

2017 Report to the Legislature



Young
People

**Provincial Advocate
for Children & Youth**

Office of the Provincial Advocate for Children and Youth
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2017 Report to the Legislature
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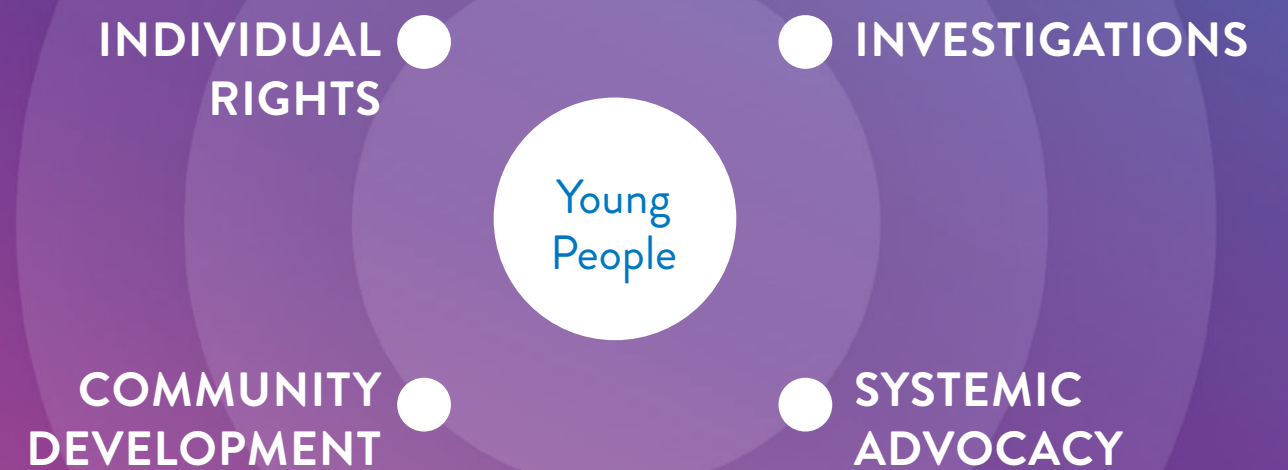
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Our Domains of Advocacy



The Advocate's Office works on several levels simultaneously to ensure the voices of children and youth are heard. We call this approach "layered advocacy." We advocate for children and youth from four different points of need (or layers) concurrently: individual rights advocacy, systemic advocacy, community development advocacy and investigation-based advocacy.

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About Us

Who We Are and What We Do

The Office of the Provincial Advocate for Children and Youth (the Advocate’s Office) is an independent office of the Legislative Assembly of Ontario. Our work is guided by the principles of the United Nations Convention on the Rights of the Child (UNCRC), including the principles of non-discrimination; adherence to the best interests of the child; the right of all children to life, survival and development; and the right of children to participate.

Ten years ago, the *Provincial Advocate for Children and Youth Act, 2007*, established the Advocate’s Office. The role of our Office under the Act is to:

- Provide an independent voice for children and youth, including First Nations children and children with special needs, by partnering with them to bring issues forward
- Encourage communication and understanding between children and their families and the people who provide them with services
- Educate children, youth and their caregivers regarding the rights of children and youth
- Investigate complaints about matters concerning a child or group of children under the care of a children’s aid society (CAS) or a residential licensee where the CAS is the placing service provider

Since becoming independent, the Office has grown and expanded its ability to provide individual, systemic and community development advocacy by opening a permanent office in Thunder Bay, Ontario. In 2016, our Investigations Unit began its work to improve the services provided to children by a children’s aid society or residential licensee.

Our central role is to help provide a voice for Ontario’s children and youth, especially the most vulnerable who are “in care” or on the margins of government care. We do this to ensure they have the resources they need not just to survive, but to thrive. We view our role as providing them with the means to reach out and get the supports and services they need and deserve.

We talk about elevating children’s voices because our years of advocacy work with children and youth have taught us how powerful it is for them to feel included in decisions that affect their lives. To feel included, they need to be heard. But we don’t speak *for* them. We aim to work *with* them—and with their “natural” advocates (such as friends, family, counsellors, social and youth workers, teachers and neighbors)—to ensure their voices are heard and messages acknowledged. This principle is at the heart of everything we do.

Who We Serve

We stand with and for children. Our rights-based approach places us squarely beside children and youth as respected partners. We elevate their voices—individually, systemically, through community development and through investigations.

No matter their background or circumstances, to us, all children and youth are:

- People with valuable insights into their own circumstances
- People with valid opinions based on their lived experience within and on the margins of Ontario's systems of care
- People with ideas and suggestions for improving services that arise from lived experiences most of us can only imagine
- Deserving of all the opportunities and resources they need to live healthy and productive lives

When a young person reaches out to our Office, we listen. We listen to their words to understand their situation, and we listen to what they need from us. We also try to determine how we can ensure they are heard—and to make sure they *feel* heard. Each and every phone call, email, text message, or other means of communication is important, and we listen carefully.

It's not our job to speak for children and youth who feel the system doesn't do enough to protect their rights and meet their needs. Our job is to help them speak for themselves, so they can bring about real change in their lives.

CHILD WELFARE
Working alongside children who come into contact with Ontario's children's aid societies or child and family service agencies.

FIRST NATIONS
Ensuring First Nations children and youth have equitable access to services and resources in Ontario.

PROVINCIAL & DEMONSTRATION SCHOOLS
Supporting children and youth attending Ontario's schools for the Deaf, Blind and Deaf/Blind and severely learning disabled.

YOUTH JUSTICE
Partnering with young people to ensure their rights and needs in the justice system are advocated for with regards to receiving responsive care and support.

CHILDREN'S MENTAL HEALTH
Listening to children and families and working with them to advocate for a more accessible and comprehensive mental health care system.

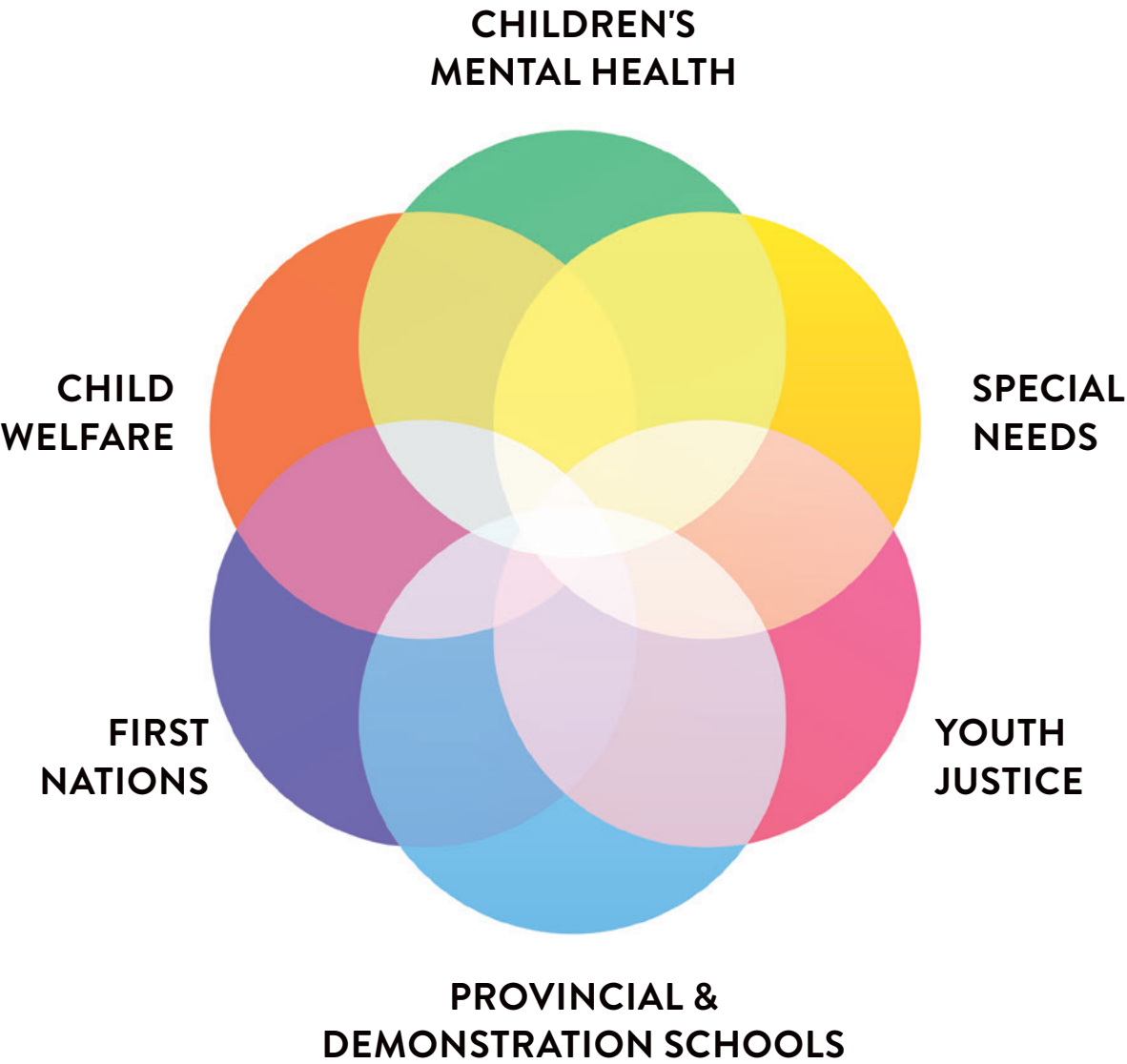
SPECIAL NEEDS
Bringing young people with special needs into the conversation to ensure they have a say in addressing gaps in the service system.

