



Canadian Council of
Child and Youth Advocates

Conseil Canadien des Défenseurs
des Enfants et des Jeunes

June 17, 2021

Mikiko Otani, Chairperson
Committee on the Rights of the Child
Human Rights Treaties Division
Office of the United Nations High Commissioner for Human Rights
Palais Wilson – 52, rue des Pâquis
CH 1201 Geneva
Switzerland

Dear Mikiko Otani,

On behalf of the Canadian Council of Child and Youth Advocates (CCCYA), I welcome the opportunity to present the results and key messages arising from youth consultations held in Canada in contribution to the United Nations Committee on the Rights of the Child's Day of General Discussion (DGD) on Alternative Care.

The CCCYA is an association of children's Advocates, Representatives and Ombudspersons from across Canada who are independent officers of the legislatures in their respective jurisdictions with mandates to promote and protect children's human rights through the use of complaint resolution, advice to government, amplification of child and youth voices, and public education functions. CCCYA members work together to identify areas of mutual concern and address national issues.¹

Pursuant to paragraph 24 of the Committee's *Working methods for the participation of children in the days of general discussion of the Committee on the Rights of the Child* (2018), CCCYA member offices organized consultations with young people to discuss this year's DGD theme of alternative care. Consultations were guided by the 2021 DGD Concept Note and Guidelines for Submission and were structured around the questions posed in the online youth survey. Youth across Canada were also encouraged to participate directly in the DGD by completing the online survey.

Youth volunteers were selected to participate in CCCYA consultations based on having lived experience with alternative care. Some participants were connected to CCCYA member offices through youth advisory councils or regular outreach functions. Others volunteered to participate after a recruitment net was cast through partner organizations serving children and youth in alternative care. Some youth participants were currently residing in alternative care, some were being supported by child protection systems to live independently and others had recently "aged

¹ CCCYA. (2019) About Us. [Available at: <http://www.cccya.ca/content/index.asp>]

out” of care. There were 30 participants from across Canada who are representative of Indigenous, non-Indigenous, LGBTQ2S+ and newcomer populations.

The experiences, opinions and ideas of youth participants were collected through virtual meetings, by telephone, text and in writing. The results and key messages were thematized and are reflected in the attached submission. Direct quotes reflective of wider themes are used as much as possible. The information presented in this submission represents the interests and priorities of the youth participants themselves. Other than being thematized and summarized, it has not been modified, interpreted or used to express the views of the CCCYA. The CCCYA has provided a separate written submission to the Committee.

Thank you for including the voices of Canadian youth in your consideration of issues surrounding alternative care.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lisa Broda', with a stylized flourish at the end.

Lisa Broda, PhD
President, Canadian Council of Child and Youth Advocates
Saskatchewan Advocate for Children and Youth

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United Nations Committee on the Rights of the Child Day of General Discussion – Alternative Care

Youth Consultation

CANADIAN COUNCIL OF CHILD AND YOUTH ADVOCATES

June 2021

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Results and Key Message of CCCYA Youth Consultations

1. What helps children and youth to live safely in their home so that they do not need alternative care?

The main theme identified by youth participants in this regard was support for parents and families. They said this includes accessible mental health support for parents who have been through their own traumas, education for parents on negative behaviours/cycles that are harmful to children that is delivered in a non-stigmatizing way, support for newcomer parents to adjust to the child-rearing norms of their current society, support for families to meet their basic needs (ex. food, housing, transportation, etc.), and healthy community activities to keep families busy. Youth identified the importance of natural, community-based supports through which relationships are built before a crisis, so families feel comfortable reaching out for help without fear of their children being taken away.

Youth highlighted the cycle of young parents who grew up in alternative care having their children apprehended because they had not developed parenting skills and said more support for these parents is required. While in care, they said ***“they don’t have a lot of positive role models or when they do, it’s either for short periods of time or whatever because you’re moved around a lot.”*** Furthermore, they said that for youth ***“in group homes, the experiences are just different because you’re working with staff and there’s, kind of, that divide.”*** One participant who had a child after being in alternative care said the child protection system became involved and, ***“did up a safety plan and they disappeared. [...] I didn’t have anyone follow up and they were just pretty much waiting for me to do something stupid again, right? Like, they were just sitting there, waiting for that call so that they could come and take my child instead of coming to support me.”***

Participants also emphasized the importance of young people having a constant support person in their life who they can talk to individually and who can get their perspective on their needs.

