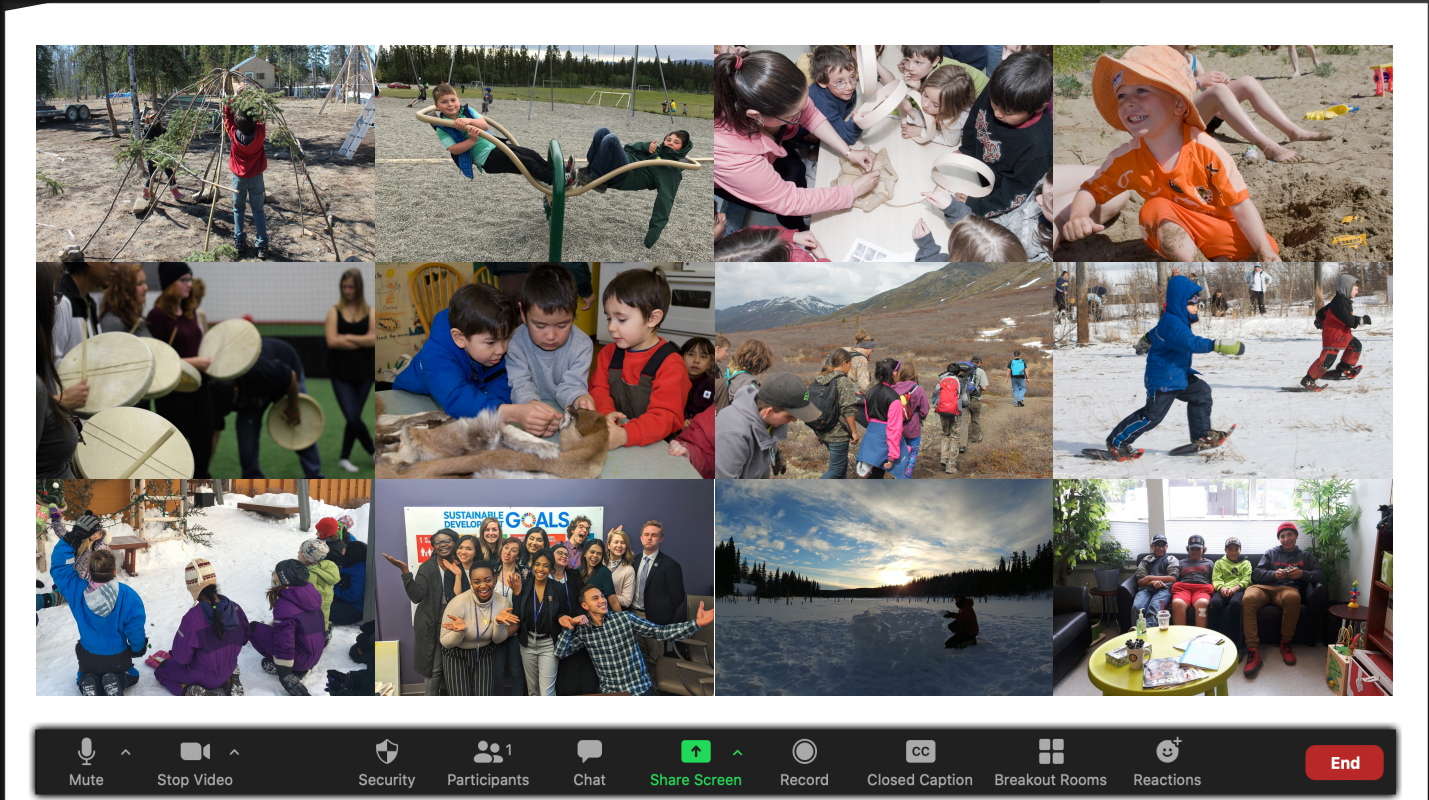


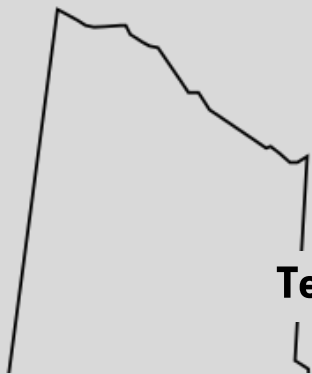


ZOOM IN ON CHILDREN'S RIGHTS



2020/2021 ANNUAL REPORT

YUKON CHILD & YOUTH ADVOCATE OFFICE



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. Government policies have caused violent and long-lasting impacts to Indigenous children and youth, and we commit ourselves to working in partnership with Yukon First Nations by integrating traditional knowledge and culture for the safety and wellbeing of children throughout the territory.

Mission (what is our purpose?) - We commit to upholding the rights and amplifying the voices of children and youth throughout the Yukon.

Vision (how do we know when our job is done?) - 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.

Core Values (what guides our work?) - YCAO operates from a foundation of Indigenous values and believes that traditional knowledge and culture can guide the work of our office in a way that supports all Yukon children and youth. Currently these values are Empowerment, Integrity, Excellence, Professionalism, Accountability, Self-Determination, and Respect.

Our Team



Annette King
Child & Youth Advocate



Bengie Clethero
Deputy Advocate



Lynda Silverfox
Individual Caseworker



Rachel Veinott-McKeough
Intake and Caseworker



Julia Milnes
Individual Caseworker



Christopher Tse
Systemic Advocacy Analyst



OFFICE OF THE YUKON CHILD & YOUTH ADVOCATE
2070 - 2nd Ave. Unit 19, Whitehorse, Yukon Y1A 1B1
PH: 456-5575 | W: www.ycao.ca

October 29, 2021

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

Re: Child and Youth Advocate Office 2019-20 Annual Report

Dear Mr. Speaker,

Under my authority as set out in Section 24 of Yukon's Child and Youth Advocate Act, I am pleased to present you with *Zoom in On Children's Rights: 2020/2021 Annual Report*. The document reports on the activities of the Child and Youth Advocate Office during the period April 1, 2020 – March 31, 2021.