Who We Serve

Our Layered Approach to Advocacy

Many children and youth in our mandate feel powerless and invisible. But through an approach we call **layered advocacy**, we aim to amplify their voices so they feel some degree of control over the decisions that affect their lives.

The Advocate’s Office works on many levels to provide young people with the knowledge, skills and tools they need to be their own advocates and ensure they are heard by decision-makers.



“I want to have a say in my treatment plan and medications but no one is listening to me.”

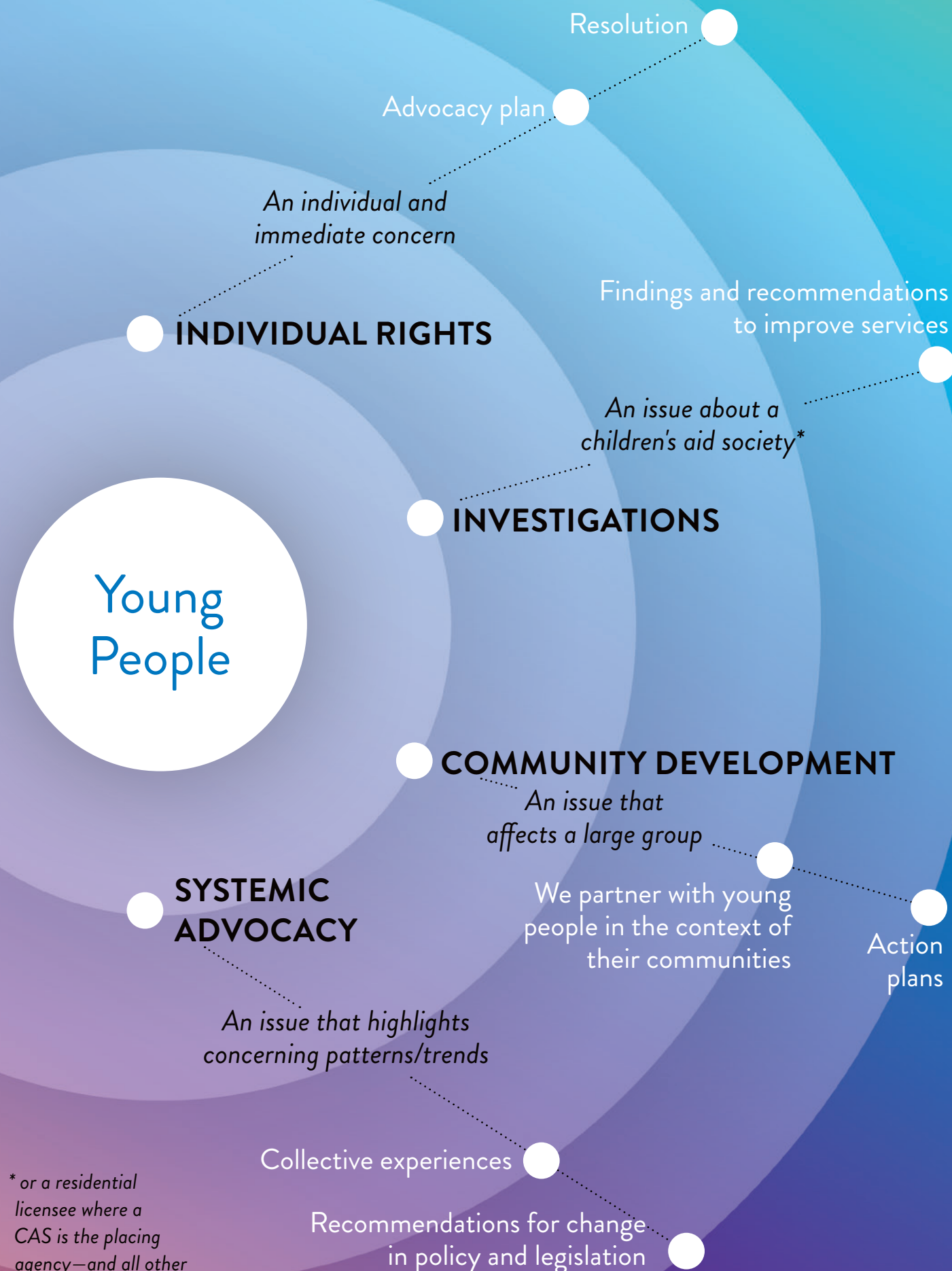
“I have more than one diagnosis, and I'm not getting the support services I need at my school.”

“I'm not getting the mental health supports and resources I need in secure custody/ secure isolation.”

“I am in a youth justice setting and I don't belong here, but my CAS worker won't help me get a hearing.”

“I need to live somewhere but because I am a former Crown Ward on probation who suffers from an addiction, I'm going to be homeless when I age out of care.”

What We Hear From Young People



* or a residential licensee where a CAS is the placing agency—and all other complaint processes have been exhausted

Elevating the Voices of Ontario's Youth

Young people's perspectives and experiences shape everything we do, from developing individual advocacy plans to bringing about changes to government policies that have a profound impact on the lives of young people in this province. We believe it is only by working with the children and youth who are directly affected by any given issue that we can elevate their voices to ensure as, a first step, they have equitable access to the same services and conditions as children who are not part of Ontario's systems of care. We achieve this through four distinct yet interconnected layers of advocacy work.

Individual Rights Advocacy is about listening to the concerns of children and youth in Ontario's systems of care when they feel the system is not working for them. Every year, we respond to thousands of calls, emails and messages from young people, their families, caregivers and other members of their support network to ensure their concerns are addressed and their voices are heard.

Systemic Advocacy is about looking into issues more deeply when we see patterns or trends related to government legislation and guidelines, agency policies, and the practices of organizations that provide services to children and youth. We work with young people who have direct knowledge or experience with the issue to come up with recommendations for change.

Community Development Advocacy creates opportunities for young people to come together so they can add their individual and collective voices to discussions to mobilize change in their lives and communities. We create safe spaces where young people can discuss concerns, identify common issues, and self-advocate to improve services and resources in their communities, no matter where they live in Ontario.

Investigations allow the Office to take a closer look at complaints involving a child or youth who is receiving or accessing services from a children's aid society (CAS) or from a residential licensee where a CAS is the placing agency. We can lead individual and systemic investigations into matters including child deaths and critical injuries once all other complaint processes have been exhausted.

Highlights from 2016–2017

New Child, Youth and Family Services Act

Youth have been calling for changes to the *Child and Family Services Act* for years. This year, they finally got their wish. The most significant changes involve children having a greater say in decisions about their lives, increasing the age of protection to 18 (from 16), and the provincial government having the power to take over children's aid societies if required.

The Katelynn Sampson Inquest

The jury's verdict and recommendations in the Katelynn Sampson inquest were released early in the fiscal year. Establishing *Katelynn's Principle* was its number one recommendation. The principle places children at the centre of any activity, policy or legislation, with an emphasis on their right to participate in decisions that affect them.

HairStory: Uniting Black Youth for a Right to Speak

In October 2016, more than 120 Black youth aged 13 to 25 gathered in Toronto to take part in the *HairStory: Black Youth Unite for A Right to Speak (A.R.T.S.)* forum. They came together to share their experiences and their solutions for change. The forum addressed issues such as their over-representation in the child welfare system, the school-to-prison pipeline, and the debilitating nature of structural racism that also extends to Canada's immigration system.

We Have Something to Say: Report and Listening Table

In 2016, young people with special needs and their families and caregivers gathered in Toronto to address the barriers they face in accessing the resources, services and supports they need. The listening table offered decision-makers, service providers and community leaders a chance to hear firsthand some of the views expressed in our report, *We Have Something to Say: Young people and their families speak out about special needs and change*.