2. What makes alternative care a positive experience for children and youth?

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3. What does good alternative care look like? What can adults do to make sure children and youth are cared for well in alternative care?

Youth participants described alternative care as a ***“positive experience when a child has their needs fulfilled as best as possible or even slightly better than their previous situation.”***

Youth said they need to feel like they ***“belong”***, like they are part of a ***“family”*** and like their placement is ***“a home”***. This can include caregivers ***“just [...] acting like a parent that you’ve never had”*** by recognizing big and small accomplishments, doing little things for youth that are meaningful, being a ***“trusted adult”*** that they can talk to, and frequently checking in to make sure they are okay. As one youth stated, ***“I think that it’s important for kids who have come from difficult situations to not, sort of, be left to their own devices, especially when you’re in a strange***

and new environment. I think that the constant follow-up is really important and it, kind of, helps you adjust to the environment as well.”

Youth participants stated that good alternative care provides structure, stability, and routine, while also remaining adaptable to the emotions and current mental states of the youth. Positive experiences include those in which caregivers understand the trauma a youth has been through, the turmoil caused by involvement in the child protection system itself and how these circumstances may cause disturbances in behaviour. Youth said there are high expectations for children in care and they are *“not allowed to make mistakes”* without their placement breaking down. Rather than *“hold it against them”* or *“give up on”* youth, youth said empathy is important and that caregivers must be more flexible in their expectations and work with youth to help them through the situation. Youth also spoke of the need for caregivers to balance this flexibility with ensuring not to *“favour”* certain youth or apply rules unfairly.

Youth identified connections with family and friends as being very important to having a positive experience in alternative care. This could involve placement with other family members or friends they have a close/safe relationship with, as *“it saves a lot of stress and heartache for the child that has to literally be tossed from here to there and, you know, just hearing the word ‘family’ or ‘family friend’ is a relief to any little person’s ears that doesn’t know where the heck they’re going.”* It could also mean placing siblings or other family members – such as cousins – together or ensuring access to visits with family and friends when it is safe to do so.

Adults can make sure children are well-cared for by ensuring they have access to any additional supports they may need, such as psychologists, doctors, schooling and so on. Diversity among caregivers is also important. If possible, caregivers should have the same cultural background so youth have someone to connect with, who can speak their language and who can understand what they are going through.

Youth also said they need a voice in their care and case plans. While many youth in Canada feel they do not have a voice in their care, one youth described the positive experience of having a caseworker who *“was open about how the system works”*, involved her in decisions and ensured that *“nothing really happened behind [her] back”*.

4. What helps keep children and youth safe in alternative care?

Similar to their descriptions of what ‘good alternative care’ looks like, youth participants reported feeling safe in alternative care when they have healthy, positive, understanding caregivers that make them feel like *“family”*, like they *“belong”*, like they are *“loved”* and like they are *“home”*. They said it is important to ensure people are providing alternative care because they want to help children and not for *“financial reasons or a saviour complex”*. They also said having more than one staff person present in a group home and having one-on-one time with trusted staff is helpful.

Youth said they feel safer when case workers are available and build a relationship with them. As one youth put it, *“I’ve had social workers I saw once and that was it. But my last social worker, [...] I’ll never forget her [...] because she was there when I needed her, and she would check up on me in no matter what type of home I was [in]. [...] It was comforting knowing that she actually cared.”*

Having external support systems in place was also identified as being very important to feeling safe in alternative care. These supports include counsellors, school staff, sports and art programs, friends and networks of other youth that understand what they are going through. *“Because sometimes, if you’re in a situation that isn’t safe or comfortable to you, having those outside supports can really help with that.”* Youth emphasized the importance of these outside supports being consistent, especially when they are not allowed visitation with their families and/or are often moving between placements.

a. What does not?

Youth spoke of feeling unsafe in environments where they do not feel *“cared for”* or like they *“belong”*. This can occur when food is locked up, or all youth are treated as if they are *“high risk”* or untrustworthy. They said that if caregivers are *“too uptight, too strict, then you don’t feel like you can open up to them about your issues.”* Furthermore, participants indicated that inflexible rules can make youth struggling with their mental health feel unsafe. For instance, mandatory field trips or ‘bedtimes’ can be challenging for youth who struggle with anxiety/panic attacks in unfamiliar or group settings, or for youth whose emotional well-being is at its lowest at night and need someone to talk to.

