

15-year-old Jimmy: An Investigative Review

Ministry of Children's Services response to the Office of the
Child and Youth Advocate Report

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BACKGROUND

On October 30, 2017, the Office of the Child and Youth Advocate (OCYA) released a report entitled *15-Year-Old Jimmy: An Investigative Review*. The report is a review of the life of a youth who had an open intake and was in the care of his guardian at the time of his death.

The death of any child is devastating for family, friends, community, and all those who knew and loved them. Our thoughts are with all those who continue to grieve for this young person.

As described in the OCYA's report, Jimmy was a kind and helpful youth who enjoyed skateboarding, mechanics, playing sports and video games. Jimmy and his family had no involvement with child intervention services until he was nine years old. Jimmy had been exposed to family violence, parental substance abuse and mental health concerns. He was never removed from parental care as he had extended family members who at times provided care for him. Notably, Jimmy was very connected to his older sister, who eventually became his guardian.

The OCYA's report makes four recommendations: two for the Ministry of Children's Services regarding the provision of services for at-risk adolescents who request help, and two for the Ministry of Justice and Solicitor General regarding jurisdictional responsibilities connected to applications for guardianship under the *Family Law Act*.

Children's Services' response includes information gathered from the following sources:

- A review of existing policies in comparison to issues identified in the report;
- A review of current ministry initiatives, practice and program directions related to issues identified in the report; and
- Engagement with our ministry partners, including other divisions, regional service delivery partners and other ministries.

We welcome the OCYA's recommendations and thank him and his office for their ongoing commitment to strengthening supports for vulnerable children, youth and families in Alberta.

RESPONSE TO RECOMMENDATIONS

Recommendation #1:

The Ministry of Children’s Services should create provincial policies that are reflective of the needs and vulnerabilities of at-risk adolescents who ask for help. Child intervention staff should have a comprehensive understanding of the ongoing impacts of early childhood trauma.

Ministry response: The ministry accepts the intent of this recommendation.

Children’s Services agrees with the primary aim of this recommendation. However, rather than create separate policies for a subset of children based on age, the ministry is focusing on improving staff knowledge and practice in addressing the impacts of early childhood trauma for all children and youth involved with the child intervention system.

Currently, Children’s Services is implementing Foundations of Caregiver Support to provide caregivers and front line staff with additional training and tools to enhance their understanding of healthy child development and the impacts of trauma, grief and loss. This training reinforces the need for staff to use a holistic approach with all children, youth and their families to address childhood trauma. Training modules were piloted with select front-line staff and caregivers in 2016 and 2017, and mandatory training for all front-line Children’s Services and Delegated First Nations Agency staff is aimed for completion by the fall of 2018.

A key part of trauma training is shifting thinking from “what is wrong with you?” to “what happened to you?” With this intentional focus shift, Children’s Services will continue to refresh and enhance policy with an appreciation of the impact of trauma, grief, and loss on children’s well-being and development.

As identified in our response to a previous OCYA report, *Three Young Children: An Investigative Review*, policy is also being updated to reinforce the expectation that each child’s unique needs, based in part on their developmental age and stage and their level of assessed attachment and development, are to be considered and specifically addressed in case planning.

Recommendation #2:

The Ministry of Children’s Services should develop an appeal process designed specifically for adolescents who are denied child intervention services and supports. This process must be timely, fair and easily accessible.

Ministry response: The ministry accepts the intent of this recommendation.

As referenced in the OCYA's report, Children's Services acknowledges that young people have unique strengths, needs and vulnerabilities that must be taken into consideration when they are reaching out for services and supports.

Every young person who comes to the attention of Children's Services must have their unique strengths, needs and vulnerabilities assessed as per legislation, applicable policy and practice. If disagreements arise as they move through the child intervention system, a number of informal and formal dispute resolution mechanisms are in place to help support these young people.

The type of mechanisms available to a young person depends on their involvement with Children Services. In situations where a youth has been deemed in need of intervention and disagrees with a decision, there are both informal and legislated, formal mechanisms to address the dispute. When a young person has not been deemed a child in need of intervention as per the law, there are still robust, informal options available.

As an initial response to any disagreement, a child, youth or family is always encouraged to speak to the assessing caseworker, a supervisor, and/or manager to try and resolve the situation informally. Other informal processes are also available, including family group conferencing and mediation.

In situations where a child or youth has been deemed to be in need of intervention services, there are a number of other formal and informal dispute resolution options available, including Judicial Dispute Resolution, Administrative Review, Appeal Panel and connection with the OCYA.

To assist all people who are trying to navigate through the system, Children's Services has developed tools to help Albertans understand how child intervention works. A Dispute Resolution Fact Sheet has been made accessible to the public to help children, youth and families understand their options when disagreeing with a decision that impacts them. The process is designed to be timely, accessible, and result in fair and respectful resolutions. Additionally, the Enhancement Policy Manual outlines the importance of children and youth being informed about their right to disagree with decisions and supported to access the informal and formal levels of dispute resolution available to them.

Recommendation #3:

The Ministry of Justice and Solicitor General should ensure that the Family Law Act guardianship application forms address how the applicants will fulfil the responsibilities outlined in Section 18 of the Family Law Act.

Ministry response: This recommendation is not directed at the Ministry of Children's Services.

The OCYA has connected with the Ministry of Solicitor General regarding this recommendation and

their response.

Recommendation #4:

The Ministry of Justice and Solicitor General should ensure that the application process for guardianship under the Family Law Act is standardized across the province.

Ministry response: This recommendation is not directed at the Ministry of Children's Services.

The OCYA has connected with the Ministry of Justice and Solicitor General regarding this recommendation and their response.

CONCLUSION

We would like to thank the Child and Youth Advocate for this report. Jimmy showed true resilience in the face of repeated trauma and loss. The tragic loss of this young person and the challenges that he endured in his life have not gone unnoticed by this ministry.

Understanding and responding to grief and trauma is critical to properly supporting children, youth and families. Children's Services recognizes the vulnerability of adolescents and believes that every young person's history of abuse and neglect must be considered when assessing their situation and delivering services to meet their needs. Strengthening our practice to ensure that all caregivers and front-line staff understand the impact of childhood trauma on the developing adolescent brain is essential to developing effective services and support plans for this age group. We have already begun strengthening training and policy to better recognize and address the long-term impacts of grief, trauma and loss in the young people that we support.

All young people have a right to question decisions that they disagree with. That's why Children's Services provides a variety of dispute resolution options to help address any disagreements and concerns. Children's Service also recently developed new information materials to help make children, youth and families aware of the informal and formal options available to them. Moving forward, we will continue working to help young people navigate this dispute resolution system, access supports and ensure that their voices are heard.

We accept the intent of the recommendations and will work to further implement the principles to help support the safety and well-being of all vulnerable children in Alberta. Children's Services is committed to continually strengthening the child intervention system so that all children, youth and families receive the services they need, when they need them.