Feathers of Hope: Culture, Identity and Belonging Forum

In July 2016, 130 young people from remote and fly-in communities across Northern Ontario attended the *Feathers of Hope: Culture, Identity and Belonging* forum to discuss the importance of identity, culture and belonging in the lives of First Nations children and youth. Young people shared their experiences and hopes tied to strengthening the role each plays in their lives.

Addressing Youth Suicide and Supporting Mental Health

We responded to requests for support from a number of communities trying to cope with and respond to suicide attempts and deaths. Our Office continues to highlight the critical need for accessible and comprehensive mental health services for children and youth.

Office of the Correctional Investigator Research Partnership

In 2016–17, we began a partnership with the Correctional Investigator of Canada to hear from young people aged 18 to 24 in custody in adult corrections facilities.

Inquest into First Nations Teen Deaths

The verdict in the inquest into the deaths of Jethro Anderson, Curran Strang, Paul Panacheese, Robyn Harper, Reggie Bushie, Kyle Morriseau and Jordan Wabasse was released in June 2016. All seven First Nations young people died in Thunder Bay, Ontario. The five-person jury delivered a verdict of "accidental" death in three of the cases and "undetermined" verdicts in the other four. They also rendered 145 recommendations aimed at highlighting failures in the system and preventing such tragedies from happening again.

Message from the Provincial Advocate



Ten years ago, the Ontario Legislature passed the *Office of the Provincial Advocate for Children and Youth Act (2007)*. Our Office was created, and I was hired as the Provincial Advocate. We began with a small office space in the Ministry of Children and Youth Services quarters and a staff group of 10 including myself. We had to establish a vision for the Office, set a path forward, and focus on building a commission that young people would know was “theirs.”

We began by grounding ourselves in the section of our Act that instructed us to strive to be an “exemplar in child and youth participation.” In everything we did, we tried to honour this commitment. In our individual advocacy work, in our systemic advocacy, and in the development of community development advocacy, we always thought of how young people could be involved.

It’s amazing what a difference 10 years can make when staff are passionate about their work. Today, we have an office in Toronto and another in Thunder Bay. We have 80 staff, including 15 Amplifiers—a unique position within our collective agreement that evolved from our Youth Coordinators. Our work has been replicated across the country and globe. Ukraine’s Child Ombudsman has modelled his work on our accomplishments; youth in care in Japan have borrowed the “Our Voice Our Turn” logo and are planning their own youth in care hearings in spring 2018.

This year’s annual report details the tremendous amount of work the Office undertook this year. In many ways, it is the culmination of a decade-long work plan that has involved children and youth at every step.

- The *We Have Something To Say* report release and listening table brought youth within our “special needs” mandate to the proverbial table in a powerful way.
- The *Culture, Identity and Belonging Feathers of Hope Forum*—our fourth Feathers of Hope gathering—continued to influence how First Nations young people must be central in the journey to healing and reconciliation.
- The introduction of Ontario’s new *Child, Youth and Family Services Act* and the production of the blueprint to fundamentally change residential care in the province proved the influence that young people had on the direction of children and youth services across government.
- Katelynn’s Principle—created out of tragedy by young people in partnership with our Office, then adopted by an inquest jury—found life.
- And finally, after a protracted struggle, our Office was given investigative powers, albeit limited.

Every day, young people and their caregivers call or visit one of our Offices seeking support in having their voices heard. It is as we listen and work to develop advocacy strategies for children and youth that we see

the gap between the nice words contained in strategic plans, frameworks, even legislation—and the reality of young people’s lived experiences.

A few weeks ago, I was momentarily overwhelmed as a staff member spoke eloquently about their passion for the work they were doing. They spoke about the emotional and challenging nature of child and youth advocacy.

The calls for advocacy come from everywhere. A young person in care could be calling from university. Or a young person without housing, living on the street. Or a child unable to speak, or a parent no longer able to cope in need of help for their child(ren). Each caller has a unique reason for reaching out to us hoping we will be able to assist them.

It strikes me that my staff, and the young people we serve, work with such personal and emotional commitment; focused on creating change so that their lives and the lives of other young people are viewed and considered centrally in the way this province provides care.

I realized then, and it strikes me every day, how honoured I am to walk with the incredible young people of this province.

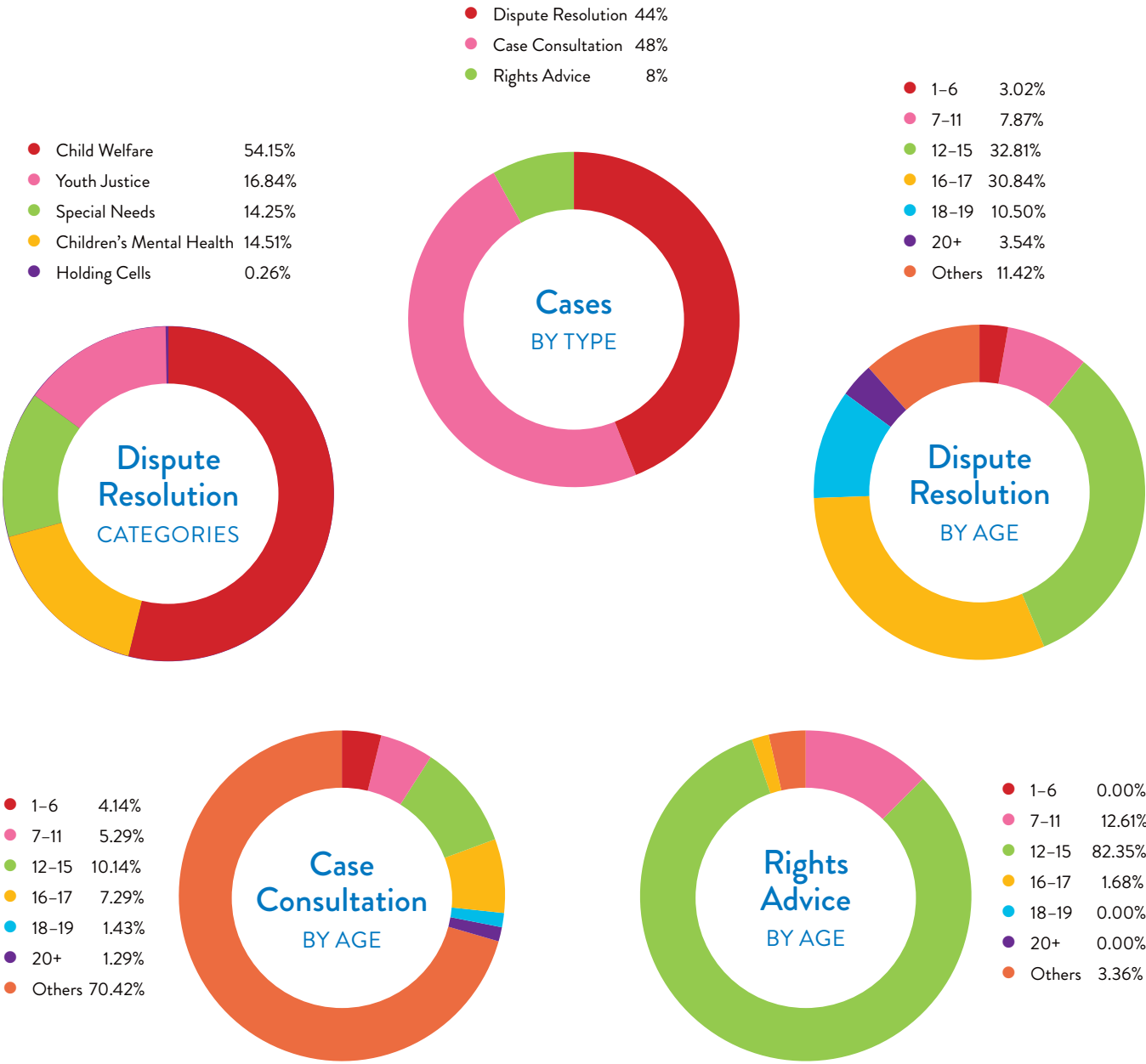
A handwritten signature in black ink, appearing to read 'I. Elman'.

Irwin Elman,
Provincial Advocate for Children & Youth

SERVICE STATISTICS

Service Statistics

April 1, 2016 – March 31, 2017



OUR SIX KEY MANDATE AREAS IN 2016–2017

Young people’s perspectives, experiences and voices are central to our work.

Across all of our mandate areas and in everything we do as an Office, we are guided by three key principles: the need to speak with children and youth, not for them; the need to amplify their voices to ensure they are heard by the decision-makers who so often hold children’s fates in their hands; and the need to be an exemplar of child and youth participation. That means involving young people in everything we do.