I would be pleased to meet with you or Member Services Board for discussion or clarification.

Respectfully,


Annette King
Yukon Child and Youth Advocate



ADVOCATE'S MESSAGE

If ever there was a time to prioritize children and youth, this is it.

The fiscal year started with the onset of a global pandemic - schools switched to online learning, personal and in-home support services diminished, and as a territory, we felt collective stress and uncertainty. The fiscal year ended with a territorial election, the threat of flooding and fires and ongoing national attention to Black Lives Matter.

Throughout this unprecedented year, the YCAO continued to champion the rights and voices of young people both individually and systemically. We noticed several emergent themes regarding safety and protection of children and supports for children and families; none of these are new, but have been amplified by the circumstances of COVID-19.

Despite the barriers the pandemic created, we continued with our review of school attendance. We released it on May 31, 2021, exactly 6 years after the closing ceremonies of the Truth and Reconciliation Commission. This also turned out to be the week of the first announcement of unmarked graves of the children who never returned from residential school, a stark reminder of the consequences when government policies violate children's rights. It spurs us forward in our commitment to ensuring that children have a say in the decisions being made about them.

We are inspired and humbled by the countless young people who have stepped up as community leaders during this past year. Whether it was as members of the Yukon First Nations Climate Action Fellowship or Yukon Youth Panel on Climate Change, internships with Communities Building Youth Futures, forming the Moccasin Trailblazers, adapting to online schooling, helping their families, or just

gritting through such a challenging year, it's clear that the adults are struggling with uncertainty and indecision while many youth have their priorities sorted out. They are moving ahead with or without us. Many young people know their rights. They understand technology. They demand equity. They are fighting for access to education, clean water, health, culture, language and they are ready to lead. Every time we spend time with young people, we realize how much we can learn from them.

It is our hope that the reflection and awakening created by the pandemic and the renewed attention to the intergenerational impacts of residential school, along with the need for coordinated responses, will inspire everyone to do better for children and youth.

Our goals for 2021-22 include:

- continue to pursue child rights centred outcomes for the high number of individual advocacy issues that are brought to YCAO.
- provide a youth-led submission to the Member Services Board for the review of the *Child and Youth Advocate Act*.
- work with Yukon government and First Nation governments and youth leaders to implement Child Rights Impact Assessments (CRIA) in the Yukon.
- follow up on systemic issues with Yukon government departments (see pages 14-16).



Annette King
Yukon Child and Youth Advocate

YCAO has helped **657** clients with **1097** issues since 2010.



As an office, we are passionate about rewriting the narrative of children's rights in the Yukon!



It's time for us to really *listen* to what youth have been saying all along.



To: Everyone ▾

Type message here...

WHO WE ARE & WHAT WE DO



The YCAO team (L-R) is: Bengie Clethero, Rachel Veinott-McKeough, Christopher Tse, Julia Milnes, Lynda Silverfox, & Annette King.

Individual Advocacy - YCAO helps young people effectively access government services and have their views heard and rights 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 amount 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.



WHAT GUIDES US

Our work is guided by:

- Yukon Child and Youth Advocate Act
- United Nations Convention on the Rights of the Child
- Truth and Reconciliation Commission 94 Calls to Action
- United Nations Declaration on the Rights of Indigenous Peoples
- National Advocacy Standards (CCCYA)



YCAO is part of the Canadian Council of Child and Youth Advocates (CCCYA).



For the review of our act, we recommend:

- adding review and investigations to the Advocate's primary role
- enhancing the scope of public reporting
- formally including *UNDRIP* and the *TRC's Calls to Action* as guiding principles
- providing broad power to review policies and monitor Child Rights Impact Assessments