Some youth described underqualified caregivers, substance abuse by or conflict among caregivers or other youth, physically and/or emotionally abusive caregivers, or group home staff who relied too heavily on physical restrictions to manage youth behaviours as making them feel unsafe. They also spoke of caregivers treating some youth preferentially while reprimanding others unfairly as leading to a lack of trust.

Youth in some jurisdictions said that, as a result of an insufficient number of foster homes, they felt caregivers could be approved even if their homes were not safe. Youth also said their caseworkers can be so busy that they do not see them enough or give them opportunities for confidential discussions away from their caregivers where they can report concerns. Additionally, if concerns are reported but there is no action taken, youth feel as if they are not being heard.

b. If children and youth do not feel safe in alternative care, what they can do about it? How can adults help them?

Participants said adults should first ask them what their needs are and how they can be met. Then they should prepare youth for what to expect in each new placement. Furthermore, they said that

youth who have been victims of abuse or neglect should be educated on what it means to be ‘safe’, as – due to their previous lived experience – they may not know.

Youth said caseworkers should be more present and available. They should have the time to talk to youth confidentially in spaces where the youth feel comfortable. Caseworkers, and any other adults who are aware that a child is in alternative care (such as school staff), should ask them if they feel safe and if they have any concerns with their care. If this question is not asked directly and frequently, children may not feel safe enough to share their concerns, or even be aware that they have a right to do so. As one youth who described experiencing abuse in foster homes said, *“That was one question that no one ever asked me growing up – ‘Do you feel safe?’ [...] Maybe if someone would’ve just asked me that as a child, a lot of things, I believe, could have been different in my life.”* They said it is important to tell young people that it is okay to ask to move if they do not feel safe in a placement. If a youth does share concerns with an adult, participants said they need to be taken seriously rather than having caseworkers automatically side with the caregiver, and that immediate action needs to be taken.

Youth said that caregivers in group homes should treat all youth equally, and intervene appropriately when there is conflict, bullying or exclusion among youth in a placement. If an incident does occur – either between youth, or youth and staff – staff should debrief with youth in a safe space to ensure everyone understands the action that was taken and the reasons for it.

Youth said adults should inform them of any independent advocates they can go to with concerns. For example, at least one participant residing in a group home was not previously aware of their provincial/territorial child advocate office.

5. How can adults help children and young people to know or find out about where they came from, their culture, language, or other parts of their identity, especially if they live in alternative care?

Youth participants placed primary importance on placing children with family members, close friends or within their own communities in order to maintain connections to culture and language. If it is safe to do so, they identified the need to maintain connections with their biological family – including extended family – while in care. One Indigenous youth described her placement in a group home on her reserve, where all staff were Indigenous, as a very positive experience, saying *“that was the first group home that I really felt a part of something [...] just being there and being surrounded [by] people with my similar background and, you know, most I was actually related to. [I]t was just good knowing that I had someone like me and – right down to culture – alongside me, going through this journey with me. I wish it would have been a suggestion for me earlier in the game.”*

If placement within their cultural communities is not possible, youth spoke of the importance of caregivers being supportive of connecting them with their culture, and ensuring these connections

are meaningful. This can include camps, provision of familiar food and connections to community organizations.

One youth had a positive experience, stating that her group home ***“did everything in their power”*** to connect youth with their Indigenous cultures by bringing Elders and practitioners in to teach them. In contrast, some Indigenous youth said they had been placed with caregivers who were ***“very against Indigenous traditions and practices”*** because they were not the same as their own. Youth identified the importance of caregivers being trained in Indigenous traditions and culture, ensuring ***“their child sees themselves reflected in the house”***, and of being given the support to take youth to cultural events – such as by providing information and transportation.

Youth also spoke of the need for diversity in alternative care. They highlighted that Indigenous cultures in Canada are not all the same and care should be taken to connect youth with the traditions of their own culture, potentially through having youth help create a family tree. Additionally, a participant identified the lack of cultural opportunities for youth from the global south and the importance of having caregivers representative of the LGBTQ2S+, Black and other communities. She said, ***“I felt like they could understand me in a way that, like, just some of the other staff couldn’t. As opposed to if there were just straight, white men running around, basically.”***

Last, youth identified the importance of soliciting and respecting youth voice and autonomy on the matter of their own identity. As one youth said, ***“I think this can be done by not guiding a child towards a certain identity, but rather allowing them to express what their interests, culture or language are. [...] I think the most important part is making the process as flexible as possible and having the adult just support the child through their self-discovery.”***

6. Children and young people often need to change their alternative care placement. What kind of support do children and young people need when they are changing care placements?