Introduction of the new *Child, Youth and Family Services Act, 2017*



Updating the Original Act

Over the past few years, young people have been calling for fundamental changes to the *Child and Family Services Act*. These changes were described in the Youth Leaving Care Hearings, *My REAL Lifebook*, the *Blueprint for Fundamental Change*, our own Listening Tours, Auditor General reports, the Motherisk scandal, and the inquests into the deaths of Jeffery Baldwin and Katelynn Sampson.

For the most part, young people were heard. The most significant changes to the Act involve giving children more say in decisions about their lives, increasing the age of protection to 18 (from 16), and giving the provincial government the power to take over children’s aid societies if circumstances require it.

The new Act (which will come into force on a date to be set) also contains a commitment to outcome measures, and requires all service providers to tell children and youth about their rights and about the Advocate’s Office. The Act also acknowledges systemic racism and the barriers it creates for children, youth and families receiving services, and requires service providers to account for culture and other identity factors when providing services.

Making Ourselves Heard

On March 30, 2017, the Office and young people made a submission to the Standing Committee on Justice Policy outlining their concerns about the Act. This was the culmination of months of preparation empowering young people to have their say when the new Act was introduced. In fact, so many young people requested to speak that not all could be heard.

We also attended legislative committee hearings debating amendments, and worked with a youth advisory group to discuss potential changes.

We believe the new Act falls short in a few key areas and has the potential to discount the voices of young people. Nevertheless, the new Act is a paradigm shift for the province in the sense that it commits to the participation of children and youth in decisions that affect them, creates a child-centred system of service, and commits to anti-racism and children’s rights. It is a small victory for young people in Ontario who want to be heard and to have their choices respected.

CHILD WELFARE

Working alongside children who come into contact with Ontario's systems of care to ensure they have a voice



Child Welfare

Our child welfare mandate is tied to Ontario's residential care system, which includes foster homes, kinship care, group homes and residential facilities.

Making Life in Care Better

We are aware that for many children, life “in care” can lead to a loss of individuality and self-determination, a lack of safety and a sense of rootlessness. To address these issues, we work alongside children and youth in Ontario's systems of care to ensure they have a say in the decisions that affect their lives. We strive to ensure they feel included in those decisions. We continually ask:

- Does the system help children feel connected?
- Does it equip them to face challenges?
- Does it encourage and actively engage them in realizing their potential?

When the answer is “no,” wherever possible, we partner with children and youth to advocate for change and improvement.

This year, the introduction of the new *Child, Youth and Family Services Act (2017)* was a significant development for us. The Act's main purpose is to update the 1990 version by giving young people a greater say in their own lives. Among other improvements, the Act also increases the age of protection to 18 (from 16) and requires all service providers to tell children and youth about their rights and about our Office.

Our Work This Year HAIRSTORY: UNITING BLACK YOUTH FOR A RIGHT TO SPEAK (ARTS)

We launched *HairStory* in 2012 to provide a platform for Black youth in care to speak about their lived experiences, understand their rights, and advocate

for changes that would lead to better outcomes in their lives.

That first year, it played out as a youth panel that brought together 10 young people from across Ontario who had lived in different care systems. They spoke to policymakers, community organizations and community leaders, connecting their experiences with recommendations.

Providing a Platform for Black Youth

In the four years since, we have travelled the province and spoken to youth who are part of the diverse nations collectively referred to as the Black community. This past year, in October 2016, *HairStory* brought together more than 120 Black youth aged 13 to 25 to share their experiences with provincial and federal systems of care. At the end of those dialogues, these young people shared their experiences and ideas for change with the provincial and federal governments and community and advocacy bodies. They took on issues ranging from the over-representation of Black young people in care systems to the school-to-prison pipeline. They discussed issues around identity, labels, stigma, family, parenting, mental health, and spelled out the debilitating nature of the structural racism they face: in Toronto, Black children and youth made up 8 percent of the population in 2015, yet they represented 41 percent of young people in care.¹

As a result of this powerful gathering, solutions sought by young people will be summarized in a report that will speak to the need to finally address systems of care that have been culturally unresponsive for too long. The resulting report will be published by the Advocate's Office in 2018.

¹ <http://www.oacas.org/2016/02/how-collecting-race-based-data-can-dramatically-improve-child-welfare-services/>



Every Child Has a Voice.
Children in care often feel helpless, voiceless and powerless to change the child welfare system in Ontario. Our goal is to create a safe space where children and youth can be active participants in addressing the barriers they face in Ontario's systems of care, and to work alongside them to ensure they have a say in the decisions that affect their lives.



THE MOTHERISK CONTROVERSY

Last year, some Ontario youth in care discovered that they may have been removed from their homes because of an alcohol- and drug-testing process that turned out to be flawed.

From 2005 to 2015, at the request of Ontario child protection agencies, the Motherisk Drug Testing Laboratory (MDTL) at the Hospital for Sick Children tested strands of hair from more than 16,000 individuals to look for evidence of drug and alcohol abuse. Fifty-four percent of the tests were positive. In some cases, this led to the removal of children from their homes and families for their own protection—forever, in some cases.

A Devastating Blow to Children and the System

In 2015, Justice Susan Lang released the results of an independent review of the MDTL program, which concluded that the hair-testing methodology had been “inadequate and unreliable for use in child protection and criminal proceedings.” She reported that the lab had failed to meet internationally recognized forensic standards, and that there was poor oversight by the hospital and a lack of written operating procedures. (The Hospital for Sick Kids suspended the testing service several years ago and has issued an apology.)

The government created the Motherisk Commission to review the cases affected by the work of the MDTL. The mandate of the Commission was to review individual cases and assist people who were impacted by the test results.

We view these findings as a devastating blow to our province's child welfare system, noting that there are likely children in care today who will spend the rest of their lives wondering if flawed hair-testing evidence led them to be removed from their homes for no reason.

A Disappointing Decision

After this news became public, the Office met with the Motherisk commissioner several times to ensure a child-centred approach to every case involving hair testing. We believe young people have a right to know their own histories. Our hope was that the Motherisk Commission of Inquiry would contact each and every one of the 8,000+ young people whose lives may have been affected. However, at present it appears that the Government of Ontario will not be taking this direction.

The Commission is now undertaking a “restorative inquiry process,” with a report due early in 2018.

RETHINKING RESIDENTIAL CARE

Decades of complaints by young people about the state of residential care in Ontario eventually led the government to establish an expert panel to review the current system. The resulting report, *Because Young People Matter: Report of the Residential Services Review Panel*, was published in February 2016.

The Office consulted with the panel in its work, ensuring that young people contributed to and supported much of what the panel recommended. Written by young people from care and based on a listening tour of group homes, treatment centres and shelters, the report ultimately mirrored our own *Searching for Home: Reimagining Residential Care* and *Serious Occurrences Report*.

A Blueprint for Reform

But that was just the beginning. After the report's release, the Ministry responded by agreeing that there

should be a blueprint for reform, and asked us to support young people in developing one. We approached this opportunity with some appreciation for the fact that the service system and government seemed finally ready to recognize that Ontario's residential care system is in desperate need of change.

The other good news is that the blueprint is an opportunity to create a vision of what a better system could look like—informed by the views of the young people who have experienced it. We hope the new system emerges from a child-centred process where every decision and change positively affects the lives of children and youth in real time.

The *Residential Care Blueprint* to reform residential services was released in July 2017 (after our fiscal year ended), and put forward a multi-year vision of how to build a new system. We will be relentless in ensuring that going forward, it will no longer be business as usual for any service provider, and children will begin feeling the difference in their lives.

IMMIGRATION

While we do not have a standalone mandate tied to immigration, it impacts many young people who fall within our mandate areas. In working to elevate the voices of Ontario's most vulnerable children and youth, we are aware that newcomer youth may have an even more difficult time being heard and having a say in issues tied to their ability to stay in this country.

In 2016–17, we worked to more firmly embed this group in the new *Child, Youth and Family Services Act (CYFSA)* as well as within our own mandate. The new Act raises the age of protection to 18 from 16, which means greater numbers of immigrant or newcomer youth may be considered to be “seeking services under the CYFSA.”

We also issued a statement about the detainment of minors in immigration detention—urging the federal government to stop the practice—and visited the Toronto Detention Centre.

Promoting a Child-Centred Approach to Immigration

According to *No Life for a Child: A Roadmap to End Immigration Detention of Children and Family Separation*, a report published by the University of Toronto International Human Rights Program, Canada detained an average of 242 children each year from 2010 to 2014.

The report found that detaining children (usually as “guests” of detained parents) is a violation of their rights and can lead to substantial emotional distress.

The Provincial Advocate called on the federal government to take a child-centred, community-based approach to immigration detention, emphasizing the fact that under the *UN Convention on the Rights of the Child* (to which Canada is a signatory), children have the right not to be separated from their parents.

