

CHILDREN'S RIGHTS WHAT A RIDE!

2024/25 Annual Report - 15 Year Review



Welcome



Territorial Acknowledgement

The Yukon Child & Youth Advocate Office (YCAO) respectfully acknowledges that we work and live on the traditional territories of the 14 Yukon First Nations. Colonial government policies have caused long-lasting impacts to Indigenous children and youth, and we commit ourselves to working alongside Yukon First Nations by integrating traditional knowledge and culture for the safety and wellbeing of children throughout the territory.

Mission

We commit to upholding the rights and amplifying the voices of children and youth throughout the Yukon.

Vision

The vision of YCAO is for a safe and healthy society that hears, includes, values, and protects the rights and voices of children and youth.

Values

YCAO's core values are respect, integrity, empowerment and hope.

- **Respect** is the most important value in how we approach our interactions with children, families, caregivers, First Nations, and professionals. It reminds us that relationships lead to results, not the other way around.
- **Integrity** is essential to ensuring our reputation is as solid as our work. We seek to operate with honesty, dedication, and professionalism in every interaction.
- **Empowerment** is where our heart lies. We believe unreservedly in the potential of young people to share their opinions and play an active role in decisions being made about them.
- **Hope** is what drives us to continue this work – the desire to see a better world for kids and the optimism to believe it is possible. Hope requires tenacity and resilience, two things we are continually learning from the young people we serve.





OFFICE OF THE CHILD & YOUTH ADVOCATE
2070 - 2nd Avenue, Whitehorse, Yukon Y1A 1B1
PH: 456-5575, FAX: 456-5574, ycao.ca

October 2nd, 2025

The Honourable Jeremy Harper
Speaker of the Legislative Assembly
Box 2703
Whitehorse, YT
Y1A 2C6

Re: Child and Youth Advocate Office 2024-2025 Annual Report

Dear Speaker,

Under my authority as set out in Section 24 of the *Yukon Child and Youth Advocate Act*, I am pleased to present you with *Children's Rights, What a Ride!: 2024-25 Annual Report - 15 Year Review*.

The document reports on the activities of the Child and Youth Advocate Office during the period April 1st, 2024 – March 31st, 2025 and provides highlights from 15 years of operation.

I am requesting a meeting with Members' Services Board to discuss the experiences and priorities of the Child and Youth Advocate Office.

A stylized, handwritten signature in black ink that reads "Annette King".

Respectfully,

Annette King,
Yukon Child and Youth Advocate





Individual
Advocacy

Systemic
Advocacy

Public
Education



Introduction

YCAO

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Character art for this report was designed by Brooklyn Kunnizzi-Njootli

Legislative
Review

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Advocate Message

On every rollercoaster there is a moment, after the big uphill climb and all its anticipation, where everything slows down. There, perched above the noise and the busyness, the world goes still and you get a view of the bigger picture - where you've come from, and perhaps most importantly, where you're going.

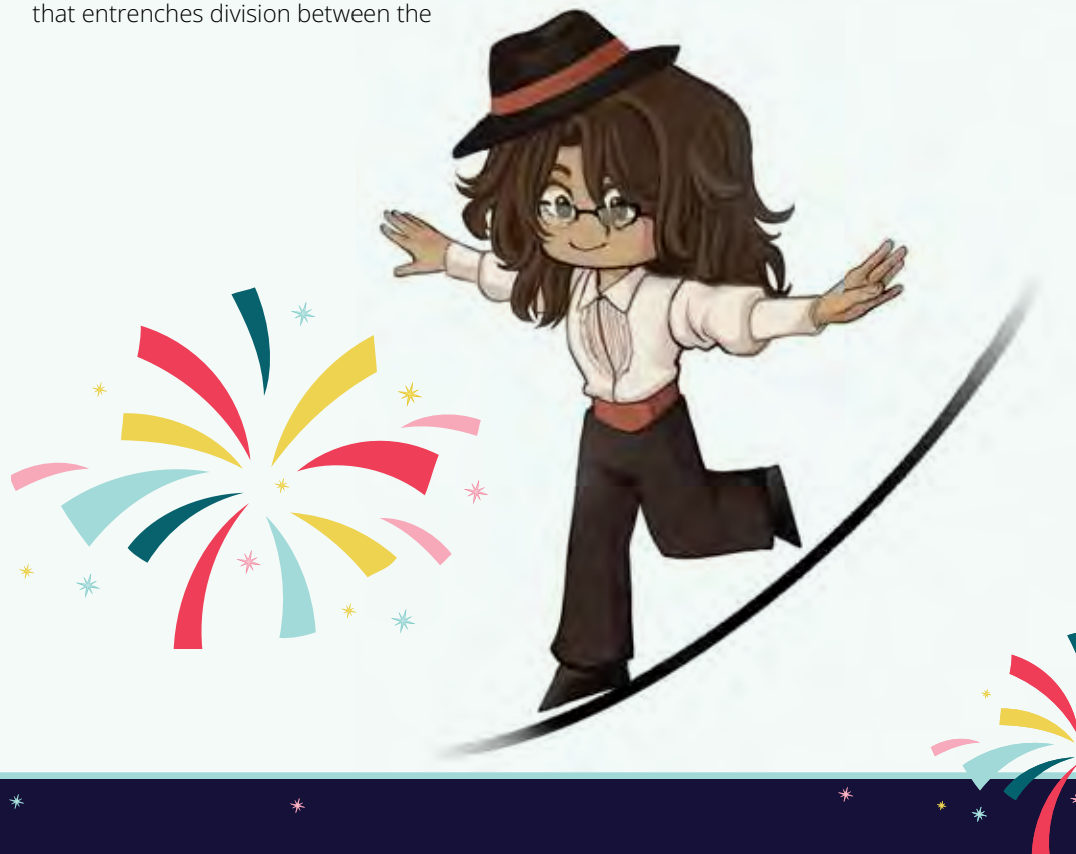
The past 15 years of advocating for young people throughout the territory has brought us to this point today, where we can pause to reflect before zooming into the next exhilarating part of our journey. As with every year, we expect it to be fast, kind of loopy, and full of twists and turns... but we'll lean into every moment, knowing and trusting the track that we're on.

What a ride it's been so far. A decade and a half has taught us, and the Yukon, a lot about what it means to defend children's rights. When we first opened our doors in 2010, Yukoners weren't really sure who we were or what we did. The language of children's rights, though adopted by the United Nations in 1989 and ratified by Canada in 1991, was still unfamiliar to most people. Since then, through our tireless commitment to individual advocacy and our willingness to challenge longstanding systemic issues, we've become the first office many people will contact when children's rights are in question.

In all honesty, sometimes we've wanted to throw up our hands and scream with excitement... and other times, we've wanted to throw up. Both the ups and downs are an important part of the ride. This momentum carries our work

forward. Despite moments of frustration, there has been substantial progress in the amplification of youth voices through broad support of the Territorial Youth Strategy, and the incorporation of Child Rights Impacts Assessments (CRIA) on many Yukon government (YG) decisions. However, there is still much work to do. There are many children without safe and stable placements who are bounced from one support system to the next with little consideration for the long-term impacts of such instability. The education system, despite legitimate efforts made towards reform, continues to be a place that entrenches division between the

haves and have-nots, and reinforces to some kids that school is just not meant for them. Youth with unstable living situations remains a pressing issue around the territory, especially compounded with substance use, youth violence, and a failure of the system to protect its most vulnerable community members. All over the Yukon, some young people have been denied entry to ride while their peers get to experience all the thrills, excitement, and joy of a healthy childhood.



This keeps our work on track. We know our mandate well, and can see clearly where it could be strengthened to better support the wellbeing of young people. We will continue to prioritize children who have been left waiting in line, because forward momentum together means everyone gets to ride.

This looks like less resistance to the concept of children's rights, more incorporation of their views, and always consideration of their best interests. We have heard, and can appreciate, that systems change is not an overnight fix. At the same time, we know kids are growing up while waiting for systems to change. There has to be consideration of both their future, and their present. Children should not have to recover from their childhoods.

A lot has changed in 15 years, and a lot has stayed the same. We look forward to seeing what the next 15 years holds - every topsy-turvy, loopy, bendy, scream-with-joy or try-not-to-cry part of it. Either way, we will keep fighting to ensure that every child and youth in the Yukon, regardless of challenges and obstacles, gets on this rollercoaster with us. You're all invited to join the ride.



Annette King,
Yukon Child and Youth Advocate

YCAO 2025-26 Priorities:

- ★ Work with YG through our individual advocacy to strengthen child rights centred policies and practices.
- ★ Continue to connect with First Nations governments to support and enhance individual and systemic advocacy outcomes.
- ★ Finalize and publicly release systemic reviews that are underway. Track annual progress made by YG on our recommendations from completed systemic reviews.
- ★ Continue development of a proposed child death review model.
- ★ Provide training and resources for governments to implement Child Rights Impact Assessments (CRIAs) in their work.
- ★ Continue to support youth engagement through the Territorial Youth Collective.
- ★ Clarify the Legislative Assembly's process for legislative amendments to the *Child and Youth Advocate Act* (CYAA).
- ★ Provide public education and brief new MLAs on the role of YCAO.



Who We Are



Ian Cooper,
Advocacy
Representative



**McKenzie
Amundson,**
Client Services
Administrator



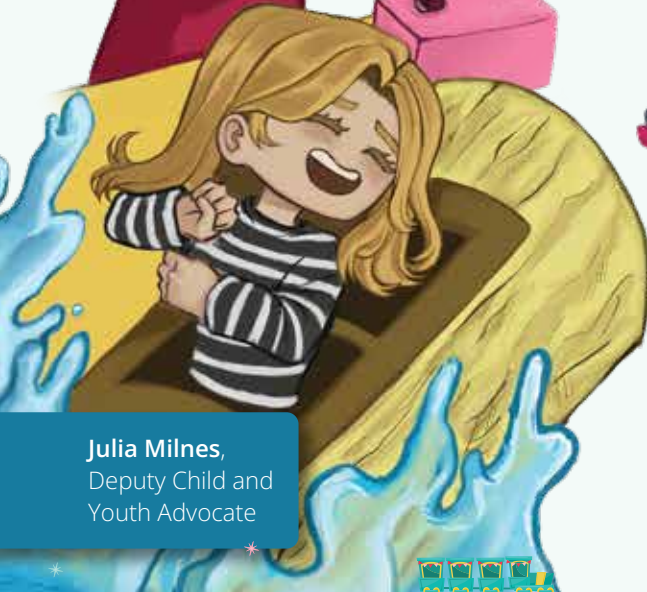
Annette King,
Child and Youth
Advocate



Christopher Tse,
Systemic Advocacy
Representative



Anya Braeuner,
Systemic
Advocacy
Representative



Julia Milnes,
Deputy Child and
Youth Advocate



**Rachel Veinott-
McKeough,**
Systemic Advocacy
Representative



Shauna Kewin,
Advocacy
Representative



Ben Monkman,
Advocacy
Representative

What does YCAO Do?



Individual Advocacy

YCAO helps young people effectively access government services and have their views heard and rights meaningfully considered in the decision-making of government service providers.

Systemic Advocacy

YCAO may review and provide advice regarding systemic or policy issues that arise in the course of individual advocacy and raise a substantial question of public interest. The Legislative Assembly or a Minister may refer relevant matters to YCAO for review.

Public Education

YCAO provides information about the role of the Advocate and children's rights. YCAO hosts or participates in activities and events that engage youth and the community.

Our work is guided by:

- ★ *Yukon Child and Youth Advocate Act (2009)*
- ★ United Nations Convention on the Rights of the Child (UNCRC)
- ★ Truth and Reconciliation Commission 94 Calls to Action
- ★ United Nations Declaration on the Rights of Indigenous Peoples
- ★ Missing and Murdered Indigenous Women, Girls & 2s+ Calls to Justice
- ★ Territorial Youth Strategy



YCAO hosted our annual open house on National Child Day, November 20, 2024.



Thank you to all of the past employees, students, and contractors who have contributed to the operations of YCAO over the years. The impact you have had on our team has made a difference for the children and youth we serve. What a ride!

