March 14, 2017

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act [Our File #: CSSD 02-2017]

On January 10, 2017, the Department of Children, Seniors and Social Development (CSSD) received your request for access to the following records/information:

"All records with relation to or mention mandatory reporting (critical incidents or deaths) to the Child Youth Advocate from January 2016 - January 2017"

In a follow-up conversation with CSSD’s back-up Access to Information and Protection of Privacy Coordinator, Robert Hodder, you clarified the records you are requesting as follows:

"All records sent to and from the Minister and/or the Minister’s Executive Assistant in relation to mandatory reporting of critical incidents and/or deaths to the Office of the Child and Youth Advocate from January 2016 - January 2017."

I am pleased to inform you that a decision has been made by the Deputy Minister for the Department of CSSD to provide access to some of the requested information. Requested information with some redactions is enclosed.

Access to the remaining information contained within the records has been refused in accordance with the following exceptions to disclosure, as specified in the Access to Information and Protection of Privacy Act (the Act):

- Section 27 (1)(c): The head of a public body shall refuse to disclose to an applicant a memorandum, the purpose of which is to present proposals or recommendations to cabinet.
- Section 27 (1)(i): The head of a public body shall refuse to disclose to an applicant that portion of a record which contains information about the contents of a record within a class of information referred to in paragraphs (a) to (b).
- Section 27 (2)(a): The head of a public body shall refuse to disclose to an applicant a cabinet record.
- Section 29 (1)(a): The head of a public body may refuse to disclose to an applicant information that would reveal advice, proposals, recommendations, analyses or policy options developed by or for a public body or minister.
- Section 29 (1)(c): The head of a public body may refuse to disclose to an applicant information that would reveal draft legislation or regulations.
Documents containing information that fell outside of the request were redacted and marked as “non-responsive.”

Further, some information has been redacted under Section 69 of the Children and Youth Care and Protection (CYCP) Act, which states:

- Section 69. Notwithstanding the Access to Information and Protection of Privacy Act, 2015, the use of, disclosure of and access to information in records pertaining to the care and protection of children and youth obtained under this Act, regardless of where the information or records are located, shall be governed by this Act.

Information that cannot be released resulted in a number of full pages being redacted from the disclosure packages as follows:

<table>
<thead>
<tr>
<th>Disclosure Package</th>
<th>Page Numbers</th>
<th>Redaction Codes</th>
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</thead>
<tbody>
<tr>
<td>Part 1 - Presentations</td>
<td>5, 9-13, 15-17, 19-29, 36-40</td>
<td>S. 29 (1)(a), S. 29 (1)(c), CYCP S. 69</td>
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<tr>
<td>Part 2 - E-mail Correspondence</td>
<td>63-67</td>
<td>Non-responsive</td>
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<tr>
<td>Part 3 - Briefing Materials</td>
<td>15-75</td>
<td>S. 27 (1)(a), S. 27 (1)(c), S. 27 (2)(a)</td>
</tr>
</tbody>
</table>

As required by 8(2) of the Act, we have severed information that is unable to be disclosed and have provided you with as much information as possible.

In accordance with your request for a copy of records, the appropriate copies have been enclosed.

Please be advised that you may appeal this decision and ask the Information and Privacy Commissioner to review the decision to provide partial access to the requested information, as set out in section 42 of the Act (a copy of this section of the Act has been enclosed for your reference). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner. Your appeal should identify your concerns with the request and why you are submitting the appeal.

The appeal may be addressed to the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P. O. Box 13004, Stn. A
St. John’s, NL A1B 3V8

Telephone: (709) 729-6309
Toll-Free: 1-877-729-6309
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act (a copy of this section of the Act has been enclosed for your reference).

Please be advised that responsive records will be published following a 72 hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Completed Access to Information Requests website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.
If you have any further questions, please feel free to contact me by telephone at (709) 729-5589 or by e-mail at markgriffin@gov.nl.ca.

Sincerely,

Mark Griffin
Backup ATIPP Coordinator

Enclosures
Part 1 – Presentations
Office of the Child, Youth Advocate is an independent Statutory office of the HOA.

The CYA ACT grants the office the authority to represent the rights, interests and viewpoints of the children and youth who receive services from the government of NL.