THE OFFICE'S INVESTIGATIONS UNIT

Our new Investigations Unit—launched in March 2016—responds to calls from young people, parents, service providers and the public about the care of a child or children receiving children’s aid society (CAS) services or the services of a residential licensee where CAS is the placing agency.

A Year of Achievements

In its first year (March 1, 2016 to February 28, 2017), the unit:

- Responded to 235 calls
- Initiated 14 individual and systemic investigations across systems, including policing, education, hospital care and special needs
- Launched a large-scale systemic investigation into the use of physical restraints at group homes and children’s residences (excluding youth justice facilities)

- Built a website to inform the public about how to navigate the existing complaints processes
- Established a youth advisory group to advise the unit on developing best practices—including how to work with young people during investigations—and another to provide advice on the investigation into the use of physical restraints
- Created a pamphlet for stakeholders who are the subjects of investigation about what to expect
- Conducted 26 presentations to outside stakeholders about the Unit’s work

Our investigative team includes eight investigators, two research analysts, two staff who provide a wide range of administrative support, a manager, and a director. In addition to undertaking investigations and analyzing data, we also have staff available to help callers understand and access any complaints processes that must be undertaken to qualify for an investigation by our Office. We provide forms that can be used to make a complaint, and may assist callers in filling them out. If we have referred a caller to an outside complaints process, our staff will contact that person after 30 days to ensure the individual is not facing any obstacles in attempting to make their complaint.

In June 2016, legislation came into effect requiring all residential care providers to notify us of death and serious bodily harm to children and youth who had received services from a children’s aid society within the preceding 12-month period, including young people “in care.” We added an online reporting tool to our website to support service providers’ needs to report incidents of death and serious bodily harm to the Office. Between June 2016 and February 28, 2017, we received 3,602 notifications which we believe to represent 3,417 separate incidents.

FIRST NATIONS CHILDREN AND YOUTH

Working together with First Nations, Inuit and Métis children and youth to ensure they have the equitable levels of support and services they need to thrive



First Nations

First Nations, Inuit and Métis children and youth typically do not have the same access to education, justice, employment opportunities, or medical and social support services as their non-First Nations peers. We partner with this group of young people to mobilize change across Ontario while ensuring focus is brought to the unique needs of First Nations, Inuit and Métis youth across northern Ontario’s fly-in and remote communities.



Bringing Attention to Inequities in the System

All children in Ontario deserve equitable access to the supports and services they need to lead happy and healthy lives—no matter where they live or what their background is. Yet many First Nations, Inuit and Métis children and youth placed under the province’s care and protection are being failed by the system. They are disproportionately represented in Ontario’s child welfare system and continue to be removed from their homes and communities at an alarming rate.

First Nations, Inuit and Métis children make up only three per cent of the child population in the province, yet they represent 21 per cent of children in care. They also often find themselves placed in homes located hundreds, even thousands, of kilometres away from their communities, where they are cut off from their friends and families, their language and their culture.

First Nations, Inuit and Métis youth also continue to be over-represented in the justice system. The statistics show that proportionally, the number of First Nations, Inuit and Métis youth admitted to custody has been on the rise since the beginning of the last decade. In 2013, First Nations, Inuit and Métis boys (age 12 to 17) made up only 2.9 per cent of the young male population, but represented 15 per cent of incarcerated males in that age group.¹

Working Together in Search of Solutions

No question: First Nations, Inuit and Métis children and youth in Ontario are struggling. They face inequities in terms of the rights afforded them. They also face higher rates of poverty than their non-First Nations, Inuit and Métis peers. This can lead to feelings of hopelessness—and too many First Nations, Inuit and Métis youth take their own lives in response. In fact, of the 468 First Nations people who committed suicide in Ontario between 1991 and 2013, almost half were 25 years old or younger.²

Through Feathers of Hope, we are working with First Nations youth to mobilize the energies of young people so that they become a source of hope for other young people in their communities. We are partnering with young people because we know they have powerful voices. We also know they have a desire to share their views and concerns with decision-makers directly because they want to be part of creating the change they envision.

1 Justice and Juries report: http://www.provincialadvocate.on.ca/documents/en/JJ_En.pdf

2 Canadian Medical Journal Association: <http://www.cmaj.ca/content/cmaj/187/11/E335.full.pdf>

An Urgent Call for Action

First Nations, Inuit and Métis children and youth in Ontario are struggling. They often lack access to the same opportunities, rights, or services as other children in the province—and that has to change, now. We are working with First Nations youth—both on and off reserves—to address systemic inequities so they can lead fulfilling lives.

Our Work This Year CULTURE, IDENTITY AND BELONGING FORUM

In *Feathers of Hope: A First Nations Youth Action Plan*, First Nations youth spoke in detail about the need to strengthen their ties to culture as a way of building their personal sense of identity and belonging within their cultures and communities.

This is not surprising considering that one of the lasting legacies of the Indian Residential School system identified by the Truth and Reconciliation Commission of Canada (TRC) was the erosion of Indigenous languages. The resulting impact is the loss of cultural memory to pass on to current and future generations of First Nations children.

Recognizing the Power of Cultural Identity

The focus of the fourth Feathers of Hope forum was culture, identity and belonging. Held in Thunder Bay in July 2016, it brought together young people from 55 remote and fly-in communities across Northern Ontario to share their stories and thoughts about the role culture plays in their lives, and in the delivery of services and resources.

During the three-day forum, more than 130 First Nations youth participated in workshops and discussions with Elders and other “knowledge



carriers,” shared traditional teachings, participated in a sweat lodge ceremony and hosted their own powwow. At the closing “listening table,” the youth shared their perspectives with First Nations and Métis leaders and elders, government officials, and stakeholders from the education, healthcare and community service sectors on the importance of culture with respect to the supports and services they receive.



Pressing the Government to Do the Right Thing

Much to our disappointment, the federal government has yet to comply with the Tribunal's ruling. Therefore, we continue to add our voice to those pressuring the government to live up to the Tribunal's decisions. We are asking the government to enshrine Jordan's Principle and Shannen's Dream into law.

Shannen's Dream is based on the idea that every First Nations community should have a safe and culturally anchored school for children and youth to learn in their own communities.

In March 2017, we also joined child and youth advocates before the Canadian Human Rights Tribunal in an attempt to force the federal government to abide by the Tribunal's January 2016 ruling. The hearing was prompted by non-compliance motions filed by the First Nations Child & Family Caring Society, the Assembly of First Nations, the Chiefs of Ontario and the Nishnawbe Aski Nation.



CANADIAN HUMAN RIGHTS TRIBUNAL RULING

In its January 2016 landmark decision, the Canadian Human Rights Tribunal ruled that the federal government is failing to provide First Nations children on reserves with the same level of child welfare services as other children in the province. It found that the government's funding practices were discriminatory and called for increased funding for social services on reserves.

The Tribunal also ordered the government to fully implement Jordan's Principle, a principle unanimously passed in Parliament in December 2007. It stipulates that First Nations children should not experience delays, disruptions or the denial of medical treatments due to jurisdictional disputes between various levels of government. The Tribunal stated that First Nations children currently do not have access to the same services available to other Canadian children as a result of the federal government's funding model and its management of First Nations social services.

PROVINCIAL AND DEMONSTRATION SCHOOLS

Working with children and youth in Ontario who attend or want to attend provincial and demonstration schools for those who are Deaf, Blind and Deaf/Blind or learning disabled



Provincial and Demonstration Schools

Ontario's provincial and demonstration schools give youth with special challenges places to learn and communities to call their own. There are four schools for the Deaf:

- Ernest C. Drury School for the Deaf (Milton)
- Robarts School for the Deaf (London)
- Sir James Whitney School for the Deaf (Belleville)
- Centre Jules-Léger (Ottawa)

These schools offer instruction from kindergarten to grade 12. A fifth school, W. Ross McDonald School for the Blind (Brantford), offers K-to-12 instruction for students who are Deaf, Blind or Deaf/Blind. Two other schools (Amethyst School in London and Trillium School in Milton) provide a one- to two-year residential program for students with severe learning disabilities.

We visit all of these schools regularly to talk to young people (often through interpreters and interveners) about their rights and to remind them that we are here to support them. Over the past year, we continued to work with these students to ensure that the quality of educational supports they receive was maintained. Where possible, we have also spoken with the Provincial Schools Branch and the Minister of Education about the guidelines and protocols related to admission to these schools and their residential programs.

Supporting Marginalized Students Whose Communities and Educations Are at Risk

Ontario's provincial and demonstration schools continue to grapple with decreasing enrolment; the province's priorities often conflict with the needs of students and their families. Government decisions regarding enrolment, school closures and day versus residential programs have a direct impact on students—and students are feeling it.

