an individual  
 Richard Chow  
 Jackie Chow  
 Marilee Pittman  
 Jean Sceviour  
 Rosemary Mullins  
 George Sheppard  
 Regina Warren  
 Joan Mills  
 Tracy Hynes  
 Freda Hjartarson  
 John Jenniex  
 Archie Mills  
 Rowena Targett  
 Fred Brown

*September 21, 1995*

John Piercey  
 Shelley McCarthy  
 Alicia Eaton  
 Verna Ayers

### **CORNER BROOK (cont'd)**

*September 21, 1995 (cont'd)*

Sharon Roberts  
 Minnie Vallis  
 Marilyn Coles  
     as a member for C.O.O.L.  
 Isabelle Fry  
 Helen Nugent  
 Kelly Young  
 Alysie Parsons  
 Joan Goudie  
 Jennifer Wagg  
 Marina Luddee  
 JoAnne Abbott  
 Todd Smith  
 Brenda Micheal  
 Tina Stewart  
 Karen Martineau  
 Dr. J.R. Van Gelder  
 Tony Oxford (Cox's Cove)  
 Cathy Garcin (Pasadena)  
 Kathleen Quigley (Pasadena)  
 Minnie Wasmeier  
 Anne Lynch  
 Cathy Kennedy  
 Marilyn Flemming  
 Mike Luedee  
 Norman Cutler (Daniel's Harbour)  
 Charles Feltham

### **GANDER**

*September 25, 1995*

Robert Gignac (Lewisporte)  
 Geraldine Devereaux  
 Judy Fudge  
 Myrtis Guy (Twillingate)  
 William Colbourne (Lewisporte)  
 Diana Yates  
 Beverley White  
 Rosemarie Goodyear  
 Bernadette St. Croix  
 Flo Paul (Gambo)

---

## List of Individuals (Continued)

---

### **GANDER (cont'd)**

*September 26, 1995*

Bob Walters  
 Lt. Wayne Wellman  
 Rev. John Nicholle  
 Peggy Pollard  
 Lynn Terrace  
 Barbara Himmelman  
 Joy Sceviour  
 Anne Gladney  
 Beulah Hayley  
 Anne Marie Blumer  
 Trudy Jones  
 Mayor Sandra Kelly

### **GRAND FALLS-WINDSOR**

*September 27, 1995*

Louise Price (Harbour Breton)  
 Harvey Jackman (Harbour Breton)  
 Leanne Stoodley (Harbour Breton)  
 Corrine McDonald (Belleoram)  
 Sheila Keeping (Belleoram)  
 Deborah Collier (Belleoram)  
 Mary McLoughlin  
 Terry Brown  
 Marilyn King  
 Lorraine Hillier

### **GRAND FALLS-WINDSOR (cont'd)**

*September 27, 1995*

Carolyn Andrews  
 Loretta Hemeon (Botwood)  
 Collen Hayter (Botwood)  
 Amelia Bursey

*September 28, 1995*

Janet Sacry  
 Dean Roop  
 Gerald Warren  
 Frank Norman

### **GRAND FALLS-WINDSOR (cont'd)**

*September 29, 1995*

Mayor Walwin Blackmore  
 Maxwell King  
 Des Coombs  
 Heather Caines  
 Heather Paul  
 Genevieve Corbin  
 Dennis Brothers  
 Audrey O'Reilly  
 Betty Moulton  
 Linda Fong  
 Marina Hewlett

### **CARBONEAR**

*October 2, 1995*

Ed Power (Avondale)  
 Frank Mooney (Avondale)  
 Robert Lundrigan (Spaniard's Bay)  
 Gwen Thompson (Bay Roberts)  
 Lynn Keeping (Bay Roberts)  
 Bertha Taylor (Bay Roberts)  
 Bill Babb  
 Jim Burke  
 Susie Boone (South River)  
 Ray Boone (South River)  
 Barbara Bartlett (Brigus)

### **MARYSTOWN**

*October 4, 1995*

Clayton McCarthy  
 Rosemary Lahey  
 Hannah Power  
 Carol Myers  
 Linda Tobin  
 Mary Beth Farrell  
 Connie Fredette  
 Cynthia Synard  
 Margaret Pittman  
 Elaine Hynes  
 Marilyn Law