Youth participants felt it was important to first emphasize the need for stability in their lives and for the system to minimize the amount of moves they experience, as frequent/unexpected changes and lack of stability can affect young people’s mental health. As one youth stated, ***“the Ministry is taking us away to give us that structure or give us that, you know, stable life. But really, all in all, it’s doing more damage than good.”***

They said they are ***“rarely given adequate notice of a move and “just get dropped off at a new place”***. They said youth must be informed of the change, and the reason for it, well in advance. In keeping with responses to earlier questions, they must also have the opportunity for pre-placement visits or at least be provided with a description of what to expect in the new placement. Youth also said ***“having certain constants in their new environment, no matter how small, could help them settle in. Whether it be a certain decoration or a specific part of their routine like wakeup time or bedtime.”*** They also said there needs to be regular follow-up by their caseworkers – or by

temporary transition workers, if caseworkers are too busy – after the move to ensure they are doing well.

They stressed the importance of maintaining connections to external supports, such as counsellors, doctors, schools, extracurricular activities, and friend groups. This may require arranging transportation if needed. They said that when severing these connections each time they move ***“[i]t almost feels like punishment – like those things are being taken away from us.”*** This also includes maintaining connections with caregivers/staff they have bonded with in their previous placement for mentorship purposes. Youth said that restrictions against staff adding them as contacts on social media make this difficult, and that, ***“[i]t can feel very harsh sometimes – like you’re being rejected.”*** They suggested having designated times where they could call their previous placement to connect with former caregivers.

Finally, participants said they needed understanding and support. This could simply be acknowledging that they may have difficulties adjusting to the changes they are experiencing. It could also be making connections to formal mental health services to help them heal from any traumas experienced in their previous placement or from the move itself.

7. What kind of support do children and youth in alternative care need to return to live with their family?

Youth participants stated that this support must begin while the children are still in care. They said, ***“it would be important for the child to understand why they are in alternative care. In addition, giv[e] them a relatively realistic timeline of when they could return to live with their family.”*** They also emphasized the importance of having ***“family involvement throughout their whole placement period”***, rather than unexpectedly informing youth that ***“you’re good to go home now”***.

A major theme identified by youth participants was the need for continued follow-up and support for the family following reunification. As one youth stated, ***“They’ll do follow-ups a little bit, but they’re not too in-depth because they’re just, like, ‘Oh, yay, a kid’s out of care!’ And then they, kind of, close the case. And then sometimes [parents] can just end up falling back into the old ways once the supports are gone.”*** One solution put forward by youth was to have in-home supports provided to parents upon reunification at the same level they are provided to foster parents to maintain placements. Youth also said it is important for parents to be informed of services, such as food banks and second-hand clothing shops, that help reduce stressors that can lead to conflict.

However, youth said conflict should be also planned for – ***“For a family to be separated, there’s already, like, significant conflict in there. There needs to be a plan for what happens if that conflict returns.”*** Youth recommended respite services for both parents and youth who may be struggling with the transition, as well as a safe place for both to reach out for help and support in a way that would not automatically result in a re-apprehension of the children.

Youth identified the need for family counselling to restore relationships that were damaged prior to apprehension and then severed while the children were in care. They also identified the need for ***“support to deal with trauma and mental health concerns, clear understanding of where to find help and clear understanding of [a] child’s boundaries and acceptable behavior from adults and other children.”***

8. What kind of support do children and youth in alternative care need to start independent living as young adults?

Youth participants who had aged out of care said they had not been adequately prepared for the transition to adulthood. Some described not being informed of continuing supports in a timely manner. Others said they were provided with financial support to continue their education, but little else. As one youth put it, ***“a lot of times we’re just, kind of, thrown out there and just expected to understand what it’s like to be an adult when we were just a kid, like, a month ago.”***

They identified the importance of being taught daily basic living skills, such as cooking, laundry and banking. They also said they needed more education on the supports available to them, how to apply for social assistance, get a job, manage money responsibly, find housing, set up utilities and pay bills, set up a phone plan, buy a car, meet their medical needs and research options for post-secondary education. They said this information needed to be provided well in advance of when they are due to leave care to reduce stress caused by uncertainties around their future. They suggested access to technology such as “apps” to help with this, but also emphasized the need for caseworkers to have smaller caseloads, therefore allowing more time to provide the support they need. We also heard from Indigenous youth who said that better communication between parties – such as caseworkers, First Nations Bands (who also provide funding), and universities – was required to ensure a smooth transition.