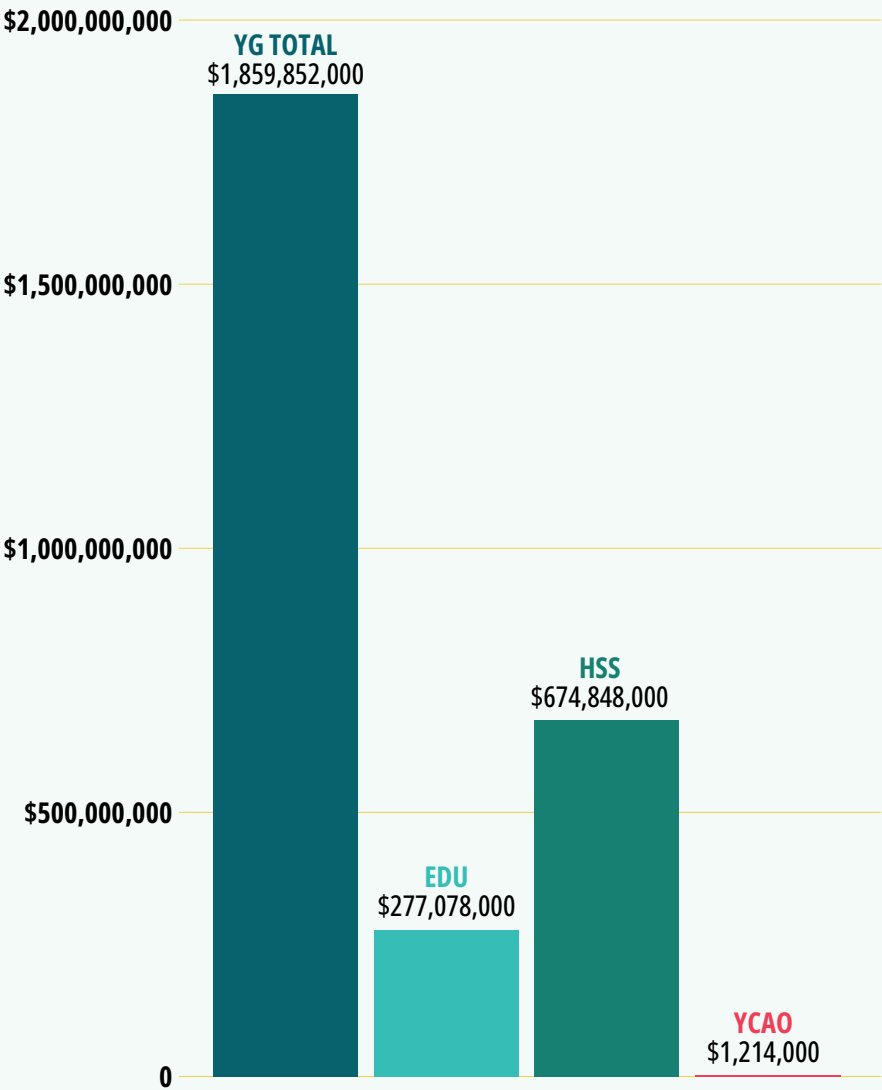


Financial Stats



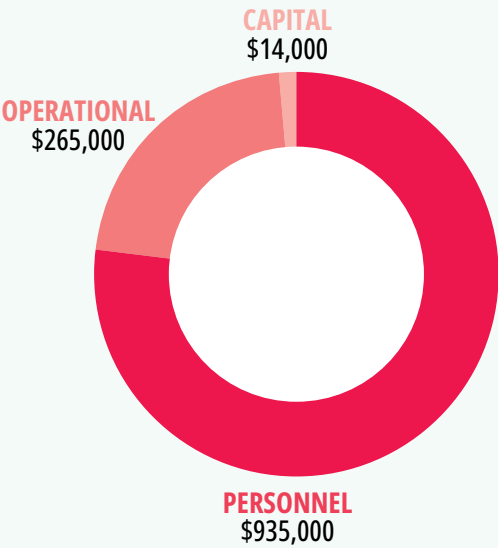
YCAO is an independent office of the Legislative Assembly. The Advocate submits an annual budget and quarterly updates to the Member Services Board (MSB), an all-party committee of the Legislative Assembly. After MSB reviews the estimate, the Speaker of the Legislative Assembly must transmit the estimate to the Minister of Finance for recommendation to the Legislative Assembly.

BUDGET



YCAO received \$217,000 from the Yukon First Nation Education Directorate to cover expenses for the completion of *For Our Children: Review of Systemic Racism in Education*.

YCAO EXPENDITURES



Legislation

** Section 30 of the CYAA states that within 5 years of the CYAA coming into force the Members' Services Board (MSB) must establish a process, including terms of reference for the review of the operation of the Advocate Office.

The *Child and Youth Advocate Act (CYAA)* (2009)

YCAO is guided by the *Child and Youth Advocate Act (CYAA)* and exists to promote the rights and views of young people eligible to receive Yukon Government (YG) services. The legislation, enacted in 2009, is ten years overdue for review by the YG and requires modernization of its existing frameworks to better align with the current needs of Yukon children and youth.

YCAO has been collecting feedback on its legislation over the last several years. The themes that continue to emerge in these conversations include:

- ★ Provisions for public reporting and compliance
- ★ Information sharing
- ★ The implementation of child death reviews
- ★ Legal representation for children and youth
- ★ Outdated definitions in the CYAA



In Fall 2024, YG Department of Finance arbitrarily adjusted the estimates approved by the MSB. The Advocate requested that the Department of Finance submit the original budgets without interference. In January 2025, the Advocate, along with the Ombudsman, Office of the Information and Privacy Commissioner, and Public Interest Disclosure of Wrongdoing Commissioner (House Officers), petitioned the Court to maintain budgetary independence from the government. The petition was in response to the government's unprecedented assertion they had the right to interfere with the budget put forward by oversight bodies. The Court ruled that the Financial Administration Act conflicts with the authority of the MSB described in the House Officers' legislations, allowing the government to make changes to the budgets. The Court

stated "it is for the Legislative Assembly to consider those concerns along, potentially, with the other relevant public policy considerations to determine what actions, if any, are warranted on their part".

Following the Court's decision, the Advocate requested that MSB put forward an amendment to the *Child and Youth Advocate Act (CYAA)* exempting YCAO from the *Financial Administration Act*. The amendment has not yet proceeded, however, the government tabled the budget that the MSB initially reviewed, approved and transmitted to the Department of Finance. The Legislative Assembly then passed YCAO's budget for 2025-26 as initially presented.

Timeline of the CYAA Review

2009: The *Child and Youth Advocate Act* (CYAA, “the CYAA”) (SY 2009) was passed.

March 2010: The YCAO office opened.

2016: MSB was advised that the review should have been initiated by April 1st 2015; however, it would have been inadvisable during a time when YCAO was transitioning from one Advocate to another and during a Territorial election.

2017: The Advocate met with MSB to discuss the statutory review of the CYAA and provided a submission.

2018: YCAO provided the Minister of Justice with a submission to the *Coroner’s Act*, which included the need for related amendments to the CYAA.

2018: YCAO provided the Deputy Minister of Highways and Public Works with a submission regarding the review of the *Access to Information and Protection of Privacy Act*, which included the need for related amendments to the CYAA.

2018 and 2020: YCAO provided submission to MSB in respect of the required amendments to the CYAA. The submissions were not advanced.

2019: YCAO provided a comprehensive submission to the Minister of Health and Social Services’ review committee for the *Child and Family Services Act* (CFSa). *Embracing the Children of Yesterday, Today and Tomorrow* was released in 2019, capturing many of the recommendations suggested by YCAO. In 2022, YCAO provided the Minister of Health and Social Services with a comprehensive Child Rights Impact Assessment in respect of HSS’s proposed amendments to the CFSa. The CFSa was amended in 2022 excluding YCAO’s input.

2021: MSB passed a motion in support of legislative amendment of the CYAA. This did not occur.

2022: The Canadian Council of Child and Youth Advocates updated a jurisdictional scan of all child and youth advocacy legislation in Canada. This provided YCAO with understanding of strengths, gaps and options for improving the existing CYAA.

July 2023: YCAO formally notified Yukon First Nations of the review of the CYAA inviting participation in the process.

January 2024: YCAO opened a formal public online engagement period for the review of the CYAA.

May 2024: MSB reviewed YCAO’s engagement plan and budget for drafting of potential amendments for consideration through the appropriate legislative channel.



May 2024: With the support of MSB, YCAO put out a news release informing the wider public of the CYAA review and YCAO provided an interview to CBC News.

June 2024: YCAO began working with a legislative drafter to complete draft amendments based on the feedback received during engagement. YCAO continued ongoing conversations with service providers.

Jul 2024: Ministers of Justice, Health and Social Services and Education wrote to YCAO requesting an update on the status of the review.

August 2024: YCAO provided MSB with a draft bill and comparison chart, financial implications and a communications strategy related to the proposed amendments. The Advocate briefed senior government officials on potential updates to the CYAA and requested an opportunity to discuss policy and implementation considerations. The Advocate was advised that no timeline for feedback was available.

September 2024: YCAO finalized a “What We Heard” report summarizing engagement efforts and stakeholder input.

***** No further steps toward amending the CYAA have been identified to YCAO. Any decisions about legislative changes rest with the Government and the Legislative Assembly.**

“The departments [will] work together to get [the] best information in the most efficient way”

~ YG official (No time frame was provided.
No formal feedback was provided.)

What YCAO Has Heard About the CYAA



Public Engagement:

YCAO received responses from the online survey from individuals who self-identified as former clients, family members of a current or former client, or those who had interacted with YCAO in a professional capacity. The survey has been available through the YCAO website since March 2024 and remains open. The feedback and comments collected were grouped by theme and are summarized below:

Definitions & Guiding Principles

- ★ Add definitions of “critical incident” and “serious injury” - these should include the concept of verbal injury and repeated physical harm.
- ★ The definition of “youth” can be problematic, and it should include vulnerable people who can’t advocate for themselves.

- ★ The understanding and inclusion of Self-Governing First Nations laws should be included in the CYAA.

Public Reporting

- ★ The public should have better access to YCAO’s findings and recommendations provided to the government. This will increase government transparency and help keep children safe.
- ★ The privacy of children and youth should be considered when releasing reports. If their information is being shared in a report the child or youth should be informed. Workers should have privacy training if they are involved in reporting.

- ★ Sharing information with YCAO within a designated timeframe should be outlined in the CYAA in order to have timely access and responses.

- ★ Including the UNCRC should be legislated as part of YCAO’s mandate, under the CYAA.
- ★ Lawyers and social workers should be involved in the reporting process.

Information Sharing

- ★ It isn’t clear who can share information with YCAO and what information they can share.
- ★ Responses were generally in favour of increasing information sharing for the purposes of individual advocacy.



- ★ All agencies providing services to children should be able to provide information to YCAO when circumstances require and should not be held back by confidentiality or based on the consent of legal guardians.
- ★ Responses were strongly in favour of mandatory reporting of critical incidents and serious injury.

Child Death Reviews

- ★ Responses were unanimous that YCAO should have the ability to investigate child deaths. YCAO having the ability to investigate child deaths might prevent some future deaths.
- ★ Concerns raised included privacy for the child and family during the investigation and reporting given the Yukon is a small jurisdiction.
- ★ No comments were received regarding the proposed Child Death Review model, but it was suggested to defer to models in other jurisdictions and consult professionals.

Communicating Children's Rights

- ★ Section 26 (communication by children or youth) should be strengthened.
- ★ Communication to children and youth is important and there needs to be something in the CYAA to address communication to very young children (example given: birth to six years).
- ★ Government departments and service providers should be required to inform children of their rights.
- ★ Children's rights should be taught in schools.
- ★ Workers should be going to where the children that need them are. It should not be called outreach, but access to rights.

Legal Representation for Children and Youth

- ★ Kids need lawyers to truly receive advocacy and YCAO should be instrumental in assisting families in accessing legal services.
- ★ YCAO should work with legal services to ensure children's rights are upheld in legal proceedings.
- ★ Children should have access to YCAO outside of the Yukon government.
- ★ The goal of Family and Children's Services is reunification, but reunification isn't always best if children are being moved around multiple times in the interim.

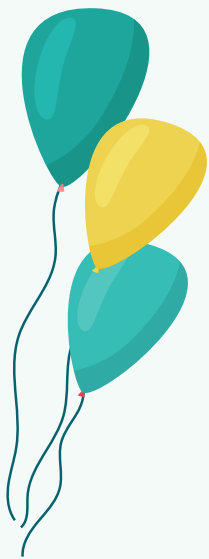
**** The Yukon is the only jurisdiction where the Child Advocate does not have a mandate to review child deaths.**

YCAO has developed a Yukon specific model to review child deaths, incorporating feedback from First Nations, service providers and other independent child advocates who currently do that work.