To: **Everyone** ▾

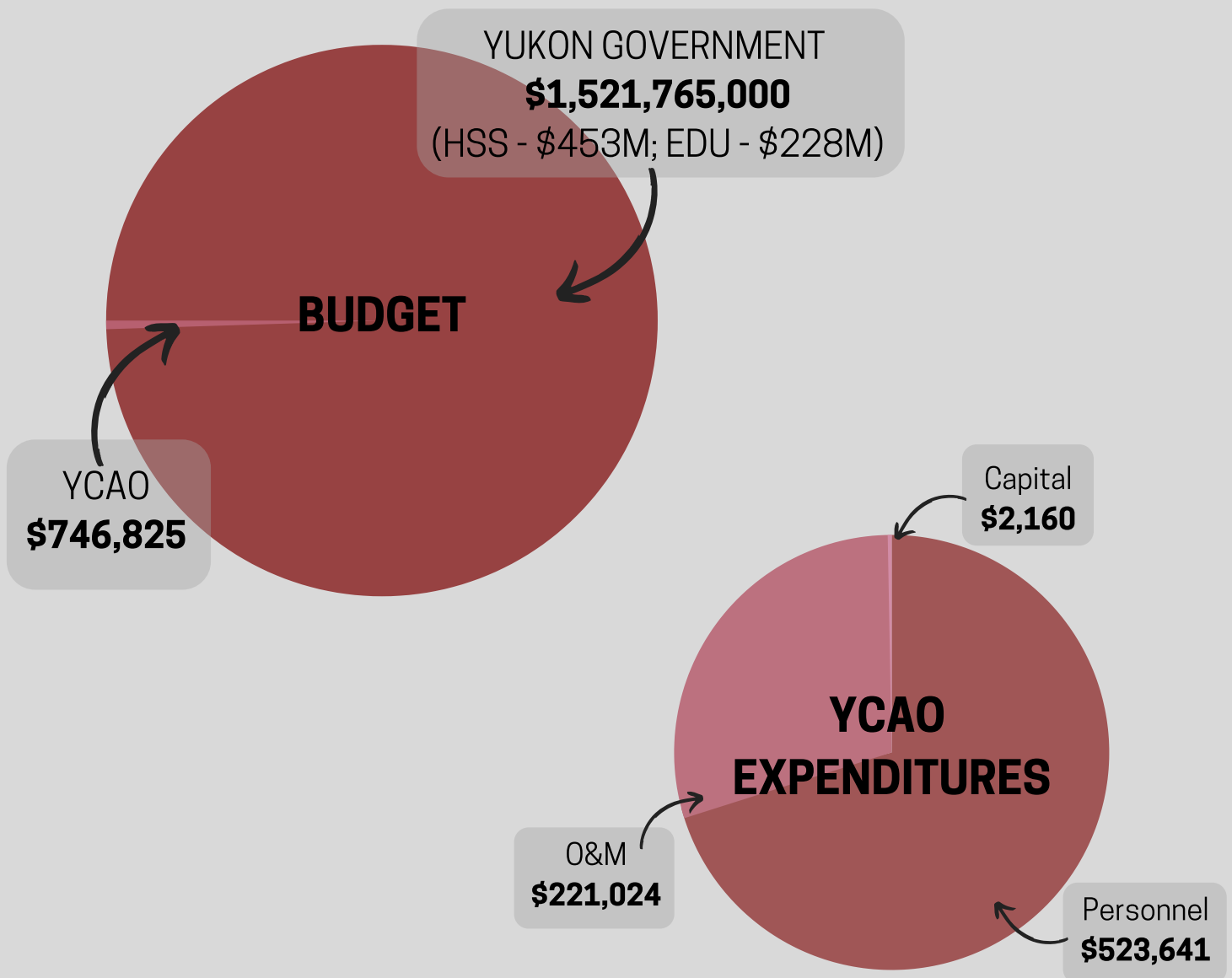
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The *Child and Youth Advocate Act (2009)* is YCAO's guiding piece of legislation and is long overdue for a review. YCAO has provided submissions to the Member Services Board with recommendations to evolve the role of the Advocate and make the office more effective in its work.

In 2021, YCAO is creating a youth working group to produce a youth-friendly version of the existing legislation, plan community stakeholder engagement, and provide input into legislative amendments. Our hope is that the *Child and Youth Advocate Act* will truly become a piece of legislation that is for youth, by youth.

FINANCIAL STATS

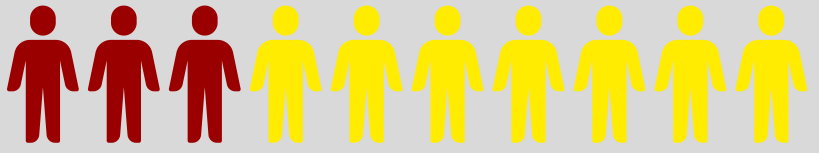
YCAO is an independent office of the Legislative Assembly and submits an annual budget and quarterly updates to the Member Services Board, an all-party committee of the Legislative Assembly.



INDIVIDUAL ADVOCACY

**Individual
advocacy
issues**

276



89

Carried forward

187

New issues

**Informal
advocacy
issues**

96

Informal issues are concerns that do not fit the mandate for advocacy. YCAO instead provides info and makes referrals to community resources that may be able to offer formal support.

"I sometimes wish I had an EA so I got more help. I have to put my hand up to get help, I have my hand up all the time."

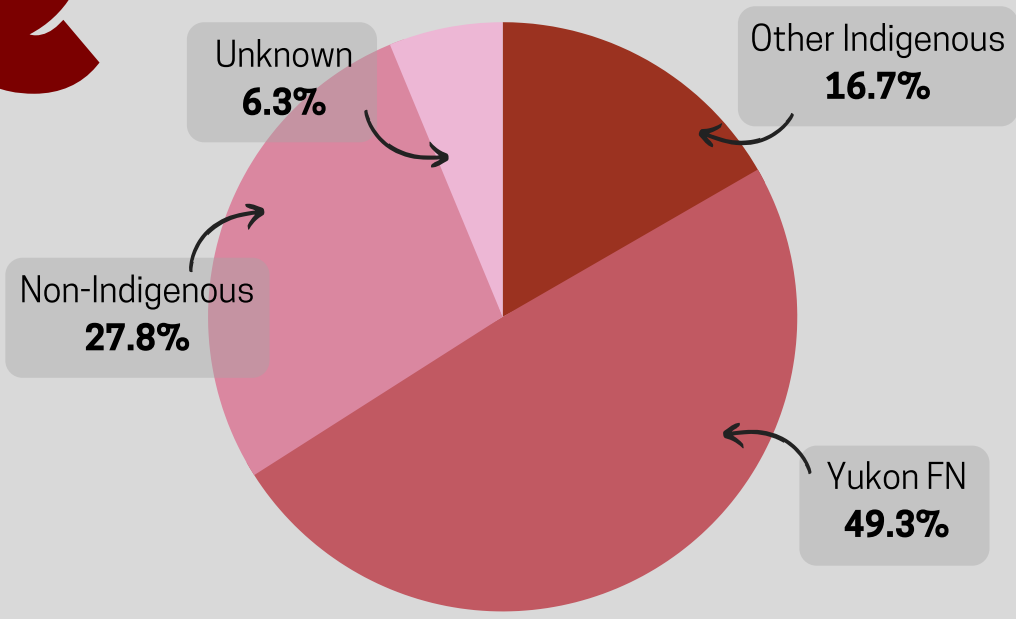
- Youth, 8

"I don't want to live in a group home, I want to live with my mom. But I need support."