Youth participants identified the need for more in-depth and sustained follow-up support by caseworkers than what is currently provided. They said it can take time to sort out all the responsibilities of independent living and that unexpected challenges can come up along the way. As one youth stated, ***“as an adult, we need that support the most, because life is so jarring sometimes.”***

Last, they indicated the need for support with ***“managing loneliness”***, because, ***“[w]hen you’re living alone, no one really tells you how to manage being alone.”*** They wanted help to ***“connect with other youth that are on independent living because, they would ‘get it’.”***

9. Has the COVID-19 pandemic caused specific problems for children and youth in alternative care?

Isolation caused by restrictions on visitation with family and friends was identified as one of the primary issues facing youth in care – ***“if they’re not visiting, they just feel very much alone.”*** Other problems included disruptions to services, such as mental health supports, extracurricular

activities, and even access to the internet due to library closures. Some youth had difficulties contacting their caseworkers who were working from home or off work due to illness. As stated earlier many youth rely on their external support systems to maintain a sense of safety while in alternative care. When these supports are not accessible, their well-being and mental health is negatively impacted. Although they acknowledged that all youth have experienced similar challenges throughout the pandemic, participants identified these circumstances as being particularly problematic for youth in alternative care ***“since they may not have the same relationship with their caregivers as others do, due to the changing of alternative care placements.”***

Youth being supported to live independently identified the cost of technology needed to access virtual services (such as education, etc.) as being a challenge.

Stress around ‘aging out’ of care during the pandemic was identified as a reality for many youth. They said it was hard to find employment and housing because many businesses were closed, and friends they may have been able to stay with were keeping their ‘bubbles’ small. Furthermore, although child protection systems in Canada extended supports to youth who would have aged out during the pandemic, these extensions were precarious and were not confirmed for many youth until immediately before their birthday, causing uncertainty and stress. As one youth said, ***“They won’t tell you until the month of you aging out, they won’t tell you whether or not you’re going to be extended. And that’s why I’m also having anxiety about it because I may have to apply for [social] assistance and that takes some time.”***

a. If so, what do you think are the solutions?

Youth emphasized the need to support virtual visits with friends and family as much as possible and to find safe ways to visit in person. Some youth suggested organizing virtual meetings with other youth in alternative care to ***“reduce some of the feelings of isolation”***. Academic support and ***“[e]nsuring mental health services on a regular basis”*** were also identified as necessary.

Youth recommended continuing the extension of supports until the pandemic is over to those who otherwise would have aged out, and to have better communication around these extensions. One youth described a positive experience where their caseworker helped them to develop a plan with their university and other agencies in the event their supports were terminated prior to the end of the pandemic. They said all workers should proactively ***“work with the youth and then work on their support system that’s outside of the Ministry.”***

10. What helps children and youth to have a voice in all decisions around their care and protection? What would encourage more children to share their views?

Youth said that they have to ***“take lot of initiative to actually be part of the choices being made”*** and that ***“[i]t takes a lot out of you.”*** They also said many youth do not have the confidence to speak up or share their views. Therefore, they said adults should ***“seek[...] their input as much as possible in decisions regarding them”*** and that this should happen more as youth grow older.

Youth wanted to be given some input into placement decisions and ***“the opportunity to choose between a couple of different alternative care options (if old enough)”***. Youth said the system needs to recognize that ***“we’ve been making those choices from the moment that our parents decided that they couldn’t take care of us”***, and that if they are denied these opportunities, they may try to regain control of their circumstances by running away or engaging in other negative/unhealthy behaviours.

They also said that, if a youth does share their views, they must be taken seriously, stating, ***“Children would probably be encouraged to share their views if they felt these views were valued by the adults around them.”*** For instance, one found a group home youth committee beneficial, as it provided a safe space to share both positive comments and concerns. Youth also identified external bodies such as independent child advocate offices, long-term mentors and community organizations supporting children and youth in care as being helpful in getting their voices heard. However, some youth said they were not aware of these supports and how they can help. They said this information needs to be provided clearly and frequently.

Youth said they would also be encouraged to speak up if there were mechanisms through which they could share anonymous concerns if they did not feel comfortable going to their caregivers directly. They also stated that caseworkers should spend more time with them to develop trust and allow opportunities for youth to share their views on matters that affect them.

Last, youth stated that – to be meaningfully involved in decisions – they needed to be adequately informed of policies and process and that this ***“information should be openly available”***.