---

# List of Individuals (Continued)

---

## **CLARENVILLE**

*October 5, 1995*

Claudette Butland  
 Evelyn Tilley  
 Donna Flynn  
 Ed Oldford (Gander)  
 Michelle Brown (Bonavista)  
 Adam Fitzgerald  
 Dianne Hunt  
 Vickie Stead  
 Michelle Peddle  
 Isabelle Mason

*October 6, 1995*

Derek Elliott  
 Stephanie Micheal

## **ST. JOHN'S**

*October 17, 1995*

Dr. Brian Roberts  
 Denis Fewer  
 Leo Whalen  
 Inspector Craig Kenny  
 Lieutenant Connie Snow  
 Wendy Murdoch

*October 18, 1995*

Shane Martland (Carbonear)  
 Dianne Martland (Carbonear)  
 Wayne Andrews  
 Bruce Spencer  
 Len Baker  
 Elizabeth Hamilton  
 William Clarke (Bell Island)  
 Dwain Campbell (Bell Island)  
 Barbara Murphy  
 Patricia Angel

*October 19, 1995*

Thomasina Cleal  
 Brian Shortall  
 Sister Nolasco Mulcahy

## **ST. JOHN'S (cont'd)**

*October 19, 1995 (cont'd)*

Nellie Pomroy  
 Sharon Basha

*October 24, 1995*

Dr. Gale Burford  
 Dr. Joan Pennell

*October 25, 1995*

Anne Martin (Mount Pearl)  
 Gertrude Andrews  
 Barbara Hopkins  
 Bernadette Lin  
 Lucy Stoyles  
 Dr. Julia O'Sullivan  
     for the Head Injury Association  
 Jack Jardine  
 Ron Martin  
 Peter Andrews  
 Sheila Sullivan

*October 26, 1995*

Sister Theresa March (Bell Island)  
 Gay Parsons  
 Jim Crockwell

*October 31, 1995*

Deborah MacPhee  
 Shelley Levitz (Toronto)

*November 1, 1995*

Dr. Catherine Donovan  
 Donna Noseworthy  
 Joanne Morris  
 Corrine Murphy  
 Mary Goss-Prowse  
 Cass Shannahan  
 Christine Boland  
 Robbie Manning  
 Darroch Crewe  
 Ellen Chaulker  
 Kim Dreddy

---

## List of Individuals (Continued)

---

### **ST. JOHN'S (cont'd)**

*November 1, 1995 (cont'd)*

Len Condon  
Heidi Windsor

*November 2, 1995*

Debbie Pottie (Toronto)  
Dr. Ann McCuspie (Toronto)  
Linda MacDonald (Toronto)  
Alastair Bissett-Johnson  
(Dundee, Scotland)

*November 14, 1995*

Lana Collins  
Dr. A.J. Davis  
Dr. Harry Edstrom  
Dr. Kathleen Kufedlt  
Dr. Delores Doherty  
Lois Finn

*November 15, 1995*

Frankie O'Neill  
Penelope Rowe  
Darlene Scott  
Judy Rossiter  
Francis Fitzgerald (Bell Island)  
Roseanne Grant (Bell Island)  
J.J. Byrne

*November 15, 1995 (cont'd)*

Dr. Mary Power  
Dr. Julia O'Sullivan  
Elizabeth Lee  
Sharon Fagan  
Calvin Sparkes (C.B.S.)

*November 16, 1995*

Brenda Fitzgerald  
Marie White  
Pauline Corbett  
Ann Manning  
Jennifer Doyle  
Ann Roberts

### **ST. JOHN'S (cont'd)**

*November 21, 1995*

Jim Oldford  
Debbie Dooley  
James Hearn  
Myrle Vokey

*November 22, 1995*

Wendy Williams  
Martha Muzychka  
Madonna O'Shea  
Janet Henley-Andrews  
Margaret Costard  
Beverley Everard  
Glenda Kelleher  
Sandra Mercer  
Dr. Delores Doherty  
Dr. Michelle Sullivan  
Mary Jardine  
Dr. Hubert White  
Sophia Slaney  
Gail Dempsey  
Sean Fitzgerald  
Leon Mills