- Youth, 17



How many advocacy issues are for Indigenous children and youth ?

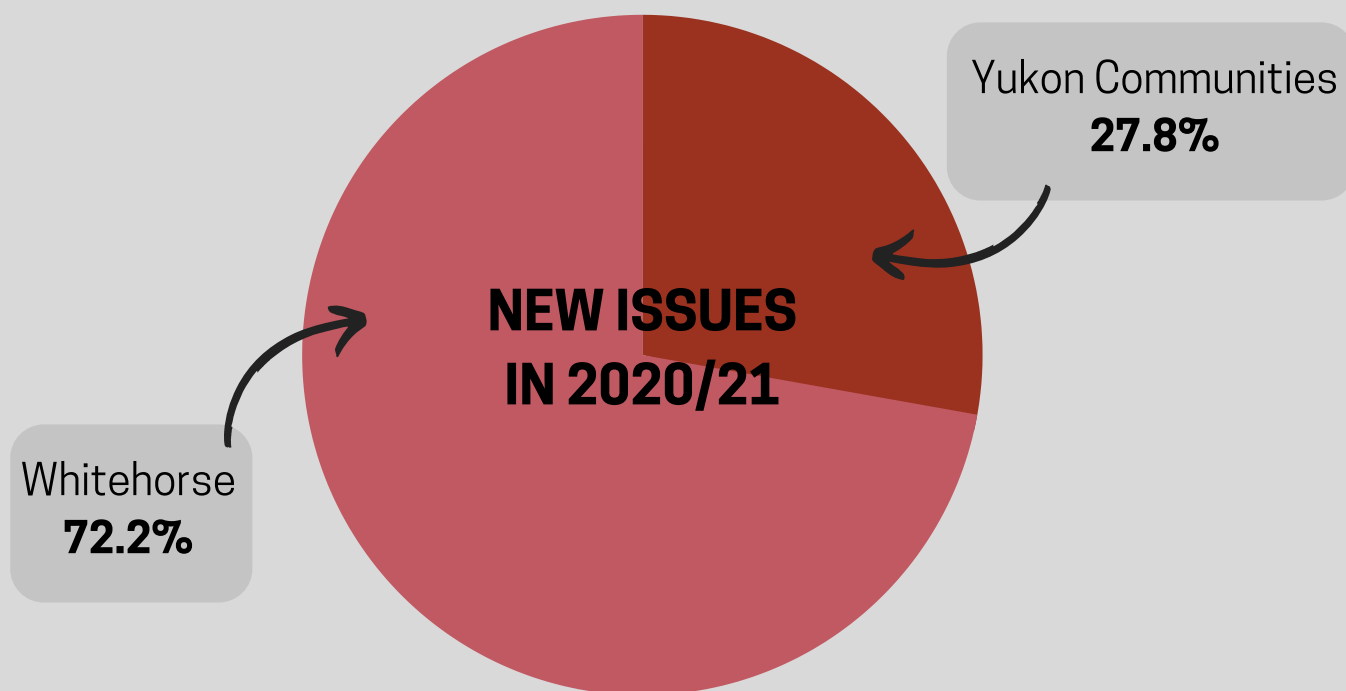


Over the last year, we've received more referrals for non-Indigenous children and youth than ever before. **27.8%** of issues this year are for non-Ind. young people versus **19.6%** from the first 10 years.

To: **Everyone** ▾

Type message here...

WHERE ARE THE ISSUES...



ISSUES RESOLVED BY DEPARTMENT*

	Closed in 2020/21	Still open at the end of 2021
Education	67	55
HSS - FCS	75	90
HSS - Regional Services	27	29
Mental Wellness & Substance Use	28	12
Other YG department	4	4
Group Care	3	6
Victim Services	11	1
WGH	2	4
Youth Justice	1	0
Yukon Housing	6	8

*Note that one issue may involve more than one department therefore highlighting the ongoing need for collaboration between programs.

"I had [a counsellor]... but he never messaged me back when I texted him. I feel like if I don't go to the appointment, he still gets paid. That's how I think of it at least."

- Youth, 18

"How teachers talk to him, his self-esteem is being destroyed. It's heartbreaking to see."

- Parent



WHAT TYPES OF ISSUES DO WE ADDRESS?