**"Our children need
this safety net"**

~ First Nations
representative



What We Heard From First Nations

YCAO sent a letter to all Yukon First Nation Chiefs and Executive Directors on July 20th, 2023, inviting them to participate and provide feedback on the CYAA review. Following the letter, YCAO hosted six sessions for First Nations to provide feedback on each of the themes of the CYAA review. In addition to meeting with First Nations governments, YCAO met with First Nations citizens who had extensive experience and interest in advocacy for children and youth and was invited to speak with several Chiefs and Councils or First Nations department staff.

While we recognize the unique differences and needs of each of the 14 Yukon First Nations, the following is a summary of what we heard from those who participated:

- ★ They shared their concerns for their youth and stated that they would engage with their citizens and provide feedback to the YCAO.
- ★ They were generally supportive of the proposed amendment to create a category for 'participating First Nations' to enter into agreements with the Advocate for service provision.
- ★ They suggested that the guiding principles of the CYAA should reflect the amended CFSA and include reference to the Truth and Reconciliation Commission's Calls to Action, UNDRIP, and to the Missing and Murdered Indigenous Women and Girls Calls for Justice.
- ★ They recognized the ability to request YCAO to provide advocacy within First Nations programs.
- ★ They shared concerns with limitations of YCAO, specifically in the area of legal representation for children and youth.

- ★ They are interested in the proposed death review model and pleased with the flexible approach for various situations and First Nations involvement in the process.

What We Heard From The Yukon Government

Over the years, YCAO has listened to YG's perspectives on the existing CYAA and has identified areas to strengthen advocacy for Yukon children and youth. In our work, the YCAO interacts with YG departments frequently, particularly Health and Social Services and Education. The Advocate has also met with Deputy Ministers of Justice and the Executive Council Office to seek clarification on the process for legislative review.

Themes that we have heard:

- ★ There is confusion about the YCAO's role and government responsibilities regarding information sharing or supporting children and youth in accessing YCAO.
- ★ CRIA needs to be built into the CYAA to ensure government legislation and policies comply with children's rights.
- ★ There is a need for children's views to be represented in family court matters. These views should be collected using a developmental perspective by an independent body. The office of the Public Guardian and Trustee provides a roster of child lawyers in court matters.
- ★ The Yukon is the only jurisdiction in Canada where the Advocate does not have the mandate to conduct a review when a child dies.
- ★ There is a lack of established process in the Legislative Assembly for conducting a review of an independent house officer's legislation.



Despite eight years of gathering feedback for three submissions to MSB and a draft bill, it was only in July 2024 that the Ministers of Health and Social Services and Education, Justice and EDU expressed an interest in the review of the CYAA.

They wrote to the Advocate requesting an update on the legislative review, stating that the departments would like to “foster a collaborative approach” in determining the mechanism for reviewing and revising the CYAA and in “harmonizing legislation impacting children and youth in the territory.” Consequently, MSB delayed the progression of the draft bill and asked the Advocate to share the draft bill with YG and prepare a formal *What We Heard* report describing YCAO’s engagement with YG. The Advocate immediately provided the draft bill to YG departments and requested formal feedback on policy implications to their departments. YG’s response was that they could not provide feedback and the review of the CYAA was not a priority for YG.

YCAO prepared an additional report for MSB summarizing YCAO’s engagement with YG departments and highlighting the numerous attempts to discuss the review of the CYAA, and coordinate efforts with YG departments.

- ★ When amendments to the *Coroner’s Act* were tabled in the Legislative Assembly in 2018, the YCAO provided recommendations for a child death review process in the Yukon. The Minister decided not to consider the Advocate’s recommended amendments but followed up with the Advocate in writing recommending a meeting with Department officials. The YCAO met with the Coroner several times to

clarify the current role of the Coroner and the Yukon context for child death reviews. YCAO has developed a death review model that reflects these discussions and incorporates an inter-jurisdictional review of child death review processes.

- ★ The Department of Education has not provided any feedback on amendments to the CYAA.
- ★ In 2020, Health and Social Services rejected YCAO’s request to coordinate the review of the CYAA with the review of the CFSA stating “Thank you for your inquiry and HSS is happy to connect with your office when our legislative review process is completed. We expect to be completed in 2021”.
- ★ On March 23, 2022, the Minister of HSS provided a detailed response to the YCAO’s CRIA report regarding the CFSA review and on why the YCAO’s recommendations were “not required at this time”.

“I have not observed a shared interest, rather a lack of willingness to prioritize and mobilize this review. The stalling of this process has been compounded by ongoing turnover in senior leadership.”

~ Annette King



Individual Advocacy

What Happens When You Call YCAO?

YCAO's intake and referral process involves information gathering, usually in the form of an email, phone call or in-person conversation. During intake we want to understand what your concerns are and receive relevant information about the child or youth's needs.

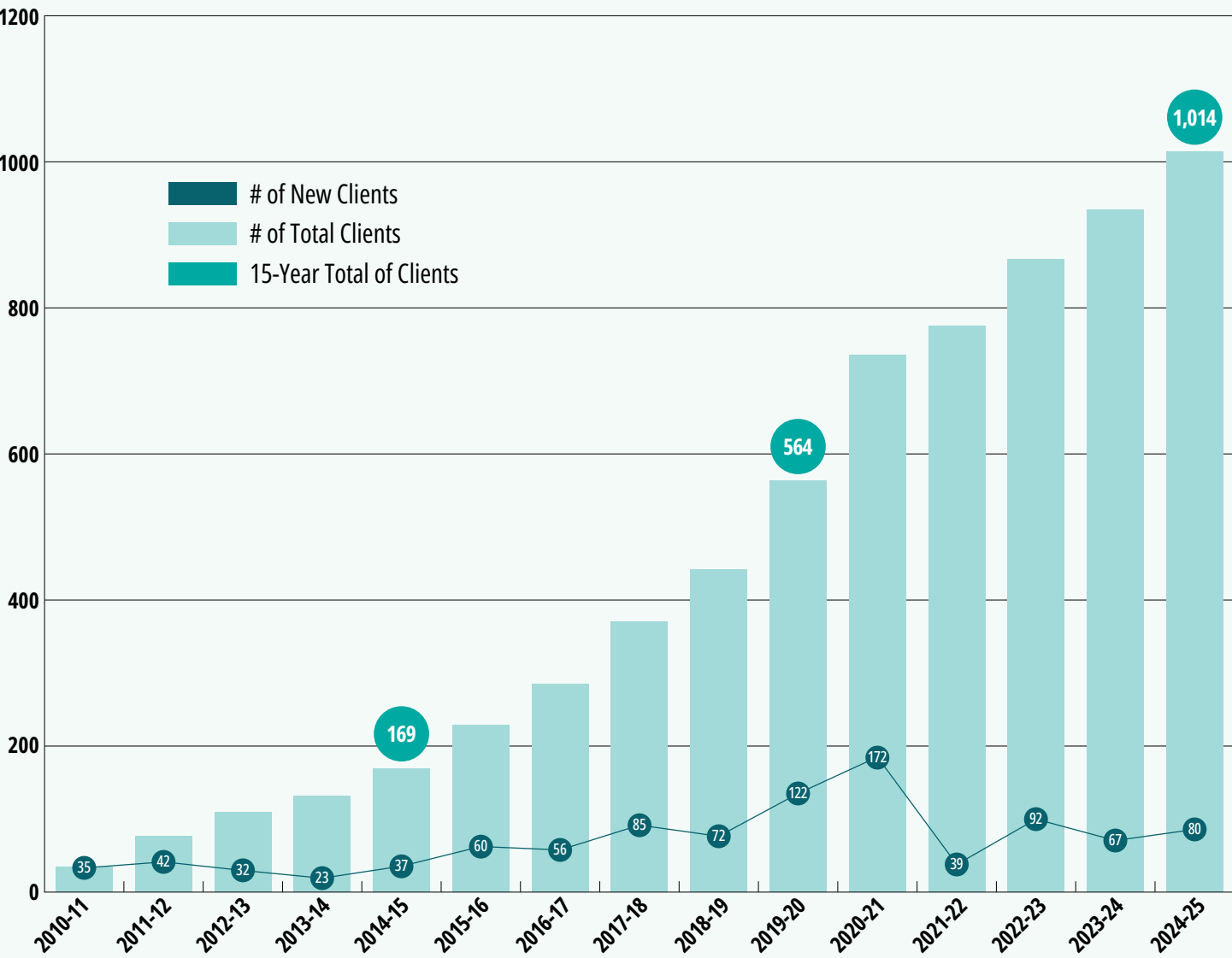
YCAO is not an investigative body, and we cannot overturn the decisions made by YG. As an oversight body, we can ask departments for information or records of decisions and clarify how these uphold children's rights, views and interests.

The information shared during intake is brought to the YCAO team for review and a mandate check. If the referral meets our mandate for individual

advocacy, we will assign an Advocacy Representative for the child or youth.

Unless the referral comes directly from a youth, YCAO cannot report back or update our referrers on the information shared with us in the process of advocacy, but after the intake information is reviewed by the YCAO team, we can let you know if there is a role within our mandate and that it has been assigned to a member of our team.

YCAO Clients By Fiscal Year



Total Number of Advocacy Issues

Five Year Total
(2010 - 2015)

230

Ten Year Total
(2010 - 2020)

911

Fifteen Year Total
(2010 - 2025)

1,850

Which Government Departments Had Advocacy Issues? 15-Year Total

Family and Children's Services
(including Transition Support Services
and Family Resource Unit):

932

Education

625

Mental Wellness Substance
Use Services:

123

Other YG Department(s)

89

Youth Justice

53

Yukon Hospitals

52

Yukon Housing Corporation

42

Disability Services

38

Victim Services

34

Insured Health Services:

13

*Advocacy issues are often complex and may
involve more than one government department.

2024/25

New Individual
Advocacy Issues

141

New Clients

80

YCAO continued to work on individual advocacy cases that
were opened in previous years but remain unresolved.

DID YOU KNOW?

YCAO has nearly doubled the
number of individual and informal
issues we have received in the last
five years, compared to the first
ten years of operation.

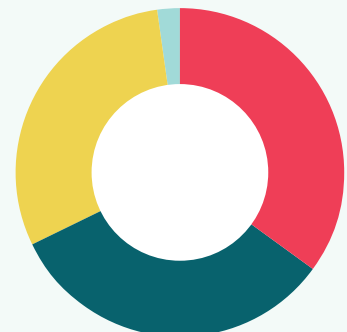
How Many New Advocacy Issues Are For Indigenous Children and Youth?