With provincial guidelines playing a central role in falling enrollment, the province has chosen to restrict admissions, close several schools and consolidate some services. Yet we know that many students and families invested in provincial schools are seeking the preservation of residential-based school programs. They argue that the intensity of services and resources cannot be provided in mainstream schools, and this will place them at increased risk of isolation and marginalization.

In addition to providing students with core language and education development, provincial schools are a cultural and social hub for Deaf, Blind, Deaf/Blind, and severely learning-disabled students in Ontario. They provide a learning environment that is anchored in Deaf and Blind culture, access to teachers who have the skills and knowledge to support students' readiness to learn. While the system is not perfect, we continue to fight to keep these schools open because they provide inclusive communities that support students' social and educational needs and bring families together.

YOUTH JUSTICE & YOUTH IN HOLDING CELLS

Partnering with young people to help them understand their rights in the justice system and ensure they receive effective and responsive care and support



Youth Justice and Youth in Holding Cells

We work with young people on many aspects of youth justice. While each year brings new challenges and projects, secure isolation is a perennial issue. There is also considerable inconsistency among facilities when it comes to placing youth in secure isolation. We work to ensure that all facilities respect international standards regarding solitary confinement.

Our research involving facilities has revealed:

- Wide ranges among facilities in the time youth spend in secure isolation
- Instances where youth are placed in secure isolation for longer than 24 hours, violating international standards
- Cases where solitary confinement has lasted for longer than 72 hours
- Increasing instances of youth being placed in secure isolation
- Dehumanizing conditions in some places

This year, we worked to investigate and make recommendations in order to improve conditions for youth in the justice system.

Supporting Black Youth in the Justice System

Black youth are over-represented in the child welfare and youth justice systems. For example, 41 per cent of children and youth in the care of the Children’s Aid Society in Toronto are African–Canadian, even though they represent only 8 percent of Ontario’s youth population.¹ In some urban areas in Ontario, Black youth represent some 65 percent of all children in care.

In October 2016, we organized an advisory group to help plan and organize the *HairStory: Black Youth United for the A.R.T.S. (A Right To Speak)* youth gathering in Toronto.

Tools for Justice

We worked in several areas this year to improve conditions for youth in the justice system. Partnering with the Ontario Justice Education Network, we worked to create technology-based tools to help First Nations youth understand and navigate the criminal justice system. We also advised the Ontario Ministry of Children and Youth Services to abandon its plan to use empty beds in open custody group homes for youth not involved in the justice system. And we began a partnership with the Correctional Ombudsman of Canada to hear from young people aged 18 to 24 who were being held in custody in adult corrections facilities.

Our Work This Year SECURE ISOLATION

In August 2015, we asked the Ministry of Children and Youth Services to ban the use of secure isolation for periods longer than 24 hours, in accordance with the views of organizations like the United Nations, Human Rights Watch and the World Health Organization. (The United Nations has stated that solitary confinement for longer than 24 hours should be prohibited for people under the age of 18 or who have a mental illness.) This request was based on the findings outlined in our landmark report, *It’s a Matter of Time: A Systemic Review of Secure Isolation in Ontario’s Youth Justice Facilities*. It is the position of the Advocate’s Office that time spent in secure isolation (soon to be known as secure de-escalation in the new CYFSA) in excess of 24 hours is, in effect, solitary confinement and should be prohibited.

1 Stats in this paragraph are from <http://www.oacas.org/2016/02/how-collecting-race-based-data-can-dramatically-improve-child-welfare-services/> and <https://www.thestar.com/news/gta/2016/10/24/black-youth-share-their-experiences-of-cultural-isolation-in-the-child-welfare-system.html>

All children in this province deserve to have their rights protected. Young people who are in youth justice facilities, or who have come into contact with the justice system, are no different. We work to amplify their voices because ensuring they are heard is an essential concrete step toward improving their experience with the justice system and helping them reach their potential.

Minimizing Secure Isolation for Vulnerable Youth

In 2016, the government responded by establishing a protocol between the Youth Justice Division of the Ministry of Children and Youth Services and our Office. We will now be notified when young people are placed in secure isolation for longer than 24 hours. As well, the Ministry will report the number of secure isolation placements on a semi-annual basis.

In 2016, we also agreed to host two meetings in partnership with the Ministry to help gather input from Canadian experts who could help reduce the use of secure isolation. We are pleased to report that since then, the number of secure isolation placements has declined.

These are positive developments. But we’re less enthusiastic about how the new *Child, Youth and Family Services Act* refers to secure isolation as

“secure de-escalation.” The government suggests that renaming the practice this way will help change the culture in youth justice facilities. We remain troubled about the strategy used by government.

However, a welcome concession to our advocacy is a change in the updated Act that requires the regional director to be notified of and approve any action to hold a young person in secure isolation for longer than 24 hours.

ONTARIO JUSTICE EDUCATION NETWORK

In 2016–17, the Office worked with the Ontario Justice Education Network (OJEN) to create online tools to help First Nations youth understand and navigate the justice system.



The focus on developing tools for First Nations youth is a partnership borne out of our *Justice and Juries* report, which emphasized the need for young people to play an active role in creating the change they want to see in the justice system. The aim is to create culturally anchored materials in Indigenous languages that will ensure youth know their rights, responsibilities and options as they navigate the criminal justice system.

EMPTY BEDS

We successfully persuaded the Ministry not to go ahead with a plan to use “empty beds” in open custody group homes/facilities for youth in children’s aid society care who were not involved with the youth justice system.

This issue arose when the Ministry suggested offering empty beds in open custody facilities in the North for use by children’s aid societies. We responded by saying that while it is true that new homes are badly needed in Ontario’s North, we were strongly opposed to bringing children into care through no fault of their own and placing them in custody of any kind—open or closed. We believed this would send a very negative message to the children.

Ultimately, the Ministry stepped away from the idea and said it had not been serious about considering it.

OFFICE OF THE CORRECTIONAL INVESTIGATOR RESEARCH PARTNERSHIP

This fiscal year, we partnered with the Office of the Correctional Investigator Canada to hear from young people aged 18 to 21 about their experiences in adult corrections facilities. This partnership built on recommendations we made at the Ashley Smith inquest, particularly with regards to the use of solitary confinement.

While the legal system views youth who reach the age of 18 as criminally responsible for their actions, many this age are not able to understand what is meant by the term “criminally responsible.” Their experiences and vulnerabilities differ from those of older adults in custody: they are more likely to be exploited, intimidated and abused, and are over-represented in solitary confinement.

Elevating the Voices of Young Adult Offenders

The project involved interviews with 94 young adult offenders (87 males and 7 females) in Ontario, Quebec, and the Atlantic and Prairie provinces, as well as a review of relevant law, policy and best practices in other countries. There were also interviews with Correctional Service of Canada staff who work with young adults.

Dr. Ivan Zinger, the Correctional Investigator of Canada, concluded that, “Programs and services offered in federal penitentiaries are not tailored or adapted to meet [young adults’] needs...the Correctional Service of Canada is squandering the opportunity to help turn a young person’s life around.”

The joint report resulting from our investigation—entitled *Missed Opportunities: The Experience of Young Adults Incarcerated in Federal Penitentiaries*—was published after the end of our fiscal year and made 20 recommendations, including:

- Incorporating into a law a presumptive prohibition on the use of secure isolation for young adults under the age of 21
- Offering youth counselling training to parole officers who have an interest or aptitude in working with younger adult offenders
- Developing policy direction to meet young adult offenders’ specific needs and interests

The full report offers perspective on the trajectories of young people, including how they come into conflict with the criminal justice system and why current rehabilitation efforts often fall short of meeting their needs.

CHILDREN’S MENTAL HEALTH

Listening to what children and families need, and working with them to advocate for a more accessible, comprehensive mental health care system

Hundreds of young people in Ontario with lived experience in care systems go on to work for change in child welfare. But even in these roles, many continue to face their own emotional distress. As a community, we have lost some of these young change-makers to poor mental health, addictions and suicide. These are the heartbreaking consequences in communities that lack adequate supports. This needs to change.

Children’s Mental Health

One in five Ontario children (about 500,000) have mental health needs—but according to Children’s Mental Health Ontario, five out of six will not receive the treatment they need. Suicide is the leading cause of death for youth aged 10 to 19 in Canada; the incidence is even higher among First Nations children.¹ Unfortunately, for many children and youth in care in Ontario, mental health issues go undiagnosed and unaddressed by the service and education systems.