Case Planning

66

Safety & Protection and Family Supports

21

Housing & Financial

18

Mental Health, Counselling & Treatment

2

Health & Medical

Access to Services

12

Culture & Family Connection

10

Permanency Planning

7

Transitions & Group Care

2

Knowledge of & Access to Youth Justice Rights

School

21

Behaviour & Educational Supports

19

School Attendance

8

Safety in School

1

Financial Supports

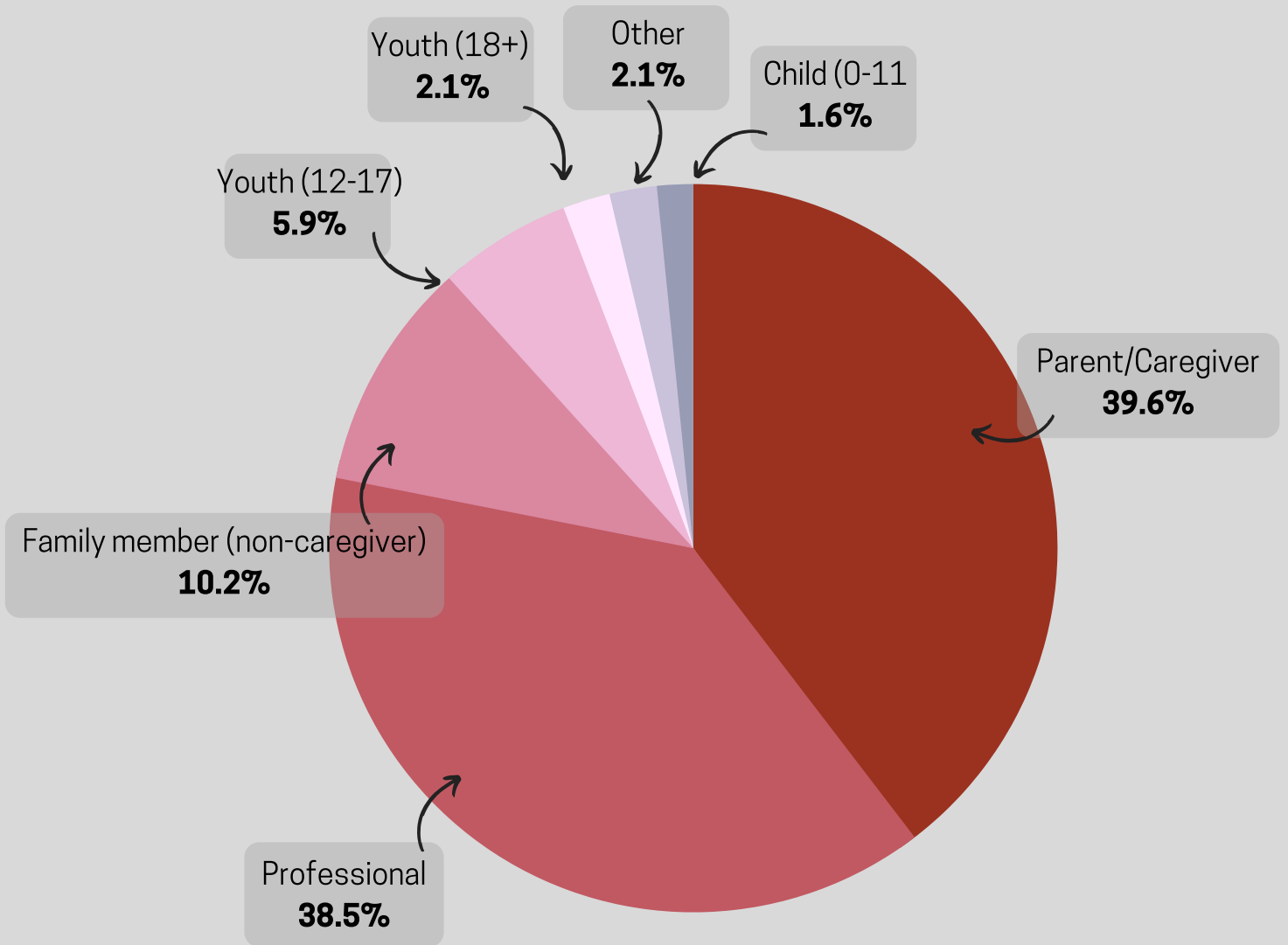
The primary role of the Advocate is to support, assist, inform, and advise children and youth respecting designated services when requested to do so by a child or youth who is eligible to receive the service or by any other person with an interest in the child or youth (s.11).



To: **Everyone** ▾

Type message here...

WHO REFERRED THE ISSUES?



HOW ADVOCACY WORKS

YCAO checks referral to mandate (Child & Youth Advocate Act)

- Is the referral for a child/youth?
- Is the child/youth eligible to receive services within a designated YG department?
- Is the referral appropriate and in good faith?



Clarify advocacy issue and notify the YG department

- Meet the child, caregivers, & natural advocates (where appropriate)
- Notify the designated YG dept. (initial request for information)
- If the child/youth is YFN, notify the First Nation (unless there is an objection)



Advocacy Action

- Assist the child/youth in presenting their views
- Communicate children's rights to the designated service and provide advice to the YG department
- Provide a written information request with a deadline to produce records



Resolution

- Follow up with the child/youth/interested person
- Follow up with the designated service and notify them of the resolution of the issue

SCENARIOS

I am 16 years old and living with my grandmother. She gets financial support through an agreement with Family and Children's Services. I have been doing drugs and staying out late and my grandmother told a social worker she needs help with controlling me. I heard her say that I am ungrateful and she needs a break. She told me she attended Residential School but I'm not sure how that's related. I've had my own trauma and I've moved a lot of times. I'm not sure what to do next. I'm scared of being homeless.

Advocacy issue: case management – family supports and placement, mental health supports



You have a right to be supported and cared for safely, by your family if possible, until you are an adult. You have a right to have your care reviewed and governments need to help your family if they need it. You have a right to understand your cultural history and to be supported in recovering from the harm you have experienced.



SCENARIOS CONT.

I am 15 years old. I don't go to school very often, and whenever I do, the vice principal gives me a hard time. They either don't know that I get bullied the moment I step into the building, or they don't care. What does it matter at this point? I'm so far behind I know I am going to fail my classes. I just want to be able to graduate but I need help.

Advocacy issue: Safety in school, educational supports

You have a right to an education that helps you meet your full potential with supports that you need. You have a right to be safe from violence.



I am eight years old. I live with my dad part time and with my mom part time. I don't like my mom's boyfriend. The police were called after my mom's boyfriend hurt me. I talked to a social worker but nobody did anything and he is still mean to me. I don't want my dad to drop me off anymore but I miss my mom if I don't go. And I need to be there to protect her.

Advocacy issue: Safety, Protection and Family Supports

You have a right to safe access to both parents. You have a right to be protected from violence. You have a right to recovery and support after you have been harmed.