Yukon First Nations: 35%

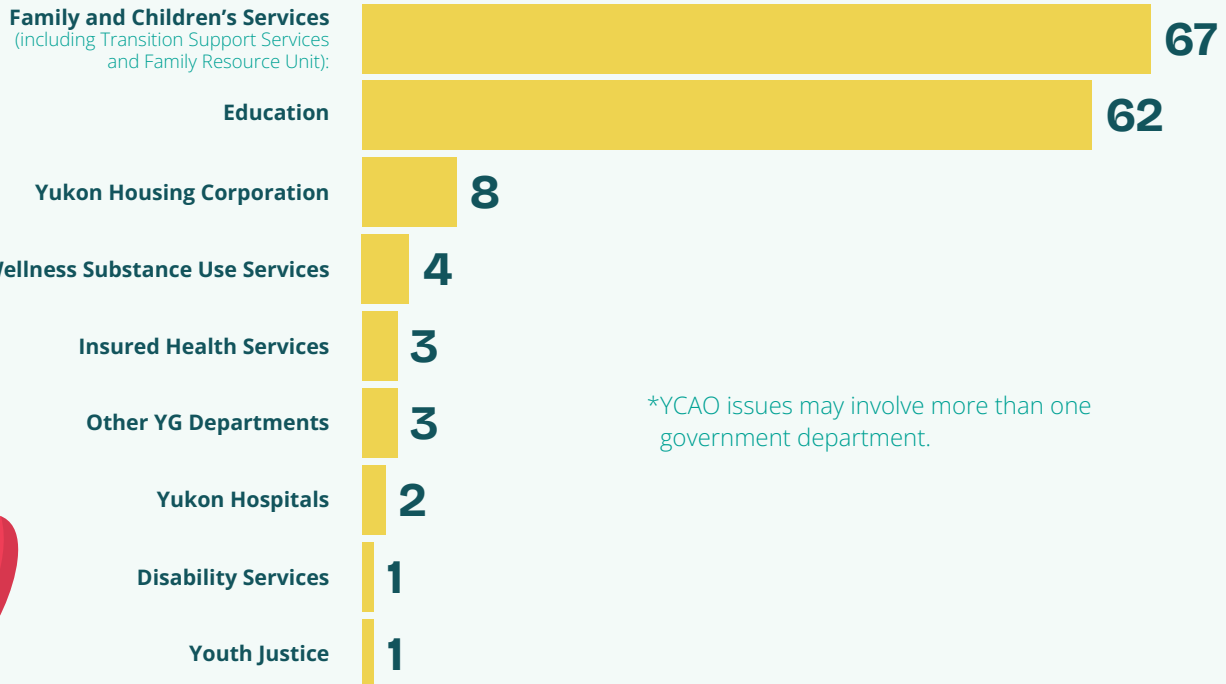
Non-Indigenous: 33%

Indigenous (Outside Yukon): 30%

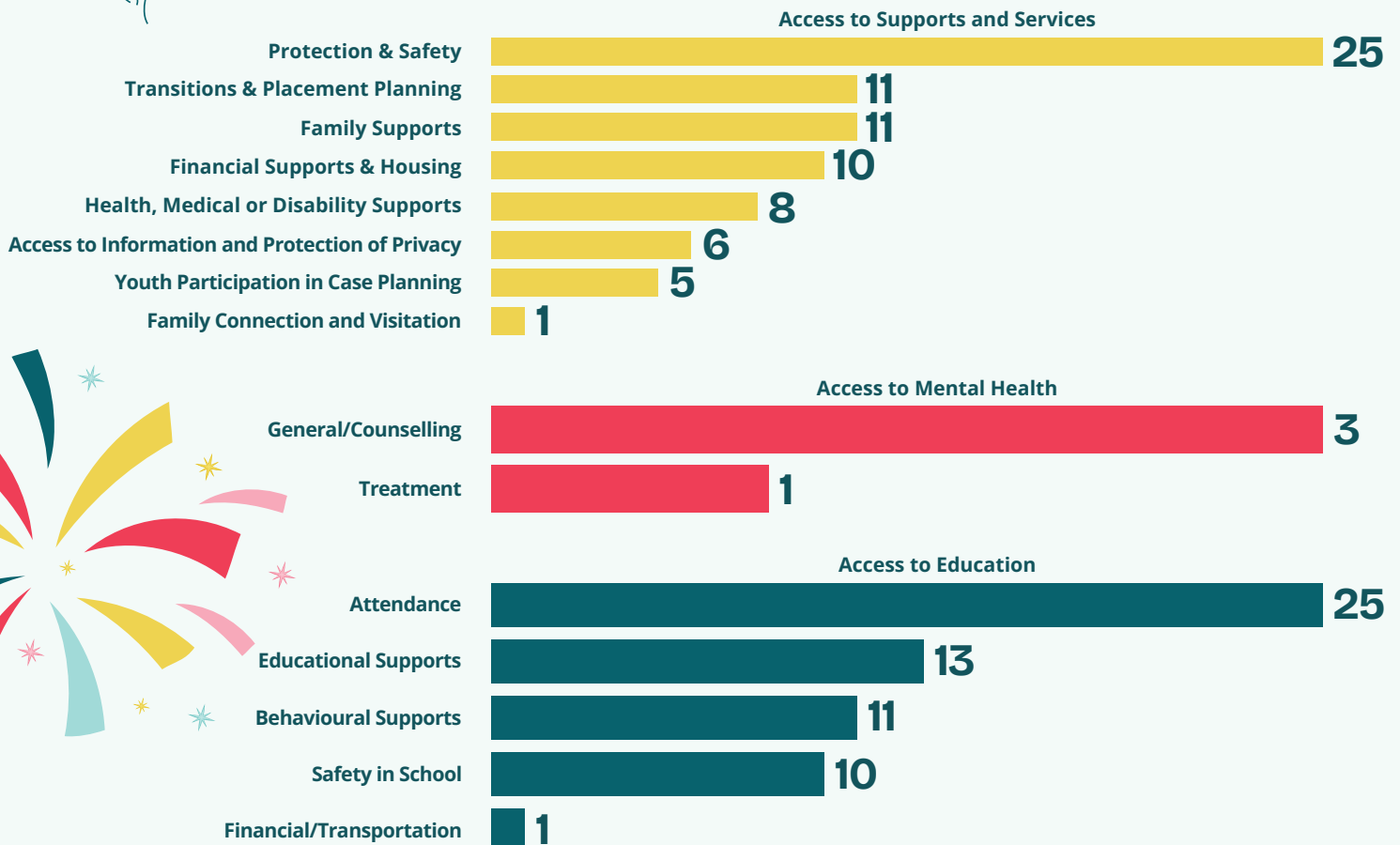
Unknown: 2%



Which Government Departments Had New Advocacy Issues?



What Types of Issues Did YCAO Address?



In 2023, YCAO introduced a new database that is able to record affiliated issues related to the primary issue referred for advocacy. For example, when a child has been removed from school for behavioural issues and there is an insufficient plan for education, YCAO may open a primary advocacy for attendance and affiliated issues for behavioural support and disability support. Previously, YCAO would sometimes open multiple issues for this scenario.

Individual Advocacy Case Examples

YCAO has had referrals for 1850 advocacy issues over the past 15 years. The issues are varied and complex, requiring interagency coordination. Although we see many successful outcomes, it is sometimes challenging to get to a place of resolution for the identified issue as the end result is not always aligned with the views, rights and interests of the child or youth.



Advocacy issue:

Maki is a 14 year old and had lived with their grandmother since being removed from the care of their mother at age 4. Currently, Maki has been couchsurfing and refuses to return to grandmother's home.

Child's view:

"I will hurt myself if I have to go back there"

Advocacy Action/Resolution:

YCAO clarified the involvement with Family and Children's Services (FCS) and asked for information about safety, protection and supports. Overtime, FCS facilitated reunification with mom and informed that mom's First Nation is providing family supports.

Advocacy issue:

Austyn is in grade 2 and is struggling with dysregulation at school. The school has requested a 1:1 Educational Assistant (EA) for Austyn as the EA is currently shared with another student. The school contacts Austyn's parents several times a month for pick up before the end of day. The school is recommending half days. Disability Services is providing funding for respite help but it cannot be used during the school day.

Child's view:

"I miss my friends when I'm not at school"

Advocacy Action/Resolution:

YCAO contacted Student Support Services and Disability Services recommending coordination of supports. Student Support Services worked with the school's EA to integrate strategies to support Austyn's behaviours at school.



**Names and some case details have been modified slightly to protect the privacy of children and youth who access our services.



Advocacy issue:

Jordan, a high school student has been caught with bear spray in their backpack. It's the second time this has happened. The student said they carry bear spray to feel safe as they have been assaulted on and off school grounds in the past. The school decided to give Jordan a four day out-of-school suspension because the bear spray is a weapon and taking it away from Jordan the first time wasn't sufficient for this not to happen again.

Child's view:

"I just want to feel safe at school. I need to get caught up on my math."

Advocacy Action/Resolution:

The school did not reengage with Jordan following the suspension and there was no transition plan for their safe return to the school. YCAO shared Jordan's view with the school and superintendent but the school encouraged Jordan to go to the Individual Learning Centre (ILC) instead. Jordan completed their math credit at ILC.

Advocacy issue:

Jo, age 17, asks YCAO for help looking for a place to live. Jo has been in the care of FCS since age 11 and has had four different social workers over the last 18 months. They can no longer live with their caregiver, so they were told that their new placement is at a group home. Jo refuses and is angry with the way the plan was dumped on them. Jo has never attended a case planning meeting and doesn't feel heard by the social workers.

Child's view:

"What's the point they aren't going to listen anyways".

"Is there any help available for me".

"I have no connection to my family"

Advocacy Action/Resolution:

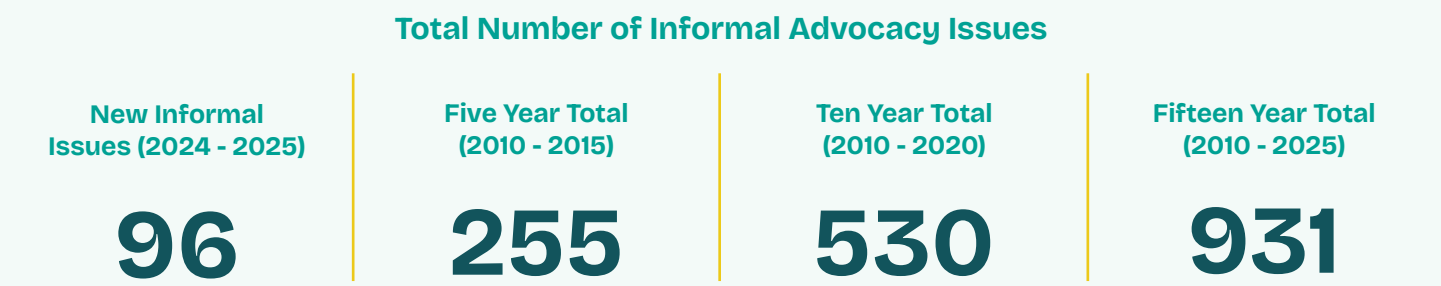
YCAO contacted FCS and requested information to clarify the current care plan.

Jo requested that YCAO represent their views at a case planning meeting.

Jo worked with an FCS social worker to develop a care plan and eventually an agreement for transitional supports.



Informal Advocacy



Informal Advocacy:

YCAO provides advocacy by sharing information with YG when there is not an individual child that needs direct support, but there are concerns that are impacting or have the potential to impact children or youth. This communication is usually done at a higher level between the Advocate or Deputy Advocate and the relevant YG Managers, Directors, Assistant Deputy Ministers or equivalent. In these cases, YCAO cannot direct YG to act, but we can make sure that there is attention brought to the issue(s) and that the information and concerns are shared with the appropriate people. In order to advocate directly for a child, referrals must identify a specific child, a designated service (department), and an advocacy issue. YCAO must be able to advocate without interfering or impeding in a court process. YCAO clarifies issues by meeting with children and youth and their natural advocates.

YCAO gets numerous calls about issues and concerns that do not fall within the mandate of YCAO but are still concerns that may need to be addressed. Here are just a few examples:

- ★ YCAO is asked to support a child in having their views considered as part of amending a custody and access arrangement between parents (not within mandate).

- ★ A family member calls to report a youth in care has passed away (not within mandate).
- ★ An educator shares that a large group of youth were adversely affected by a government policy change, impacting their rights. E.g. a school dress code (no specific child).
- ★ YCAO is asked to provide advocacy for a child who is experiencing delays in getting a passport (no YG department).
- ★ A parent is not satisfied with the services provided by their First Nation (not in mandate unless First Nation has a formal agreement with YCAO).

In these cases, YCAO:

- ★ Records the concern as an “informal advocacy issue”.
- ★ May notify a YG department of the concern and of YCAO’s “decision not to act”.
- ★ May provide information about children’s rights.
- ★ May review trends and include the informal advocacy themes in systemic advocacy.







Systemic Advocacy

Progress Tracking on Systemic Advocacy Issues

2024 was a big year for our systemic advocacy. With an expanded team we were able to focus and deep-dive into five systemic reviews. We completed and tabled three reviews in the spring sitting of the Legislative Assembly: *Close to Home*, a review of supporting children with complex behavioral needs; *I Am Not Okay, It's Not Okay*, a review of YG's response to the use of restraints and isolation spaces at Jack Hulland Elementary School; *For Our Children*, a review of systemic racism in the education system, which we completed with the support of the Yukon First Nations Education Directorate (YFNED). All reviews can be found on our website under YCAO publications. In addition, we continued our work on systemic reviews that will be complete in 2025: A review of EDU's implementation of the Sexual Orientation and Gender Identity Policy; A review of the impacts on children in high-conflict family matters.