Every year, we hear about the suicides of young people with mental health needs who could not find adequate help. We believe that gaps in mental health care for children and youth are a big part of the reason for this. Ontario has a system of uncoordinated services that are providing inconsistent services to children and families across the province. Parents tell us that in their experience, the various service sectors they need to navigate are disconnected, confusing and siloed. The net result is that many young people wait far too long to obtain mental health services.

Our research shows that children who have experience with Ontario’s systems of care may be more likely to develop mental health needs. Many have experienced unstable or unsafe living environments, received poor quality and insufficient amounts of food, and suffered ongoing anxiety about how to pay for shelter, food, clothing and other resources.

This year, under our Children’s Mental Health mandate, we supported youth in Woodstock who organized a school walkout to advocate for greater awareness of mental illness, responded to a similar request from youth in Sarnia, and pushed (unsuccessfully) for an inquest into the suicide of a 12-year-old boy from Cobourg, Ont.

¹ OPACY Press Release: https://www.provincialadvocate.on.ca/documents/en/Mediarelease_May4MentalHealthWeek_En.pdf

ADDRESSING YOUTH SUICIDE

It seems that every year, we hear about the tragic suicides of young people with mental health needs who could not obtain adequate help. This year was no different.

The suicides of five youth within four months early in 2016 in Woodstock, Ontario motivated students there to organize a school walkout. They contacted our Office and invited us to support their efforts. They wanted more awareness, more resources, and more say, but they were facing considerable resistance, and hoped we could be part of the solution.

After consulting with the community’s service providers, the Ministry of Education, and the Ministry of Children and Youth Services, we accepted the Woodstock students’ invitation. We spoke to the youth in the city square and helped facilitate a meeting between the ministries and service providers.

A few months later, we received a similar request from youth in Sarnia who were also reeling from a number of suicides. We attended a meeting with many young people there.

We Can Do Better

Then there is 12-year-old Chazz Petrella, who committed suicide in Cobourg in 2014. Chazz had struggled with mental illness for years while his family tried to support him. At the time of his death, there were at least nine agencies involved in his life. The night before he died, his parents had taken him to the hospital because he seemed to be in an emotionally fragile state and they feared for his life, based on past events. He was given some medication and sent home. By morning, he was found lifeless.

In 2016, his family found out there would be no inquest, contrary to their hopes as well as ours. Given Chazz’s long-running, well-documented mental health needs, the number of agencies that were involved in his case, and his final visit to the hospital, we believe his death was preventable and should not have happened. Together with his parents, we pushed for an inquest. However, the Chief Coroner decided not to hold one, saying the government already had what it needed to create a new plan. We have not seen a new plan yet. This is an issue we will continue to monitor in the coming fiscal year.

CHILDREN WITH SPECIAL NEEDS

Bringing young people with special needs into the conversation to ensure they have a voice when it comes to addressing gaps in the service and education systems



Children with Special Needs

Every young person in Ontario needs—and deserves—to be heard, including those with special needs. An estimated one in nine children under the age of 18 in Ontario has a special need. This can include behavioral, developmental, neurological and/or medically complex needs.

Approximately one in five youth also has mental health needs that often go undiagnosed or unaddressed by the service and education system.¹ For these vulnerable children and youth, gaps in the service system continue to exist. We believe these young people must be given a strong voice to ensure these service gaps are addressed.

We are elevating the voices of children and youth with special needs to ensure their voices are heard so they can participate fully in their communities and enjoy access to the services, supports and resources they need to thrive.



Meeting All Children’s Needs

Young people with special needs want to be part of the conversation when it comes to the design of, access to, and range of services and resources that affect their daily lives. We believe government ministries responsible for providing those services must consult directly with children and youth with special needs to better understand their challenges and the changes they feel need to be made. Through initiatives such as *We Have Something to Say*, we are strengthening the lines of communication between policy-makers, service providers and youth with special needs so they can work together to address the barriers these young people and their families face when trying to access the services and supports they need to lead happy and healthy lives.

¹ Ontario Ministry of Children and Youth Services. (2016). www.children.gov.on.ca/htdocs/English/topics/specialneeds/mentalhealth/index.aspx

Our Work This Year

WE HAVE SOMETHING TO SAY REPORT LAUNCH AND LISTENING CIRCLE

In May 2016, as part of the *We Have Something to Say* project, more than 250 young people with special needs gathered in Toronto with their families and caregivers to share the realities of their lives and their personal experiences accessing resources, services and supports.

They met with government representatives, education leaders, health professionals and service providers to voice their concerns and share their ideas to improve the system they depend on.

Change starts with listening. Young people with special needs in Ontario deserve to be heard. They also deserve to be provided with the support and services they need to thrive and live fulfilling lives. Too often, they are forced to wait for these services—or are denied them altogether. We need to ensure these young people are part of the conversation about how to create lasting, transformative change.



Listening to What Children and Youth Have to Say

The listening table offered decision-makers and service providers a chance to hear firsthand some of the views expressed in our report, *We Have Something to Say: Young people and their families speak out about special needs and change*. The report highlights the barriers young people with special needs face when seeking access to the assessments and diagnostic tests they need to be eligible for services and resources. It also reveals the emotional, physical and financial burden many families must deal with when managing their children’s needs.



The report comes out of the *I Have Something to Say* initiative that we launched in 2014. By seeking out the experiences of children and youth with special needs, their families and their caregivers, the initiative aims to strengthen the lines of communication between policy-makers, service providers and young people with special needs so they can work together to address the barriers they face.

Supporting Youth With Special Needs

This year’s *We Have Something to Say* report outlines recommendations to address the barriers young people face in accessing the supports they need, as well as to improve the system, such as:

- Ensuring equitable distribution and access to support services for children and youth with special needs across the province
- Simplifying the process that young people with special needs and their families need to follow to obtain respite, direct funding, and other services
- Setting up youth advisory panels in provincial ministries so young people directly affected by policies and services have input into their design
- Providing mandatory special education training for student teachers and all school personnel who work with students with special needs
- Ensuring young people with special needs play a central role in all decisions affecting their lives

ADVOCACY AND AUTISM SERVICES

In its 2016 budget, the provincial government announced that it would invest \$333 million over five years to launch a new Ontario Autism Program (OAP). The program’s goal was to reduce service wait times for the more than 40,000 children in Ontario with autism. But the new program would also mean any child five years of age and older would no longer be eligible to apply for Intensive Behaviour Intervention (IBI) and would be taken off the waitlist to receive the therapy. Children five years of age and older could apply for the new, less intensive Applied Behavior Analysis (ABA) program, although it will not be launched until 2018.

Making Sure Young People Can Get the Services They Need When They Need Them

A form of applied behavioural analysis, IBI is an approach to teaching skills to children with autism. Many families had been waiting between two and four years to start IBI. We echoed the concerns of families with autistic children that eliminating access to this therapy for older children was not in their best interests and would leave many without the support they needed, when they needed it. We believe it is yet another example of government officials making decisions about services based on what is best for the system rather than what is best for children and youth.

As a result of our actions, as well as overwhelming pressure from families with autistic children, the government backed away from its plan to make all children age five and older ineligible for IBI, and start taking them off the waitlists. They also announced that children coming off waitlists would get significantly more funding during the transition period. Instead of a one-time payment of \$8,000, families will now receive successive payments of \$10,000 over a 10-week period until their child obtains a spot in the new OAP.

INQUESTS

Participating at inquests into children’s deaths is a distressing but (unfortunately) regular part of our work. We push for inquests when we think they are warranted. We attend those inquests and provide recommendations to juries.

Inquests

KATELYNN’S PRINCIPLE

Katelynn Sampson was seven years old and living with legal guardians in 2008 when she died of septic shock in a small Toronto apartment. She had 70 wounds, broken ribs and a ruptured liver. According to a Toronto Star report, investigators found a piece of paper on which she had written, 62 times, “I am A awful girl that’s why no one wants me.”

Her legal guardians—her mother’s friends—eventually pleaded guilty to murder.

The Provincial Advocate called for and attended the inquest, which began in November 2015. We asked the jury to recommend establishing “Katelynn’s Principle” to ensure children in the child welfare system are seen as individuals whose voices must be heard.

This principle places children at the centre of any activity, policy or legislation, with an emphasis on their right to participate in decisions that affect them. It also rounds out Jordan’s Principle—a child-first principle aimed at addressing jurisdictional disputes across levels of provincial and federal government with regards to payment for services provided to First Nations children.

Making Sure Children Are Seen and Heard

The jury’s verdict and recommendations were released early in our fiscal year 2016–17, and establishing Katelynn’s Principle in legislation was its number one recommendation. There were a further 172 recommendations.

When Katelynn was still alive, there were times when a child welfare worker visited her home, knew she was there, and didn’t speak to her directly. She was neither seen nor heard. Katelynn’s Principle is a fundamental shift aimed at ensuring other children in similar situations are noticed—and listened to—before it is too late. We believe Katelynn’s Principle represents a momentous change because it will legally require a shift in culture among all services providers across our mandate areas.