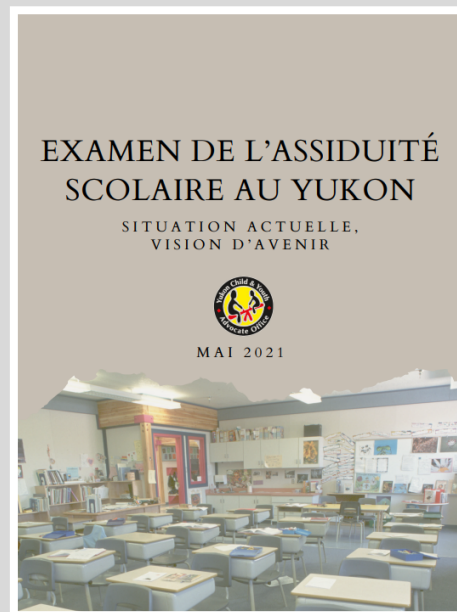
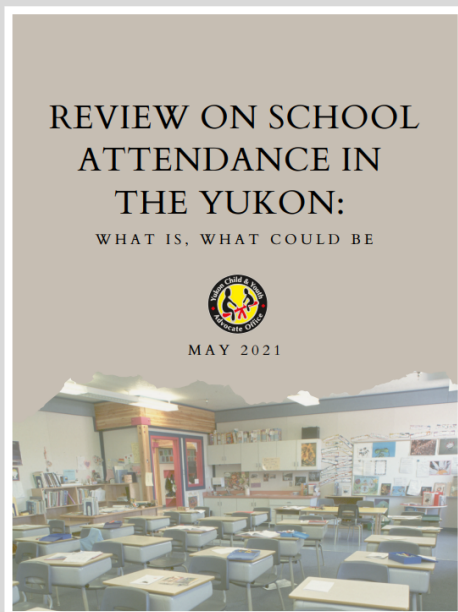


SYSTEMIC ADVOCACY

In the course of individual advocacy for children and youth, if the YCAO becomes aware of a policy or systemic issue that raises a substantial question of public interest, YCAO may review and provide advice on the issue. The department must provide the YCAO with information about the steps taken to respond to the advice provided.

In addition, YCAO can bring a systemic or policy issue to the attention of the YG Department if the review is beyond the resources of YCAO. And, the Legislative Assembly or a Minister may refer to YCAO for review and report any matter relating to the provision of services that involve the interests and well-being of children and youth.

SCHOOL ATTENDANCE REVIEW



In 2020-21, YCAO conducted a review of school attendance in the Yukon to address concerning numbers of chronic absenteeism (**over 3151 students have missed 20+ days per year**). The review looked at attendance data provided by the Department of Education between August 2017 and March 2020.

The School Attendance Review identified 6 Areas of Concern that drive chronic absenteeism.

They are:

1. *Belonging & Culture*
2. *Safety in Schools*
3. *Mental Health & Trauma*
4. *Personal Factors*
5. *Behavioural Supports*
6. *Educational Supports*



To: Everyone ▾

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Community engagement with students, families, educators, First Nations, and other stakeholders took place between Feb. 2020 and Jan. 2021.

- 14 recommendations were made to EDU to address the barriers to attendance.
- The review was released on May 31, 2021 at the same time as an EDU report on inclusive education (recommended from the 2019 Auditor General's K-12 Education in Yukon report)
- YCAO will be following up with EDU to ensure Yukon students have access to quality education that helps them meet their full potential

I have my hand up all the time. Is anyone even noticing me? I feel invisible."

- Grade 3

"In Careers we are building our dream house, but we should be learning how to do our taxes and stuff... [The dream house is] never gonna happen unless we learn stuff like that first."

- Grade 9



This poster by Cole Pauls (www.tundrawizard.com) was the executive summary of our School Attendance Review. It highlights the different paths that all students take in their journeys towards achievement, while emphasizing that achievement itself can look many different ways.

SYSTEMIC: HEALTH & SOCIAL SERVICES

In March 2020, the Advocate brought four systemic issues to the attention of the Department of Health and Social Services (HSS) and provided the department with a systemic analysis of:

- Extended Family Care Agreements
- Prevention Supports for Families
- Permanency Planning (connections and care for children and youth in long term care)
- Youth Homelessness

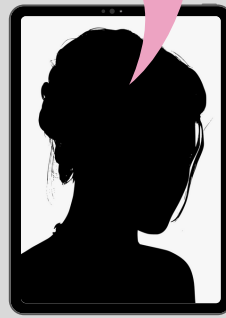
YCAO described the issues observed in advocacy, and requested information and to be advised of steps taken to address the issues. HSS responded in part to the information request but did not provide full information given the YCAO was not providing advice as part of a full systemic review.

YCAO continues to have many unresolved advocacy issues in these areas and we continue to follow up on these systemic issues for individual children, youth and their families.

"I don't want to live with my family member but [I] do want to visit."
- Youth, 13



"Why does the government have to be so complicated?"
- Youth, 17



A person must not discharge, suspend, discipline, penalize, or otherwise discriminate against another person for giving information to or assisting the Advocate (s.27).



YCAO has the right to have any information that is in the custody or control of a designated service that is necessary to enable YCAO to advocate for a child (s.23).