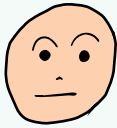
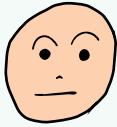
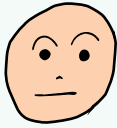
The systemic issues impacting young people in the Yukon are varied. While the past year's work had a heavier emphasis on education-related issues, we continue to monitor and respond to ongoing issues involving mental health, children in care, youth homelessness, community safety, and more. The list is long and clearly demonstrates that when children are not at the forefront of decision-making, their rights can be infringed upon across the board.

Scale	Ratings indicate the degree to which the Department is implementing YCAO recommendations, which are likely to lead to more positive outcomes for children & youth.	Progress on Recommendation
	Not being implemented at this time. No children and youth are benefiting from this practice or activity.	Not started (0) Recommendation rejected/ no progress.
	Beginning and/or intermittent and inconsistent. Recommendation has been accepted. Discussions about or initial implementation of the practice, policy, strategy, or activity have taken place. There is a definite interest and organizational activities have begun. Few children and youth are involved or benefitting. The practice, policy, strategy, or activity is in the earliest implementation stages; progress is being made and plans are moving forward. The practice, policy, strategy, or activity may be implemented in some areas or in some cases, but not frequently or with consistency.	Some progress (1) Started but is not yet complete.
	Emerging. Concerted efforts are being made to fully implement the recommendation including practices, policies, strategies, or activities. Many children and youth are involved or benefitting.	Significant progress (2) Extensive progress, but not yet complete.
	This recommendation is used to make decisions about needed services, changes in programs, plans and strategies, and is utilized in the Department's emerging, short-term and long-range planning efforts, changes to policy, procedures, practices or professional development. YCAO is seeing a reduction in individual advocacy issues in the area(s) affected by the recommendation and there is a reduction in the amount of time to resolve these issues.	Fully implemented (3) Recommendation fully implemented. The full benefit may or may not have been realized yet.

Progress Tracking: School Attendance

In March 2024, YCAO provided EDU with a progress tracker evaluating YG’s response to the recommendations provided in the May 2021 report, *Review on School Attendance in the Yukon: What is, What Could Be*. At the same time, YCAO requested updates on the numerous individual advocacy issues for children with ongoing barriers to attendance.

YCAO Recommendation	YCAO Rating	Positive Actions/Outstanding Actions
Belonging, Safety, and School Culture		
<div><div><div>1. Implement Canada's Rights Respecting Schools a UNICEF initiative that uses the UNCRC as a basis for enhancing an inclusive, participatory and respectful school culture for children and adults.</div><div>2. Incorporate the Circle of Courage model to recognize children's unmet needs and work collaboratively with relevant YG departments, First Nations, non-government organizations to provide wrap around services for children and families.</div><div>3. Work in partnership with Yukon First Nations governments and First Nation Education Directorate to increase First Nation representation in all schools. This includes educators, assistants, Elders, counsellors, presenters, and community support programs. Incorporate cultural competencies and First Nations mentors into school curriculum and training of educators.</div><div>4. Build experiential learning and cultural activities and values into the curriculum and academic schedules so that it is accessible to all students in all schools.</div><div>5. Assign and honour academic credit to family or community-based learning that takes place outside of school (family time on the land, trips home, and travel). Develop curricular adaptations to ensure learning gaps will be filled.</div><div>6. Assign academic credit to pre-existing culture camps when the First Nation government is interested.</div><div>7. Provide opportunities and options for all students that address individualized learning goals, such as co-op training programs, community placements, and employment opportunities for students grades 10-12.</div></div></div>	<div><div><div></div><div></div></div></div>	<div><div><p>The Rights Respecting Schools program through UNICEF was discontinued nationally due to a lack of resources. In hindsight, this recommendation was overly prescriptive, but YCAO holds the recommendation in principle. The intended results can be achieved by implementing child rights education in schools and applying a Childs Rights Impact Assessment (CRIA) to Department of Education (EDU) policies.</p><p>Child rights education and programming have not been formally implemented into schools; however, several educators have included child rights resources in their social justice curriculum and all Yukon schools have child rights posters developed by YCAO. Several EDU policy staff have attended CRIA training and sometimes participate in monthly CRIA community of practice meetings hosted by YCAO. In November 2024, YCAO facilitated child rights sessions for all classes in a FNSB primary school.</p><p>EDU has implemented the Ready-to-Learn (R2L) initiative in 14 Yukon schools. R2L is based on the Neurosequential Model in Education and is aimed at ensuring children's basic needs are met and providing an inclusive, equitable and effective learning environment.</p><p>The Circle of Courage model has not been implemented by EDU. However, EDU is promoting positive youth development through the R2L program. R2L is not yet implemented in all schools and wrap around services do not exist except through organizations such as the Yukon First Nation Education Directorate (YFNED), which is not available to all Yukon students.</p><p>According to EDU's 2023-24 annual report, EDU has provided \$1.83M to support education priorities with First Nations, \$1.19M for language revitalization, \$2.6M for school language initiatives, and the YFNED with \$735,000 to support the Joint Education Action Plan (JEAP). The First Nation School Board (FNSB) integrates cultural activities and experiential learning. YFNED has education advocates in most Yukon schools and offers cultural programming, food programs, and a mobile therapeutic team. Furthermore, some First Nation governments have developed their Education departments to enhance supports for citizens.</p><p>EDU reports that 2024 saw the highest recorded number of current and active apprentices, and over 100 positions were filled through student employment programs.</p><p>EDU implemented a new Accreditation of Yukon First Nations Cultural, Language, and Traditional Knowledge Learning policy to enable Yukon First Nation governments to design, deliver, assess, and provide notice of completion for accredited cultural, language, and traditional knowledge programming for Yukon students. This policy states that Yukon government will: "affirm, honour, and promote participation in programming offered by YFN governments, Knowledge Keepers, Elders, or individuals or organizations considered qualified by a YFN government to design and deliver the programming."</p><p>A culture of systemic racism still exists in Yukon schools. In December 2023, after the Yukon Chief's Committee on Education expressed ongoing concerns about discrimination, exclusion, and racism towards First Nations students in the K-12 school system, YCAO launched a review on systemic racism, supported by the YFNED. The results of YCAO's review have been released in the Spring of 2025. EDU has cooperated with YCAO for this review.</p><p>In 2024, the Department of Education introduced what was branded as a "new" attendance policy to recognize cultural participation. In fact, the existing 2019 attendance policy is now being implemented procedurally through attendance tracking in Aspen: <i>"The Department of Education recognizes that when a student is away from the school because they are participating in an aboriginal cultural or aboriginal harvesting activity, these activities have an educational purpose that is consistent with the delivery of the Yukon school curriculum. These absences must also be marked as Absent Authorised, in recognition of the fact that these activities are an essential part of the student's program... All absences recorded as Absent Authorized must not be included in the number of days that a student is considered to have been absent from school on student reports, or in the calculation of student absenteeism data."</i></p><p>In 2022, YCAO launched a systemic review of EDU's response to allegations of restraint and confinement of students. Media stories, criminal proceedings, and a class action lawsuit have showcased the impact of the abusive interactions with students.</p><p>According to EDU, the Safer Schools Action Plan was fully implemented in June of 2023. In spite of this, YCAO currently has 33 open individual advocacy issues related to Safety in School (March 2025).</p><p>In 2022, the Yukon Legislative Assembly passed a bill to mandate inclusive social spaces in all schools for students who identify as LGBTQ2S+ and their allies. In 2023, the Sexual Orientation and Gender Identity (SOGI) policy was updated. In 2024, the Minister of Education requested that YCAO complete a review of the implementation of the SOGI policy. That review is scheduled to be complete in fall 2025.</p></div></div>

YCAO Recommendation	YCAO Rating	Positive Actions/Outstanding Actions
Mental Wellness and Personal Factors		
<p>8. Standardize and implement school policies for managing prolonged absences and chronic absenteeism. Through a child rights lens, attendance policies must use collaborative processes to engage students to achieve their goals. Allocate resources identified by school-based teams and school councils.</p> <p>9. Immediately create and fill full-time clinical counsellor positions in every school. These mental health counsellors must be in addition to school/guidance counsellors. All counsellors must have a trauma informed lens, cultural humility, and counselling approaches that are effective in a variety of settings. They will be knowledgeable about referrals for family treatment, community support and crisis response. As part of their everyday interactions, clinical counsellors will develop relationships with students, educators, and families.</p>		<p>YCAO is not aware of any new school policies or direct initiatives that address chronic absenteeism. YCAO has presented to the Association of Yukon School Councils Boards and Committees about their role in developing attendance policies. YCAO has requested that EDU work with schools to develop family centred and culturally appropriate approaches to addressing the personal factors creating barriers to attendance.</p> <p>In 2024, YG contributed \$100,000 towards projects funded by the <i>Victoria Gold Yukon Student Encouragement Society's Every Student, Every Day</i> initiative aimed at improving attendance and encouraging engagement. These projects indirectly address attendance issues by promoting belonging and creating opportunities for positive engagement in school activities.</p> <p>Additionally, \$500,000 was invested in youth mental health to support R2L, mental health and wellness kits, the annual Youth Summit and other related initiatives.</p> <p>The 2023 Confidence and Supply agreement between the Liberals and the NDP committed to creating <i>dedicated wellness counsellors or similar positions in all schools specifically dedicated to addressing the need for comprehensive mental health and wellness.</i></p> <p>A School Wellness Specialist position was established for schools for the 2023-24 school year. There were ten proposed positions dedicated to mental wellness for schools under the purview of EDU, one for the Commission Scolaire Francophone du Yukon, and six for the First Nations School Board. In January 2025, seven of the positions have been filled and the Wellness Specialists divide their time between schools. The school administration determines the priorities for the schools. Of the positions filled, YCAO has heard generally positive feedback.</p> <p>In the 2024 annual report, the EDU committed to creating an integrated health and wellness model based on promotion, prevention and intervention. This is to be completed with collaboration from First Nations governments.</p>
Behavioural Supports		
<p>10. Develop and implement alternatives to dismissal that promote safety and address problems in a way that restores relationships, promotes children's rights, and supports students in meeting their goals.</p> <p>11. Implement restorative justice processes in disciplinary cases. A YFNED Education Advocate or a First Nation representative should be offered to all First Nations students and participate in a school-based team where relevant and appropriate.</p>		<p>Students continue to be dismissed from school for behaviours that could be addressed restoratively in school. This is leading to disengagement from school and drop out. YCAO's individual advocacy data and systemic review of racism and discrimination finds that First Nations students are more likely to be sent home from school when issues arise.</p> <p>YCAO has 21 open individual advocacy issues related to Behavioural Supports (March 2025).</p> <p>There is still a disconnect in communication and coordination of services for children with complex behavioural needs. YCAO continues to see a high number of individual advocacy cases where elementary students are not able to attend school full time, or in some cases not at all, due to complex needs and/or a lack of an educational and behavioural supports.</p> <p>Representatives from EDU attended YCAO's <i>Close to Home: Supporting Children with Complex Needs</i> multi-department session held in May 2024. The session was an opportunity for decision-makers to collaborate on strategies and solutions to address complex needs cases and formed the basis for YCAO's recommendations in <i>Close to Home – A Yukon Approach to Supporting Children with Complex Needs: A Summary of Findings</i> released in February 2025.</p> <p>EDU reports that they have revitalized the interagency complex case committee to develop strategies for students who are unable to attend school or attend part-time due to complex needs.</p> <p>EDU reports that they have developed a Memorandum of Understanding with the Department of Health and Social Services and a Memorandum of Understanding with Disability Services to support training for complex medical needs.</p> <p>The Education Appeal Tribunal which works to resolve disputes regarding special needs, student records, suspensions, and locally developed courses reportedly received six appeal requests in 2023-24 and had three cases carried over from previous years. Only one case was resolved by EDU.</p>
Educational Supports		
<p>12. Review and integrate developmental assessments and transition plans from early learning centres at entry to Kindergarten.</p> <p>13. Provide concrete steps to implement timely assessments and track the implementation of educational supports, modifications and adaptations. Interventions will include communication with parents, classroom teachers and school-based team and EDU student support consultants.</p>		<p>YCAO has 13 open individual advocacy issues related to Educational Supports (March 2025). YCAO has ongoing concerns brought to our attention regarding educational programming and allocation of educational assistants.</p> <p>As of April 1, 2021, the Early Learning and Childcare unit is now part of EDU. Public engagement has occurred for the review of the <i>Childcare Act</i>, expected to be amended in 2025. EDU released a What we Heard document summarizing the engagement for this review.</p> <p>The Child Development Centre (CDC) provides early learning assessments before a child transitions to kindergarten. Parents can self-refer to the CDC, however there is no information provided on the kindergarten registration website regarding referrals to the CDC or assessments. EDU reports that they prioritize these assessments in their considerations for educational supports.</p> <p>Access to Individual Learning Plans and Educational Assistants have been ongoing struggles for students (and their parents). The 2023 Confidence and Supply Agreement states: <i>"The recent cancellation of Individualized Education Plans (IEPs) for children with special learning and neurodiverse needs will be reversed. Those IEPs that were cancelled will be reinstated within 30 days, and any future changes to policies or processes in respect of IEPs will only be made following meaningful consultation with stakeholders."</i></p>



Report on Inclusive and Special Education

Provide a public response to the review of Inclusive Education, detailing actions EDU will take to provide options and opportunities and necessary resources for all students to reach their learning potential. Advise YCAO of steps taken in response to the review of inclusive education and how EDU will support timely assessment, early intervention and adequate resource allocation when students "with intellectual, communicative, behavioural, physical or multiple exceptionalities" are identified.