DEATHS OF SEVEN FIRST NATIONS YOUTH

The long-awaited verdict in the inquest into the deaths of seven First Nations students in Thunder Bay was announced June 28, 2016. Jethro Anderson, 15, Curran Strang, 18, Robyn Harper, 18, Paul Panacheese, 21, Reggie Bushie, 15, Kyle Morriseau, 17 and Jordan Wabasse, 15, all died between 2000 and 2011. They had moved from remote fly-in First Nations communities in Northern Ontario to attend high school in the city.

The five-person jury delivered a verdict of accidental death in three of the cases: Curran Strang, Robyn Harper and Reggie Bushie. But they brought forward “undetermined” verdicts in the cases of Jethro Anderson, Paul Panacheese, Kyle Morriseau and Jordan Wabasse. The jury also made 145 recommendations in 18 broad areas aimed at highlighting failures in the system and preventing tragedies like these from happening again.

Shining a Spotlight on Grim Realities

The jury’s recommendations included the need for:

- The city of Thunder Bay and the Thunder Bay Police Service to tackle racism within their organizations
- Better cultural training at all levels of the municipal government and the police force
- More funding for the education of First Nations students
- Better on-the-ground supports and resources for students, including housing, mental health support, and addiction services
- Resources to address the isolation young people feel when they leave their communities to attend school

Over the course of the nine-month inquest, more than 200 witnesses were called upon to testify; their testimony brought focused attention to the grim realities facing many First Nations youth across Northern Ontario (both in their home communities and while attending school). The inquest recommendations also have the potential to create lasting change for First Nations students in the province and address the disparities they face compared with non-Aboriginal students.

OUTREACH



Outreach

LISTENING TOUR 2016

If we want to work in partnership with children and youth to ensure they get the support and services they need, we need to begin by listening to them.

The annual listening tour provides the Provincial Advocate with the opportunity to travel around Ontario to meet young people and hear how well the government is meeting their needs. The tour also offers children and youth the chance to speak openly about their experiences, the issues and challenges they face, and what they feel needs to be done to ensure their basic human rights are protected.

Change Begins with Listening

During this year’s listening tour, held between November 18 and 26, 2016, the Provincial Advocate travelled to Orillia, Hawkstone, Oshawa, Brockville, Kingston, Ottawa, Thunder Bay, Brantford, Guelph, London, Goderich and Ingersoll. He met with 400 children and youth between the ages of 10 and 24 who are receiving or seeking services from the province’s care systems, as well as First Nations children and youth.

During his visits, the Provincial Advocate heard that many young people were not finding the support and services they needed. Youth also talked to the Provincial Advocate about drug addiction, particularly opioid use.

Recognizing the United Nations Convention on the Rights of the Child

The tour was also a way of recognizing National Child Day (November 20) and marking the anniversary of the United Nations Convention on the Rights of the Child (UNCRC)—an international treaty that outlines the fundamental human rights of every child. The convention has been ratified by Canada and endorsed

by Ontario, committing both our province and country to protecting the rights of all children.

Every five years, Canada’s progress in implementing the convention is reviewed by the UN Committee on the Rights of the Child. The next review is in July 2018. We have already written formally to the Premier of Ontario to request that children and youth be part of drafting Ontario’s section of the report. Findings from the listening tour will inform the Advocate’s “alternate report,” which will also be submitted to the UN.

YOUTH RADIO UNITED

Youth Radio United, or YRU, is a platform that allows young people in Ontario to be heard and to speak for themselves about their own lives. The biweekly radio show, which airs on CJRU, Ryerson University’s community radio station, first hit the airwaves in March 2016. Over the past fiscal year, YRU has continued to break new ground and give young people in our mandate a chance to tell their stories about the people and issues that matter to them.

Telling Their Own Stories in Their Own Words

The half-hour show is hosted by a revolving cast of youth, and tackles a range of topics that interest young people and have an impact on their lives. It broadcasts every other Thursday at 5:30 P.M. on 1280AM in Toronto, with support from staff at the Advocate’s Office, youth contributors, and the CJRU team at Ryerson.

This year, YRU aired almost 20 episodes. They included interviews with journalists and musicians, programs about mental health, the importance of ensuring universal access to washrooms, and the history of Toronto’s Pride parade.

STATEMENT OF EXPENDITURE

Statement of Expenditure

For the Year Ended March 31, 2017

	BUDGET	ACTUAL	ACTUAL
	For the year ended	For the year ended	For the year ended
	March 31, 2017	March 31, 2017	March 31, 2016
	(Note 3 & 6)		
	\$	\$	\$
Salaries & Wages	5,911,800	4,957,977	3,989,967
Employee Benefits (Note 4)	1,359,600	1,000,552	785,688
Transportation & Communication	960,600	1,291,193	1,425,265
Services	3,455,400	3,168,986	3,986,112
Supplies & Equipment	248,400	179,557	710,523
TOTAL	11,935,800	10,598,265	10,897,555

Commitments (Note 5)
See accompanying notes to financial statement.

Approved:



Irwin Elman
Provincial Advocate for Children & Youth

Notes to Financial Statement For the Year Ended March 31, 2017

1. Background

The *Provincial Advocate for Children and Youth Act*, 2007 was enacted to provide an independent voice for children and youth. The Office of the Provincial Advocate for Children and Youth (Office) serves children and youth in state care and the margins of state care through individual, systemic and policy advocacy. Pursuant to the passing of Bill 8 into law as the *Government Transparency and Accountability Act*, 2014, new powers tied to investigation were added to the *Provincial Advocate for Children and Youth Act*, 2007. On March 1, 2016, the Advocate’s Office new investigative powers were proclaimed allowing the Office

to conduct investigations and make recommendations to improve children’s aid services and services provided by residential licensees where children’s aid is the placing agency.

The Office is mandated to strive to be an exemplar in youth participation at all levels of its work. The Office is also mandated to take a special interest in children and youth with special needs, First Nations children and youth, children and youth in Ontario’s schools for the deaf and blind and Ontario’s Demonstration schools.

2. Significant Accounting Policies

The Office, as part of the Legislative Assembly Fund, follows the modified cash basis of accounting, which allows an additional 30 days to pay for expenditures incurred during the year just ended. This differs from Canadian public sector accounting standards in that, for example, under the modified cash basis of accounting liabilities incurred but unpaid within 30 days of the year just ended are not recorded until paid, and expenditures for assets such as computers and office furnishing are expensed in the year of acquisition rather than recorded as fixed assets and amortized over their useful lives.

3. Expenditures

Expenditures are paid out of monies appropriated by the Legislative Assembly of Ontario. These monies are part of the Legislative Assembly Fund. Expenditures are reported net of recoverable sales tax which is recovered by the Office of the Assembly on the Office’s behalf.

Financial and Human Resources services are provided by the Office of the Assembly without charge.

4. Employee Benefits

The Office’s permanent employees (and non-permanent employees who elect to participate) participate in the Public Service Pension Fund (PSPF) which is a defined benefit pension for employees of the Province and many provincial agencies. The Province of Ontario, which is the sole sponsor of the PSPF, determines the Office’s annual payments to the fund. As the sponsor is responsible for ensuring that the pension fund is financially viable, any surpluses or unfunded liabilities arising from statutory actuarial funding valuations are not assets or obligations of the Office. The Office required annual payments of \$368,000 (2016—\$299,200) included under its employee benefits.

The cost of unused vacation and earned legislated severance entitlements are recorded in the statement of Expenditure when paid.

The cost of post-retirement non-pension benefits are paid by the Province and is not included in the Statement of Expenditure.

5. Commitment

The Office has extended its current lease agreement with its landlord for Toronto Office premises expiring on January 31, 2021. The Office has entered into a ten-year lease agreement for its Thunder Bay Office ending on September 30, 2026. Future minimum rental payments for the lease are as follows:

Fiscal year	TOTAL (\$)
2018	510,700
2019	519,900
2020	527,100
2021	447,500
2022 and thereafter	218,900
	2,224,100

The Office is committed to pay its proportionate share of realty taxes and operating expenses for its Toronto premises, which amounted to \$403,600, during 2016.

6. Budgeted figures

The budget was prepared by the Office and approved by the Board of Internal Economy-an all-party legislative committee.

7. Bank Account

The Office holds funds in a bank account used to pay honorariums, if the Office is not able to receive funds on a timely basis from the Legislative Assembly Fund before any events. As at March 31, 2017 the bank balance was \$7,810 (FY 2016—\$3,679).

Provincial Advocate
for Children & Youth

Office of the Provincial Advocate for Children and Youth
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