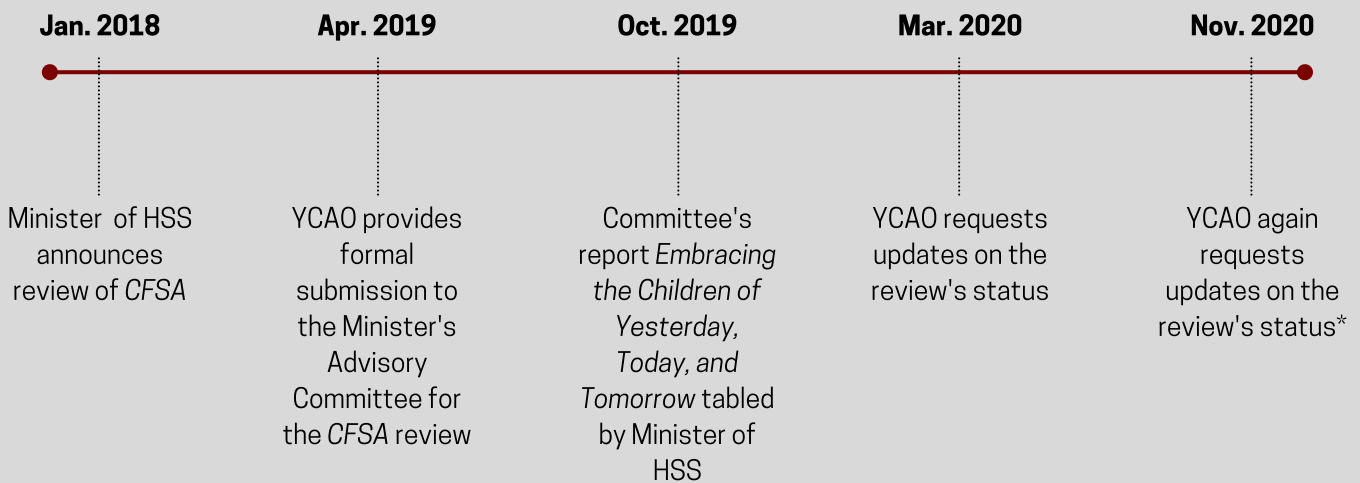
To: Everyone ▾

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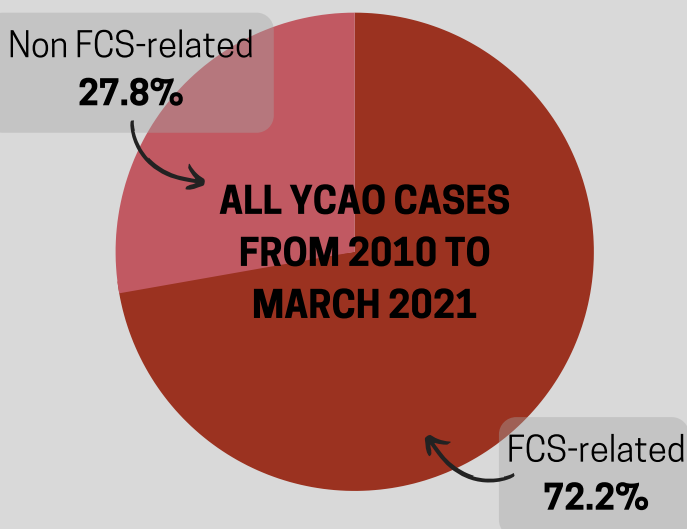
SYSTEMIC: CFSA

In January 2018, the Minister of Health and Social Services (HSS) announced a review of the *Child & Family Services Act*. YCAO is recommending a policy review to ensure that the CFSA Implementation project applies a formal Child Rights Impact Assessment (CRIA) when making recommendations of legislative amendments to the *CFSA*. Given YCAO's ongoing extensive involvement with children and youth receiving services within the Child and Family Services Act, this analysis can address the systemic risk factors that can have life-long and generational impacts on children.

A brief timeline of the CFSA Review...



*To date, YCAO has not yet been provided with requested information about policy or legislative changes and was not further consulted regarding the obligation of governments to ensure children's rights are meaningfully considered in decisions. When the requested records are provided, YCAO will provide a child rights analysis of proposed policy and legislative amendments.



"Growing up in care, I never knew how long I was going to be in the home they put me in or when I would get to see my brother. I felt like what I wanted didn't matter. I never really knew who was making all of the decisions about [my] life."

- Former Youth-in-Care

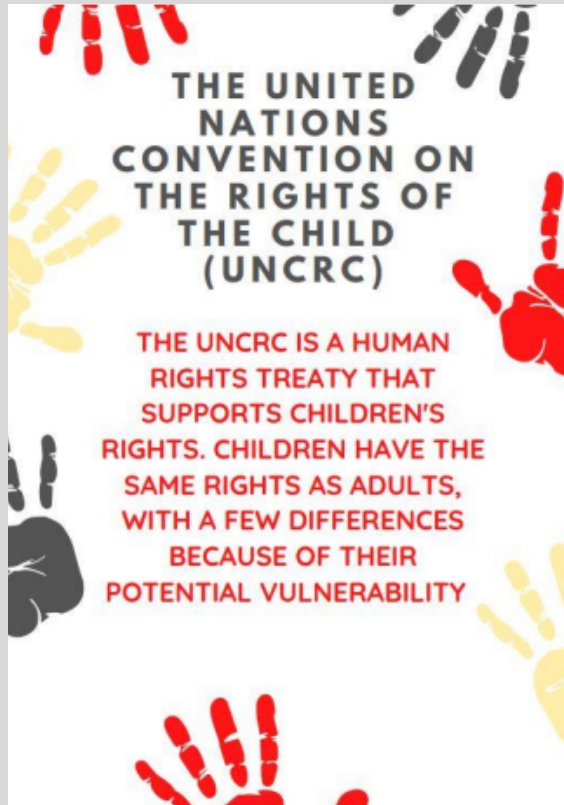
PUBLIC EDUCATION: CRIA

Q What **is** a Child Rights Impact Assessment (CRIA)?

A

A CRIA uses the *United Nations Convention on the Rights of the Child (UNCRC)* as a framework to assess the **impacts** of policy decisions on children:

- **Impacts** can be positive or negative, intended or unintended, direct or indirect, and short-term or long-term so positive impacts are maximized and negative impacts are avoided or mitigated.
- It recognizes children as holders of broad-based rights and agency rather than passive recipients of adult actions.