*November 28, 1995*

Wanda Crocker  
Jocelyn Green  
Charlene  
Nicole  
Lee Ryan  
Barbara Hopkins  
Board Member of School  
Children's Food Foundation  
Susan Green  
Ruth Fallon  
Rev. Bob Fillier  
John Jenniex (Corner Brook)

---

## List of Individuals (Continued)

---

### **ST. JOHN'S (cont'd)**

*November 29, 1995*

Paula Rogers  
 Jocelyn Burgeois  
 Dr. Rob Morris  
 Donna Ronan  
 Colin Clarke  
 Bruce Grant  
 Frank Kavanagh  
 Jim McGrath  
 Eileen Newman  
 Eileen Tarrant  
 Mary Edwards  
 Jill Andrews  
 Lynn Peddle  
 Gail Sullivan  
 George Jefferies  
 (Charlottetown, Labrador)

*November 30, 1995*

Harold Spracklin  
 Louise Jones  
 Marilyn Pardy

*December 5, 1995*

Alan Kenworthy  
 Susan McConnell  
 Moyra Buchan

*December 5, 1995 (cont'd)*

Tim Turner  
 for the Canadian Mental  
 Health Association  
 Diane Oliver  
 Carol Crocker

*December 6, 1995*

Annette Stapenhorst  
 Joy Baker  
 Nadeen Chafe  
 Teri Baker  
 Rob Filles  
 Bill Leonard

### **ST. JOHN'S (cont'd)**

*December 6, 1995 (cont'd)*

Dianne Molloy  
 Regina Jones  
 Mark Hammond  
 Anne Kenworthy  
 Ruth Williams

*December 6, 1995*

Shirley Miller  
 Rob Kelly (Gould's)  
 Brian Hodder  
 Ann Shortall  
 Ron Whitten (Gould's)  
 Dave O'Keefe  
 Ed Foley  
 Cindy Sparkes  
 Gary Peddle  
 Paul Davis

*December 7, 1995*

Bruce Cooper  
 Beverley Clarke  
 Christina Borg  
 Tony Ducey  
 Deane Kennedy  
 Louise Osmond  
 Susan Shiner  
 Mark Scales  
 Elaine Crocker  
 William Lee  
 Frank Lee  
 Robert Dawe  
 Gina Pink  
 Carolyn Fitzpatrick

*January 15, 1996*

Maxine Mercer  
 Christine Penny  
 Gary Milley  
 Neil Hamilton  
 Jackie Pollard  
 Cathy Royle

---

## List of Individuals (Continued)

---

### **ST. JOHN'S (cont'd)**

January 16, 1996

Derek Marshall  
 Bill Murphy  
 Terry O'Brien  
 Lynn Crosbie  
 Philip O'Neill  
 Judy-Ann Watson  
 Abner Wheaton  
 Gerri Howlett  
 Anne Squire  
 Cindy Wiltshire  
 Andrea Myler  
 Helen Murphy  
 Lynn Peddle  
 Jennifer Mercer  
 Dr. Carol Peterson  
 Marion Butt  
 Thomas Hounsell  
 Fereidoon Shahidi  
 Eldred Barnes  
 Beverley Everard  
 Joyce Churchill  
 Barbara Hopkins  
     for the Autism Society  
 Michelle Hounsell  
 Eleanor Morgan  
 Patti Wells  
 Mary Fearon  
 Derek Marshall  
 Pat Wright  
 Dianne George  
 Kate Morrison  
 Shawn Fowler (Rencontre East)  
 Tim Turner  
     for the St. Francis Foundation  
 Heather Modlin

January 17, 1996

Corinne Budgell  
 Florence Power  
 Sue Skipton  
 Linda Morley-Haggart

### **ST. JOHN'S (cont'd)**

January 17, 1996 (cont'd)

Dr. John Angel

January 18, 1996

Fred Durant

January 19, 1996

Dr. Ian Bowmer

Dr. Joan Pennell

for the School of Social Work

Dr. Maryanne Lambe

---



# Provincial Departmental Public Hearings

---

The following is a complete list of provincial government departments and agencies called to appear before the committee in public session in St. John's. The names of the civil servants who attended these hearings are listed under each department.