YCAO has 13 open individual advocacy issues related to Educational Supports (March 2025). YCAO has ongoing concerns brought to our attention regarding educational programming and allocation of educational assistants.

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The Child Development Centre (CDC) provides early learning assessments before a child transitions to kindergarten. Parents can self-refer to the CDC, however there is no information provided on the kindergarten registration website regarding referrals to the CDC or assessments. EDU reports that they prioritize these assessments in their considerations for educational supports.

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In 2023, EDU contracted EnGauge Consulting to conduct a review about EA allocation. YCAO participated in the engagement. EDU released a report in 2024 outlining short-, medium- and long-term goals on the topics identified by the consultant.

In the 2023-24 school year EDU reports adding 13 Educational Assistant positions and 15 Learning Assistant Teacher positions, in addition to the School Wellness Specialists. Though many positions have been created, EDU continues to have difficulty filling and retaining these positions and schools have struggled with ineffective allocations of resources. Furthermore, EDU has not implemented a new allocation system. In August 2024, EDU provided allocations to schools based on the previous school year's staffing numbers.

The Confidence and Supply Agreement adds the commitment to *provide, complete, and deliver the final report for psychoeducational assessments necessary to obtain an Individualized Education Plan (IEP) within six months of referrals from teachers, administrators or physicians. If the Government is unable to provide the assessment directly within this timeframe, it shall cover expenses incurred by parents to obtain the assessment externally.* The Department of Education has committed to providing psychoeducational assessments within six months of being referred to Student Support Services. EDU has prioritized addressing a backlog of assessments and YFNED also conducts assessment through the mobile therapeutic team. There has been a significant reduction in the number of issues referred to YCAO where a child has not received a timely assessment.

In response to the 2019 report from the Office of the Auditor General, EDU contracted Nikki Yee to conduct a review of Inclusive and Special Education. In June 2021, EDU released the report in a ceremonial gathering. EDU presented their response to the OAG report to Public Accounts committee.

EDU has developed and staffed a new unit in EDU central administration called Reimagining Inclusive and Special Education (RISE) to analyze and address the recommended actions.

EDU, the First Nation Education Commission and the Advisory Committee on Yukon Education jointly developed eight Communities of Inquiry to work on addressing the recommendations from the YCAO Review on School Attendance and the independent Review of Inclusive and Special Education. According to the 2023-24 EDU annual report, six out of seven committees have concluded, and next steps will be provided for 2024-25. This is concerning as there are outstanding issues as outlined in this progress tracker which need to be addressed. Further, the RISE website identifies eight Communities of Inquiry, and the annual report refers to seven. Neither source lists what the Communities of Inquiry are or why there is a discrepancy in these numbers.

The RISE website has not been kept up to date. According to the website the 'check' phase of the Spiral of Inquiry was expected to span July 2022-July 2024. In 2022, the Department also had a blog that was dedicated to inclusive and special education – this website is no longer active.



For Our Children: A Review of Systemic Racism in Yukon Education

Artist statement

Guná Artist Statement: The grey figures you see at the bottom are depicted upside down with their eyes closed. This symbolizes colonial systems being laid to rest—systems that have caused harm to our people historically and in the present. It also represents the systems that must be dismantled—or, to be more direct, put to rest permanently. A line of cedar runs between the blue and grey figures. In this work, cedar represents protection. I chose cedar intentionally: it is something deeply connected to us, and it carries meanings

of both protection and healing. The large central figure has cedar emerging from their hands, symbolizing growth and care. Within this larger figure is a child, nested inside. Both the larger figure and the child have ears extending from their heads, and within one ear, there is an eye. This detail represents the deep receptivity of knowledge that our children possess, and it speaks to our responsibility to nurture and protect that learning. There is also a smaller, light blue figure positioned between the large hands and the grey

formline. These blue figures represent our ancestors, offering protection and shielding us from the ongoing influence of systemic, racist, colonial structures that continue to assert power and supremacy. As a whole, this design speaks to the resilience of our communities. It is a declaration of our ongoing commitment to create culturally safe spaces for learning—and a promise that we will never stop working toward this vision, no matter what it takes.



Illustration by Guná (Megan) Jensen

“We are seeing some progress, but there’s so much more to do. It’s not enough to just keep saying things need to change. We need to do the work. We need to bring in the teachings, the understanding, the empathy that’s been missing for so long. We have to build a future where education is a place of healing, where students feel safe enough to speak up and to ask for help. A place where they know they matter. It’s not going to be easy. But it’s possible. And it’s necessary.”

~ Elder Roger Ellis

For Our Children: A Review of Systemic Racism in Yukon Education

The First Nations Education Commission (FNEC) asked YFNEC and YCAO to review how systemic racism - government rules and policies - has shaped and continues to impact the education system in the Yukon. To understand this, we spoke with students, families, Elders, educators, education workers, and citizens from all 14 Yukon First Nations. We also did a deep dive into government data, YCAO records, policies and literature, and past reviews on similar issues to help us form the full story. Findings were split into four key themes:

Philosophical, Pedagogical, Relational, and Operational. They highlight that despite decades-long calls for reform from Yukon First Nations, and subsequent efforts made by Department of Education to decolonize the education system, systemic racism continues to be a clear determinant of poor educational outcomes for First Nations students throughout the territory. 25 Calls to Action, informed by the four key themes were presented to the Department of Education.



Comic Illustrations by Cole Pauls

"... the smoke pit at [high school] ... you know, like there's so many people, there would be rednecks there. There will be gay people there. There'll be Indigenous people there. There'll be everybody from different backgrounds. And I think that's kind of, I mean, it's great, but that's kind of sad that in a school full of 800 kids, the only place where it's actually collaborative and you feel comfortable is the smoke pit."

~ Student

WHAT NEEDS TO HAPPEN: 25 CALLS TO ACTION

The final report issued 25 Calls to Action aimed at ending systemic racism and improving outcomes for all Yukon students. Each call is a concrete step toward building a more fair and inclusive education system.

A full list of the Calls to Action are available at yfned.ca/racismreview.

System & Leadership

- Shift to shared decision-making with First Nations.

CTA #3

- Add anti-racism goals in every School Growth Plan.

CTA #4

- Track progress and share evaluations of School Growth Plans.

CTA #5

- Create a 3-step guide to address racism when it occurs.

CTA #6

- Conduct a review of Early Childhood Education to understand student outcome gaps.

CTA #9

Supporting Teachers

- Train all staff in anti-racism and cultural safety – every year.

CTA #16, #17, #18

- Recognize and pay First Nations Language Teachers equally.

CTA #13

- Create more paths for Indigenous teachers and Knowledge Keepers.

CTA #12, #20

Stronger Curriculum

- Make hands-on, land-based and job-related learning mandatory.

CTA #8

- Embed Indigenous values in STEM and beyond.

CTA #11

- Offer better ways to assess students than standardized tests.

CTA #14

- Build a Yukon-wide outdoor education program.

CTA #15

Safe & Fair Schools

- Consider adopting a restorative justice approach for discipline.

CTA #10

- Include students and families in staff evaluations.

CTA #19

- Increase diversity in special programs like Wood Street.

CTA #7

Fair Funding & Operations

- Pay Elders and Knowledge Keepers fairly.

CTA #20

- Expand the team working on localizing curriculum.

CTA #21

- Use local hiring quotas in communities.

CTA #23, #22

- Implement a departmental anti-racism strategy.

CTA #24

- Review data practices and implement the Auditor General's recommendations.

CTA #25

Next Steps

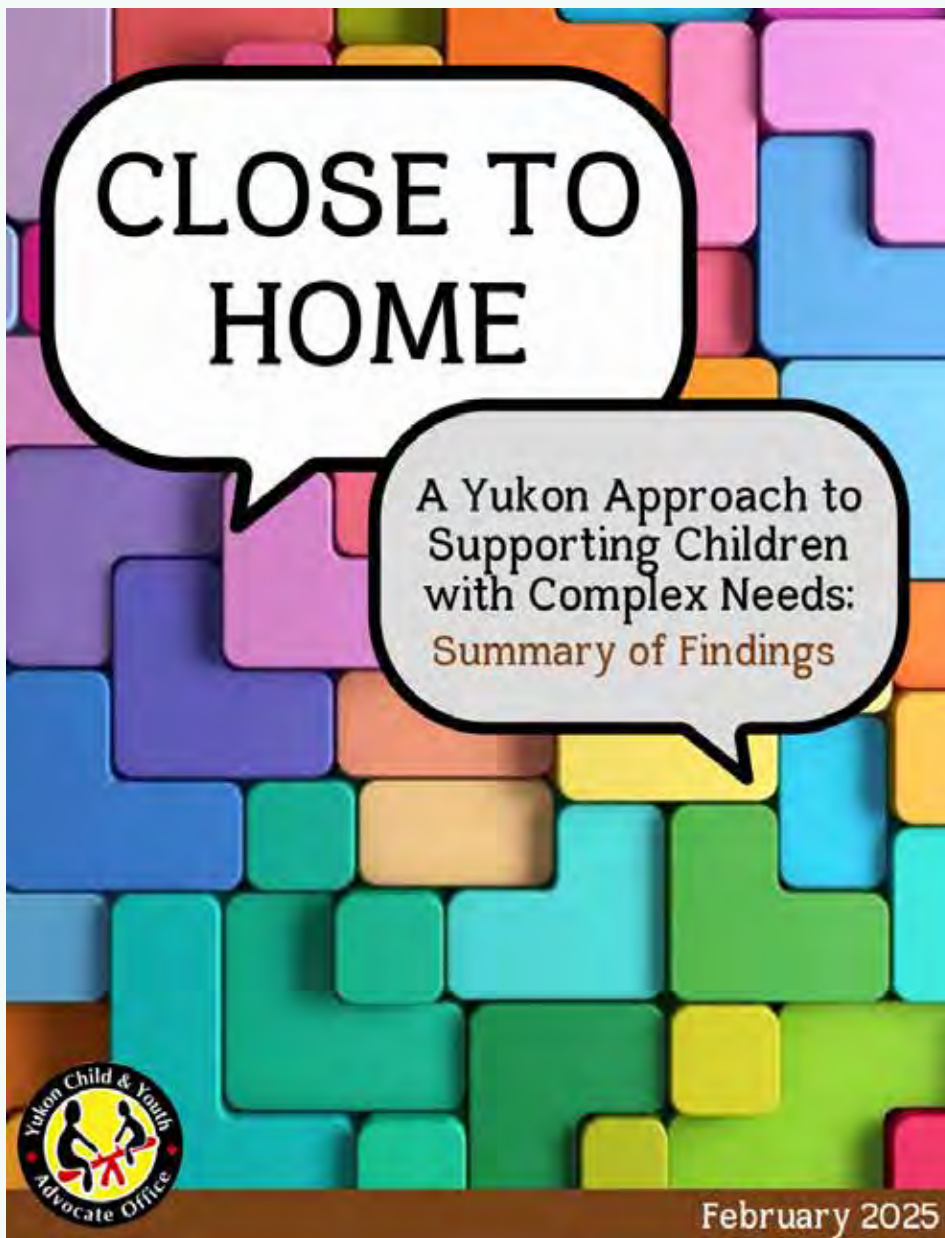
- Report tabled in Spring 2025.