Earlier this year, YCAO and youth interns from the Communities Building Youth Futures project made presentations to YG Deputy Ministers and policy analysts, recommending a whole government approach to CRIA. We asked Deputy Ministers to:

- Select departmental representative(s) to participate in a CRIA working group
- Identify departmental representatives to attend training
- Refine CRIA tools and policies to Yukon context
- Develop CRIA Implementation plan

Children's rights should be central to any decision-making process *about* children. Youth engagement needs to go beyond token consultation.



If children's rights are considered up front, in the future we wouldn't need commissions, tribunals, lawsuits, and inquiries.



Imagine if a CRIA had been applied to residential school planning and policies!

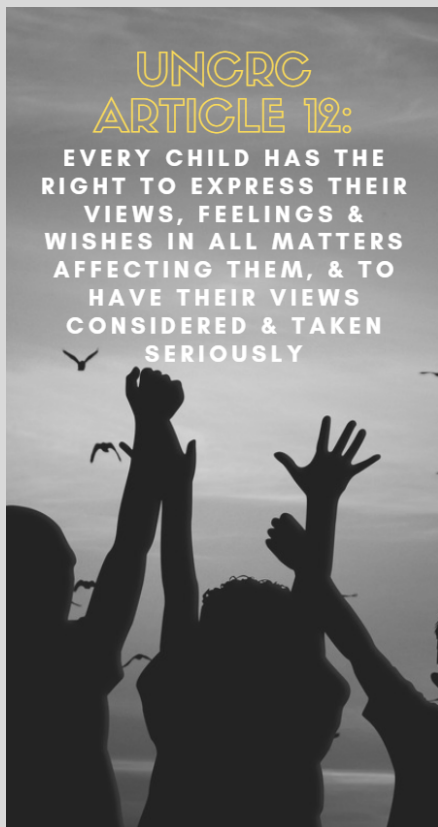
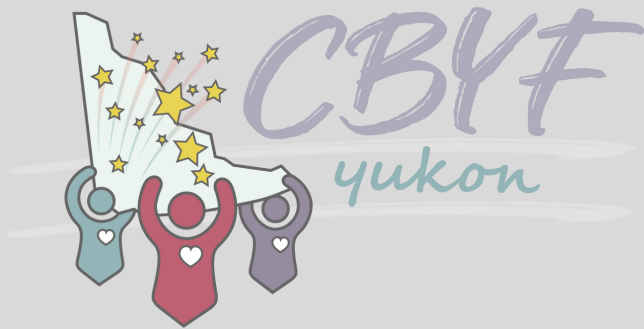


To: **Everyone** ▾

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COMMUNITIES BUILDING YOUTH FUTURES

YCAO supports initiatives that are for youth, by youth. The **Communities Building Youth Futures (CBYF)** project is a collective of youth-serving organizations and community groups working together to improve education and career outcomes for Yukon youth!



COMMUNITY BUILDING YOUTH FUTURES (CBYF):

- Receives funding and support from Tamarack Institute and Employment and Social Development Canada
- Uses a Collective Impact approach to target barriers for transitioning from high school into careers
- Is made up of 12 core organizations, plus many more involved on our Action Teams
- Supports YCAO with funding for projects such as the School Attendance Review and our Act Review Working Group
- Just started Year 2 of 5 by hiring six youth interns and assembling Action Teams around priorities of Mental Health & Wellness, Individualized Learning, and Career Inclusion
- Questions can be directed to maxime@yukonyouth.com



COMMUNITY ENGAGEMENT

YCAO is passionate about amplifying the importance of children's rights within the Yukon community.



GLOBAL ACTION LOCAL VOICES

This year, we continued with our youth-led web miniseries *Global Action Local Voices* developed and filmed by Max Zimmermann to promote understanding about UNCRC's different articles. These were posted to YCAO's social media and highlighted children's rights in a fun and Yukon-focused way! Each day on November 20th, YCAO recognizes National Child Day with a tribute to youth participation in the Legislative Assembly and our annual open house. In 2020, we recognized Max for his work with GALV.

YCAO provides training for professionals about children's rights. In 2020 we launched an online course. Please visit www.ycao.ca for more information.



ANNUAL TOWN HALL

Despite COVID-19 limitations, Shakat Media continued with the annual Town Hall, this time virtually. YCAO participated in a panel on mental wellness and had the opportunity to be interviewed by co-hosts Luke Campbell and Grandma Susie.



In February 2020 YCAO provided training for social workers as part of their CORE training. In Nov 2020, YCAO co-facilitated a presentation for the Yukon Law Society titled *Applying a Child Rights Lens: Lessons from the Child and Youth Advocate*.



To: **Everyone** ▾

Type message here...



ORANGE SHIRT DAY

As an office, YCAO is committed to championing children's rights through the centring of Indigenous values, stories, and experience. We acknowledge fully the myriad impacts of residential school and are committed to the role that children's rights have to play in reconciliation.

YOUTH PARTICIPATION



"I need to be allowed to go to school full time so I can graduate this year."

- Youth, 17

"I need care. I can't support myself."

- Youth, 18

"People deal with trauma differently; we don't all come from stable homes."

- Youth, Grade 11

"If they do not have First Nation experience, it is insulting to us that they tell us we are acting irrational."

- Youth, Grade 11

FREQUENTLY ASKED QUESTIONS

Q: Does YCAO advocate for parents?



No. YCAO advocates for children and youth. We encourage parents to access their own supports. Prioritizing their own healing is one of the best ways for parents to support their children.



Q: Does YCAO represent the child in court?



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.



Does YCAO have to meet the child?



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



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



No. At YCAO our client is the child or youth. Referrals can come directly from the child or youth or any person with an interest in the child or youth. 48% of referrals come from a parent or caregiver, but occasionally we need to advocate without parental involvement.





CONTACT US

**Yukon Child & Youth
Advocate Office (YCAO)**

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ext. 5575

Email: info@ycao.ca

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