## HEALTH DEPARTMENT

**January 17, 1996**

---

**Joan Dawe**  
Assistant Deputy Minister  
Community Health

**Roy Manuel**  
Assistant Deputy Minister  
Institutional Services

**Beverley Clarke**  
Director  
Drug Dependency Services

**Eleanor Swanson**  
Director of Health Promotion

**Debbie Sue Martin**  
Director of Mental Health Services

**Helen Lawlor**  
Director of Public Health Nursing

**John Houser**  
Director of Health Policy

**Lynn Vivian-Book**  
Consultant of Parent & Child Health

## EDUCATION & TRAINING DEPARTMENT

**January 17, 1996**

---

**Robert Jenkins**  
Deputy Minister

**Robert Crocker**  
Associate Deputy Minister

**Patricia Canning**  
Special Education & Training

**Edward MacKey**  
Director of Student Support Services

**Bill Wilson**  
Director of Youth Services

## SOCIAL SERVICES DEPARTMENT

**January 18, 1996**

---

**Bruce Peckford**  
Deputy Minister

**Noel Browne**  
Assistant Deputy Minister  
Client and Community Services

**George Skinner**  
Assistant Deputy Minister  
Program Development

**Sharon Callahan**  
Director of Youth Corrections

**Elizabeth Crawford**  
Director of Child Welfare

**Don Gallant**  
Director  
Family & Rehabilitative Services

**Vivian Randell**  
Director of Strategic Planning

**Rebecca Roome**  
Director of Human Resources

**Rosalind Smythe**  
Policy Analyst  
Social and Strategic Planning

## AUDITOR GENERAL'S OFFICE

**January 18, 1996**

---

**Elizabeth Marshall**  
Auditor General

## WOMEN'S POLICY OFFICE

**January 18, 1996**

---

**Luanne Leamon**  
Assistant Deputy Minister

**Beth Lacey**, Researcher

---

## In Camera Sessions - Provincial Government Departments

---

---

Over the course of the five months of public hearings, the committee conducted a series of sessions with provincial civil servants in private session. These meetings were instigated at the committee's request.

The in camera sessions were held in six communities across Newfoundland and Labrador and included civil servants from four government departments and/or agencies. The committee heard from ninety-five people during these sessions.

In order to afford these mostly front-line workers the opportunity to speak openly and frankly to the committee, these sessions were conducted in camera and no recordings were made of what was said.

The committee would like to acknowledge, however, the very great contribution made by these individuals. Through their thoughtful and inventive comments, they did much to contribute to the work of this committee.

Aside from this acknowledgement, the committee does not intend to list the names of any of these civil servants who spoke so openly to us. Neither do we intend to identify their department and/or agency.

While their names do not appear in this report, their thoughts and ideas do.

Again, our many thanks to all who participated.

---

---

## In Camera Sessions - Youth-in-Care

---

---

Over the course of the five months of public hearings, the committee conducted a series of sessions with youths who were or are in the care of the Director of Child Welfare.

The committee wishes to acknowledge the assistance of the Director of Child Welfare, Ms. Elizabeth Crawford, and her staff in facilitating these sessions. Without their help these sessions would not have been possible.

The in camera sessions were held in three communities across Newfoundland and Labrador. The committee heard from thirty-five youths during these sessions. The ages of the participants ranged from pre-adolescent to young adults. The committee feels that the young people with whom we spoke represented a good cross section of children currently in the care of the Director of Child Welfare

In order to afford these young people the opportunity to speak as freely as possible, these sessions were conducted in camera and no recordings were made of what was said. These young people spoke to us, in part, because we said that the committee would treat everything, including their identities, with the utmost confidentiality. Committee members do not intend to let them down. Aside from this acknowledgement, the committee will not identify anyone who participated.

**It is perhaps not an understatement to say that the committee found these sessions among of the most powerful and moving of the whole public consultation process. These youths were wise beyond their years. Their knowledge about reforms needed in the Child Welfare system was learnt the hard way.**

It is the hope of the committee that we can effect some of the changes that they felt, and now the committee feels, are necessary.

---

---