CTA #1

- Initial response due June 30. Full update by Dec. 1 and annually.

CTA #2





Close to Home: A Yukon Approach to Supporting Children with Complex Needs: Summary of Findings

Close to Home: A Yukon approach to supporting children with complex needs, summary of findings was submitted to YG in February 2025 and was tabled during the Spring 2025 sitting of the Legislature.

"I feel rejected. Like I'm a bad kid."

~ Child

"I feel so stuck. I'll have to take Leave Without Pay to be a full time caregiver. I don't know how I'll pay rent to keep a roof over our heads."

~ Parent

"I just get so riled up and nothing helps."

~ Child

"[This] child needs a very specific type of environment... with the right environment [they] can stay there and will not need to go through all of the disruptive transitions."

~ Professional

"It's challenging to create a reliable schedule without knowing what support will be available."

~ Parent

"They blame everything on me."

~ Child



Executive Summary

Through YCAO's ongoing individual and systemic advocacy work, we have observed an upward trend of children being denied access to a full-time education, often due to neurodiversity and dysregulation resulting in difficult behaviours and complex learning challenges. At the onset of the review in March 2024, YCAO identified 39 individual advocacy cases that fall within the scope of the review. Over 70% of the children identified are Indigenous.

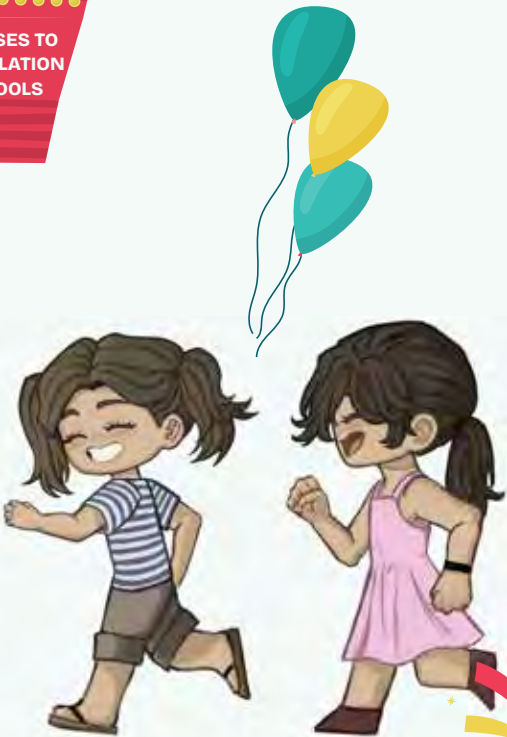
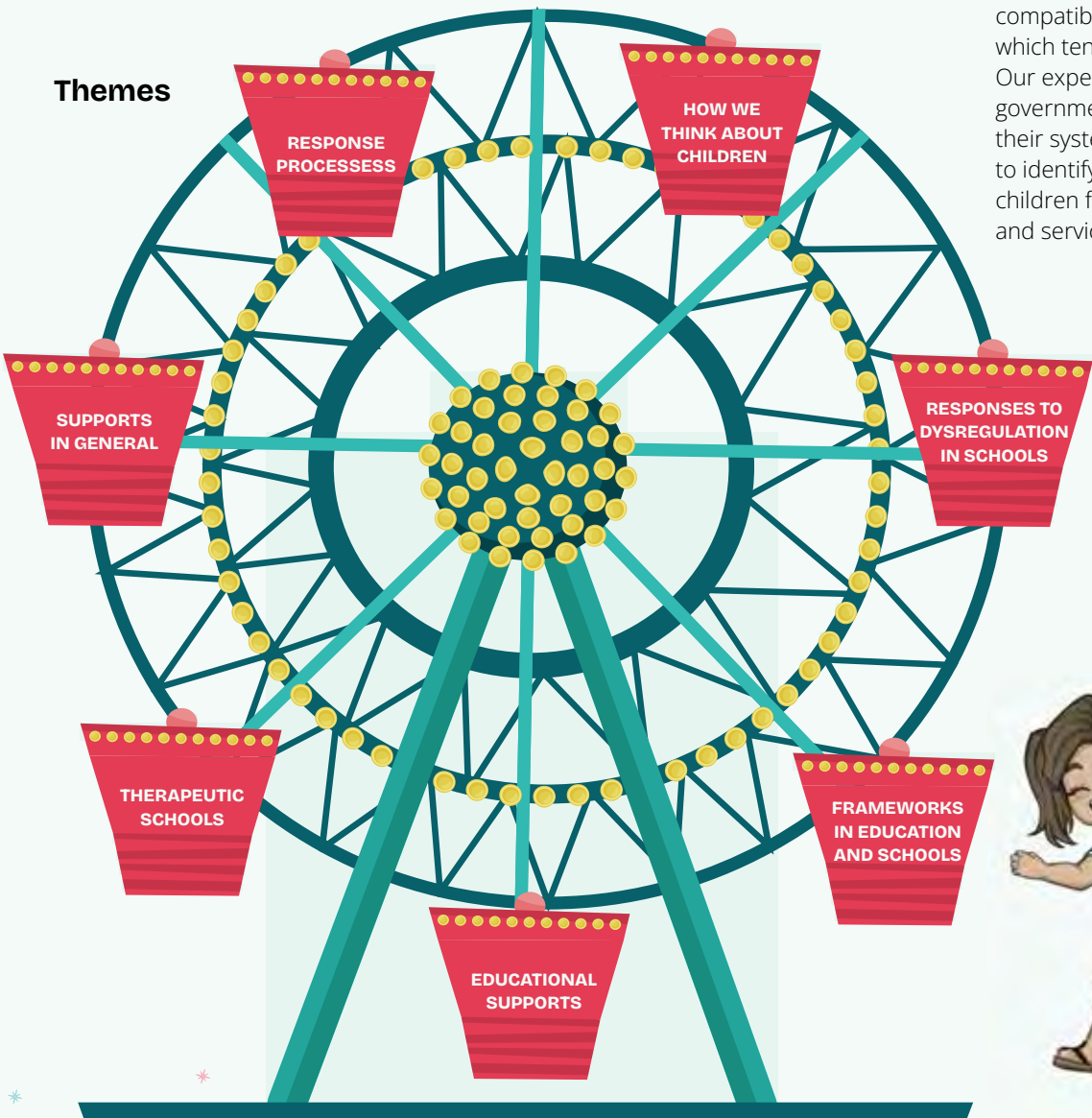
In many cases, these children are connected to a wide range of community organizations and Yukon government departments, yet they continue to face challenges accessing safety and stability, mental and physical wellness, and a meaningful education program.

YCAO is deeply concerned about the lack of local comprehensive resources to adequately support these children and their families. In the past decade, through our individual and systemic advocacy work, we are aware of numerous children who have been sent to residential treatment centres outside the territory. Having children leave the territory is disruptive for both the child and their family, particularly when the child is separated from their family. This disruption can undermine the effectiveness of these programs and erodes the support network that has been established locally. Further, these programs are expensive. Not only is there a cost associated with the treatment, but families often need to relocate temporarily or travel back and forth for periods of time spending money on transportation and accommodation.

YCAO has an interest in, and a responsibility to, understand and address the challenges complex needs pose. As such, the YCAO embarked on a systemic review of how Yukon government supports children with complex needs. This work included learning from parents, First Nations, not-for-profit organizations, medical professionals, education professionals, and other Yukon government employees.

Through this process, we have learned that government structures and systems are contributing to poorer outcomes for many children with complex needs and their families. Parents, caregivers, and service providers have all told us they often feel their efforts are serving the system more so than they are serving the child. There is an acknowledged need for flexible and creative approaches, customized for each child and family. This need is not compatible with the current approaches, which tend to be highly structured. Our expectation is for the Yukon government to collaboratively analyze their systems and practices in order to identify barriers that are preventing children from accessing the supports and services they require to thrive.

Themes



Recommendations

1 Assemble a
Multi-Departmental
Complex Case
Committee

2 Establish Yukon-based
Therapeutic Resources

3
Develop Policies
and Programs
for Parent
Supports

4 Provide Additional
Training for Educators

5 Provide a response
and follow-up to
the Advocate's
recommendations

I Am Not Okay, It's Not Okay

A review of the Yukon government's response to the use of restraints and isolation spaces at Jack Hulland Elementary School



April 2025

"These are the professionals. You trust them. I trusted them."

~ Parent

"At Jack Hulland the kids kept telling teachers it's not normal to do this to kids, they said it was."

~ Youth

"I've never seen these approaches to behaviour management being used in any other school to this degree."

~ Professional

"There should be justice, kids not getting hurt. They should have done their jobs, I shouldn't have had to speak up."

~ Youth

"Most people I talk to think I'm making it up. Most people I talk to think that it can't possibly be true."

~ Professionals

I Am Not Okay, It's Not Okay: A review of the Yukon government's response to the use of restraints and isolation spaces at Jack Hulland Elementary School

In March 2025, YCAO notified YG they would provide *I Am Not Okay, It's Not Okay: A review of the Yukon government's response to the use of restraints and isolation spaces at Jack Hulland Elementary School* for tabling during the Spring 2025 sitting of the Legislature.

Executive Summary

In November 2021, YCAO was advised that reports were made to the RCMP and Family and Children's Services (FCS) revealing that numerous children were physically restrained and confined in isolation spaces at Jack Hulland Elementary School (JHES) over the span of many years. The incidents have had a profound impact, directly and indirectly, on numerous students, their families, educators, First Nation governments and Yukoners. Many of the victims sought the Advocate for individual advocacy, both before and after the allegations of harm became public. The Advocate notified the Departments of Education (EDU), Health and Social Services (HSS), and Justice (JUS) on November 23, 2021, that YCAO was initiating a review of YG's response to these reports of harm, including YG's communication with victims and their families, the provision of therapeutic

supports, and interagency coordination and collaboration to ensure that children have access to an education.

This review is intended to assess the response by YG in supporting children and their families in recovering from the harm caused by the use of restraints and confinement at JHES, and to share the lasting impacts and stories of the victims and their families. The Advocate was hopeful that lessons learned from the recent investigations and mismanagement of information at another elementary school would be applied.

This review of YG's response is intended to effect change and ensure public accountability on the part of programs and services for children and youth by identifying and addressing the underlying causes of policy and systemic issues that led to harm and by providing recommendations to YG to address the impacts on victims and their families.

Findings



Recommendations

1 Provide a coordinated case management approach to promote access to supports following incidents

2 Create a clear and organized process to document incidents

3 Remove sources of potential harm until investigations are complete and the situation is deemed safe

4 Improve post-incident communication with the school community

5 Improve school transitions

6 Strengthen school safety policies and procedures

7 Provide continued access to supports, recognizing the life-long impacts suffered by the students and their families related to the incidents at JHES

8 Provide a response and follow up to the Advocate's recommendations

Sexual Orientation and Gender Identity (SOGI) Policy for Yukon schools

In June 2024, YCAO launched a review of the Sexual Orientation and Gender Identity (SOGI) Policy implementation in Yukon schools.

Requested by the Minister of Education under section 15 of the CYAA, the review seeks to assess the implementation and the effectiveness of the policy in fostering inclusive school environments.

The final report of the review on the SOGI Policy implementation will be provided to the Department of Education in Fall 2025.

Participants

YCAO sought out the participation of people belonging to the following groups:



STUDENTS

From grades K-12, attending school in the Yukon. All were invited to participate, including those of various gender identities and expressions.



FAMILIES

Family members of Yukon students.



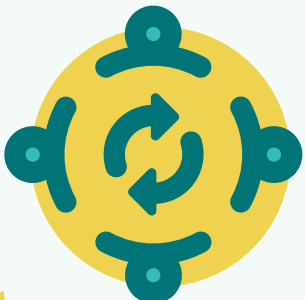
YUKON EDUCATORS

Teachers, First Nations Education Workers, Education Assistants, Librarians, Janitors, and all who are part of the Yukon school community.



ADMINISTRATION

School Principals, Vice-Principals, school board staff, school councils, Superintendents and staff of the Yukon Government Department of Education.



YUKON COMMUNITIES

Members of the community at-large, including local NGOs, associations and collectives.



“Transgender washrooms or gender neutral washrooms are so important to transgenders students and there’s been issues with the trans washroom at the High School. There is no sign indicating it’s for transgender students and other students use it just to pass time whilst transgender students genuinely need it.”

~ Student

“I am in a queer relationship and am not totally comfortable expressing that in school.”

~ Student

“To be completely honest, I have never even heard of the SOGI Policy.”

~ Student

Guiding Questions

Are people aware of this policy?



If so, what do they know about it?



How confident are they in implementing it?

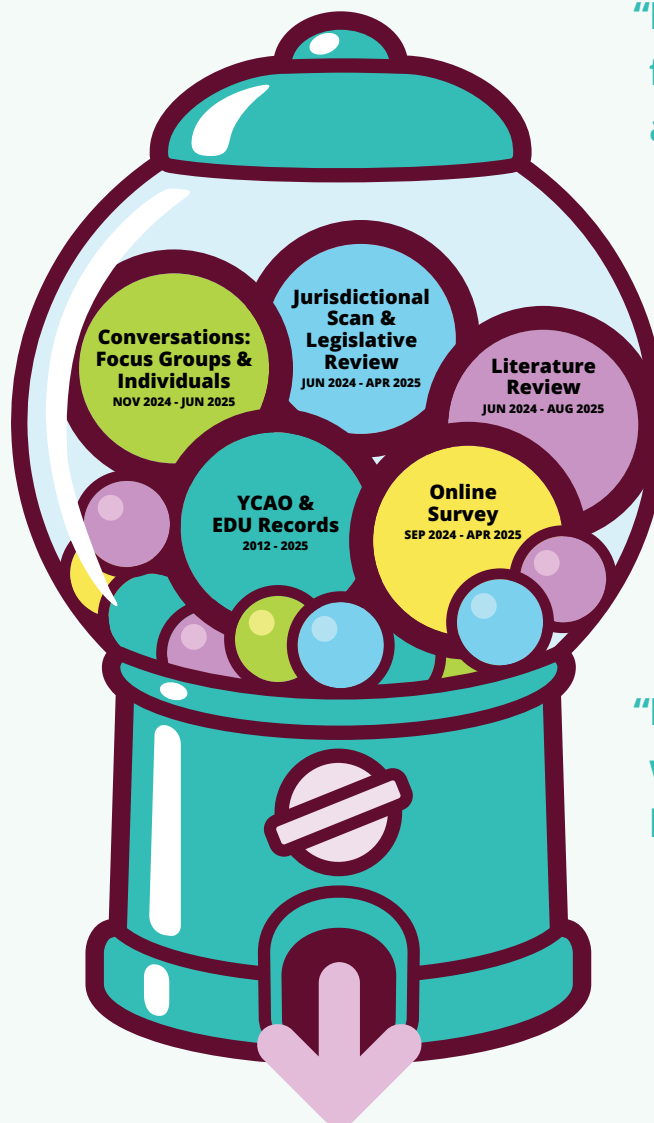


Where and how is it applied?



How are issues related to SOGI addressed?

Methodology



“I see people make fun of gay people and stuff.”

~ Student

“It feels like bad words you know kind of avoided.”

~ Student

**ANALYSIS & FINAL REPORT
June to November 2025**

"I feel fortunate to work at a school where it is easy to implement the SOGI policy in all that we do. And it is easy and the right thing to do for everyone (staff and students!)."

~ Professional

"I believe there are some people that want to implement SOGI policies and some that don't. I don't believe the public are very well informed about how this policy plays out in classrooms. I work in the schools and went to a PD day session on the implementation and was surprised at how far and detailed they want to take it."

~ Family Member

"I think that in Yukon we need to be leading the way in creating inclusive space for our kids; including in small communities."

~ Yukon Educator

"Is there training on the intersection of First Nations and 2SLGBTQIA+ individuals? Would that be relevant to include specifically in the SOGI policy or to explicitly comment on this?"

~ Yukon Community Member



High Conflict Custody

DID YOU KNOW?

YCAO was fortunate to have an MSW student lead this review as part of their practicum

YCAO has continuously received numerous referrals related to high conflict custody situations, highlighting the gap in services for children and families. However, we do not have the authority to act as legal counsel for a child or youth and we may not interfere with or impede the work of another body, tribunal or court. In September 2024, YCAO notified the departments of Justice and Health and Social Services that we are conducting a systemic review on children's rights impacted in high conflict custody situations.

High conflict custody disputes arise when separated parents cannot agree on how to divide the rights and responsibilities of parenting. Ongoing conflict between parents can have detrimental impacts on a child's mental health and wellbeing and can be more harmful than the actual event of separation.

Process

Professional engagement:

- ★ Through an inter-departmental engagement held on November 24, 2024, we got a better understanding of what service providers are doing to address the broadening gaps, and what is missing to ensure the best interests of children living in these challenging situations.

Public engagement:

- ★ We hosted an online survey and held in person interviews.
- ★ Literature review and research.

YCAO will provide a report to YG in 2025.

THEMES

We have noticed core themes of:

- ★ Safety & Protection ★
- ★ Youth Participation/Child Views ★
- ★ Mental Health Supports & Treatment ★
- ★ Family Support for Visitation & Access ★
- ★ Financial Implications ★

"I don't want to visit, my dad's too angry"

~ Child

"When I went back to dads [after being with mom] my perspective changed because my mom hated her [dad's girlfriend] it was hard because my dad and his girlfriend were always really nice but my mom would convince me of other things...because she didn't like the vision of her with my dad"

~ Child

"Mom, go to court. I don't want to see dad anymore."

~ Child

"I had to go through court with my family, no one cared what I wanted. I want visits with my dad."

~ Child

"I have not had any response from FCS. I was there in person, called, texted and emailed with no response."

~ Parent

"It feels like no one listens to what I want"

~ Child

"I'm just caught in-between; I don't have a voice. I can't express myself"

~ Child



Public Education

Canadian Council of Child and Youth Advocates (CCCYA)

YCAO continues to stay connected with other Advocates across Canada as an executive member of the Canadian Council for Child and Youth Advocates (CCCYA).

Members of the Council are statutory officers of their legislatures in the respective provinces and territories. Each holds a legislative mandate to hold their governments to account for the services provided to children and youth, to uphold their rights under the UNCRC, and to do so in accordance with their legislation.

The CCCYA works collectively to address mutual areas for concern that impact young people nationally.



Child Rights Impact Assessments (CRIA)

A Child Rights Impact Assessment (CRIA) is a tool for translating the UNCRC and the child's best interests into policy and practice to:

- Improve public policy and contribute to better outcomes for children.
- Ensure potential impacts to children are predicted, monitored and mitigated.
- Consider short-term and long term effects of policy on children.
- Apply research and evidence to analysis of decisions.
- Emphasize children's participation in decision-making.
- Provide an efficient process to verify that governments are meeting obligations to uphold children's rights

YCAO continues to champion the implementation of CRIA by:

- providing tools and resources to conduct CRIA.
- providing annual in person training, incorporating the Yukon CRIA tools and youth engagement.
- promoting legislative measures for CRIA implementation

The Advocate has heard from YG policy analysts that in order to ensure CRIA application and continue the momentum that has started, CRIA should be built into the CYAA to ensure compliance.

In the meantime, we have been pleased to hear that CRIA continues to be brought up in the Legislative Assembly when debating government bills. For example, during the debate of the *Inclusive Yukon Families Act* the Official Opposition questioned the government :

"The minister did touch on it, but there's a standing piece of advice that we typically have from the Child and Youth Advocate, and that is to conduct child rights impact assessments whenever we're considering legislation that affects children."

"I can assure the member that the "child's rights" lens was used throughout the development of this act — again, working with all of our partners to ensure that we were hearing a broad range of perspectives, but I can assure the member that was the lens used throughout the development of this bill. " - Minister Health and Social Services

To learn more about CRIA and access the CRIA analytical tool developed by the Yukon CRIA working group, visit ycao.ca/cria



Territorial Youth Collective

Territorial Youth Collective Mission:

To work collaboratively to ensure all Yukon youth have a sense of belonging throughout the Territory. This means that they feel empowered, have a positive sense of self and their futures, have mutually caring and fulfilling relationships, and feel connected to and supported by their family, community, and land.

The Territorial Youth Strategy (TYS) is a collaborative effort between many diverse stakeholders throughout the Yukon including young people, youth serving organizations, businesses, community

members, and all levels of government. YCAO signed on to the TYS in 2024, and was one of the original members of the Territorial Youth Collective.

TYS Priorities:

1. Basic Needs
2. Community Safety & Harm Reduction
3. Mental Wellness & Connections
4. Access to Learning & Education
5. Employment & Career Opportunities
6. Land & Stewardship



Public Outreach

YCAO provides in person information sessions for children, youth, and professionals about children's rights and the role of YCAO. We offer an online course, we attend events, and we provide information and resources on our website and social media platforms.



YCAO is always excited to attend the Council of Yukon First Nations General Assembly.



For National Child Day in November 2024, YCAO hosted a cookies and colouring day at Grey Mountain Elementary School. Each child in every class received a colouring book.





YCAO has many resources to help children learn and understand their rights.



In 2024, YCAO developed a children's rights colouring book for kids to learn about their rights in a fun way. These have been flying off the shelves!



Frequently Asked Questions

Q: What are the ages of children that YCAO can advocate for?

There is no minimum age for advocacy; children's rights apply from the day they are born.

The Advocate Office provides services to young people:

- Under 18 years of age under the *Youth Criminal Justice Act*.
- Under 19 years of age under the *Child & Family Services Act*.
- Under 21 years of age under the *Education Act*.
- Between the ages of 19 and 26 that are eligible or receiving services under section 17 and 18 of the *Child and Family Services Act*.

Q: Can YCAO provide a lawyer? Can YCAO represent kids in Court?

A: No. YCAO cannot act as legal counsel or interfere with the work of another body, tribunal or court. A family court judge can appoint a children's lawyer to ensure the interests of the child are upheld.

Q: Does YCAO need consent from parents or guardians to provide advocacy?

A: No. At YCAO the child or youth is our client. Referrals can come directly from the child or youth or any person with an interest in the child or youth. Many of our referrals come from a parent or caregiver, but occasionally we need to advocate without parental involvement.

Q: Does YCAO have to meet the child?

A: Yes. YCAO strives to meet with the child to get their view. Occasionally, we won't meet with the child if it isn't in their best interest. When we are not able to obtain the view of the child, we defer to the rights under the United Nations Convention on the Rights of the Child.

Q: Can YCAO compel YG to implement recommendations?

A: YG departments are responsible to advise YCAO of steps taken to implement recommendations. YCAO tracks progress made annually.

Q: What information am I allowed to share?

A: Anyone can make a referral and share information with YCAO for the purposes of advocacy. YCAO will not share the source of a referral with anyone. The information YCAO may ask for can include the name of the child, date of birth or other demographic information, and details about the advocacy issue(s). YG departments are legislatively required to share information requested by YCAO for the purposes of advocacy.

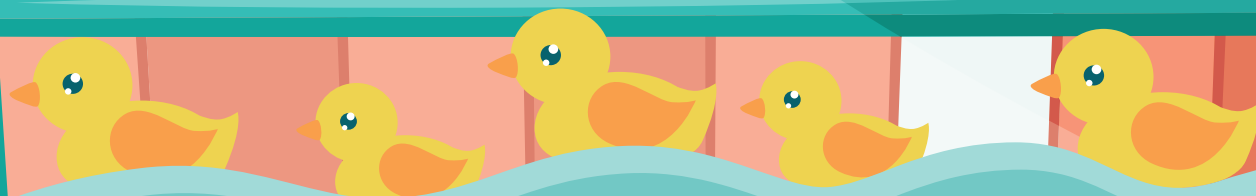
Q: Is YCAO a government department?

A: No. YCAO is an oversight body that exists to promote and uphold the rights and views of Yukon children and youth. YCAO is an independent office of the Legislative Assembly. We report annually to Members' Services Board, an all party committee of the Legislative Assembly.





Gallery



A vibrant, stylized illustration of a circus scene at night. A large red and white striped tent dominates the left side. Above it, a hot air balloon with a red and white striped basket and a teal and white striped canopy is suspended by ropes. The background is a dark blue night sky filled with white stars and colorful streamers. In the bottom right corner, a clown with a red nose, wearing a green hat, a blue bow tie, and green overalls, stands behind a red and white striped ice cream stand. The stand has a sign that says "See You Later!".

CONTACT US

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See You Later!