**Joey’s Story** (a baby who was found close to death in a crib) CI
**Turning a Blind Eye** (10 children who were severely abused by mother over several years. She was subsequently sentenced to 6 years in prison) CI
**Out of Focus** (a house fire claimed the lives of 5 children from two different families; two of the children were active on CYFS caseload) DEATHS

Delay in receiving reports will delay investigations and her role in preventing deaths and CIs.
AND
Reporting in legislation is better compared to agreements with departments
Background

- **Nov/14** - Private members motion passed in HOA supporting development of legislation, in consultation with the Advocate, mandating reporting of deaths and critical incidents (CIs) by all departments.

- **Dec/14** - Deputy Ministers of Child Youth and Family Services (CYFS), Justice & Public Safety (JPS), Health & Community Services (HCS) and Education & Early Childhood Development (EECD) were directed to consult with the Advocate on definition of CI.

- **Jan/15** - Advocate advised that CYFS, EECD, JPS and HCS have been directed to consult and draft legislation.

- **Feb/15** - Interdepartmental Committee was established with representatives from CYFS, HCS, JPS, EECD and Office of the Child, Youth Advocate, led by CYFS.

S. 29(1)(a), S. 29(1)(c)
Depts./Agencies Under Consideration for Reporting

- JPS including police, youth/adult corrections, high sheriff
- HCS including Regional Health Authorities (RHAs), community based agencies (PH, MH clinics)
- CYFS including child protection (in-care, protective intervention program, youth services) youth corrections and adoption programs
- EECD K-12 public and private schools

Advocate has requested EECD report deaths/CIs from child care sector, aboriginal schools, and RHAs report deaths/CIs occurring Out of Province

Child Care Services not a government service, they are privately owned, but highly regulated by government

There are 3 aboriginal schools – Natuashish, Sheshathiu and Nain
Jurisdictional Analysis

Child deaths:
- 8 provinces/territories report all deaths to medical examiner (PEI, NB, QC, ON, MB, SK, AB, BC)
- 5 do not report all deaths to the medical examiner (NL, NS, YK, NWT, NU)

Critical Incidents/Deaths to the Advocates:
- 4 P/Ts with mandatory reporting to Advocate
- SK in policy; AB, BC & Nunavut In Act ON
- Mandatory reporting of CI and deaths in draft in Advocate’s Act in Ontario
- Manitoba reports deaths only to the Advocate

Critical injury definition: broad—may result in death or causes serious or long term impairment to health (includes emotional health)

Alberta: a life threatening injury to the child or an injury that may cause significant impairment to the child’s health
Departments Reporting in other Provinces/ Territories

- BC Act mandates reporting by Child Protection, Justice, and Health (Addictions Services)
- Alberta's Act mandates reporting by Child Protection and Justice
- SK mandates reporting by Child Protection (policy) and Justice (developed their own policies)
- Nunavut mandates reporting by Child Protection only
- Manitoba mandates the reporting of deaths by Child Protection only
- No reporting by Education in other provinces or territories

All province reporting by child protection
3 provinces include Justice plus CP
1 province (BC) includes health (addictions only)
No province has reporting by Education
For Consideration

- Deputy Ministers to brief respective departmental Ministers for the purposes of consultation and addressing outstanding issues.
- A meeting with the four Ministers if necessary.
Level 1 – An event occurred but client not harmed.

Level 2 – An event occurred that resulted in increased client assessment & there was no harm or treatment / intervention required.

Level 3 – An event occurred that resulted in the need for treatment and / or intervention and caused temporary (physical and/or psychological) client harm.

Level 4 – An event occurred that resulted in initial or prolonged hospitalization and/or caused temporary (physical and/or psychological) client harm.

Level 5 – An event occurred that resulted in permanent client harm or near death experience.

Level 6 – An event occurred that resulted in client death.
Reporting of Critical Incidents and Deaths
Presentation to Ministers of CYFS, JPS, HCS and EECD
January 18, 2016

Newfoundland Labrador
Child, Youth and Family Services
Office of the Child and Youth Advocate

- Office of the Child, Youth Advocate is an independent Statutory Office of the HOA
- Child and Youth Advocate Act provides the Advocate authority to:
  - represent the rights and interests of children and youth
  - review and investigate matters affecting children/youth including critical incidents/deaths
- Matters not limited to complaints
- The Advocate’s request moves from a complaint driven process to a mandatory process
- Services defined as a service provided by a dept. or agency of government to children and youth the principal objective is to benefit children and youth.
Background

- **Since 2011** several Advocate’s Investigative Reports (Joey’s Story, Turning a Blind Eye, and Out of Focus) recommended the development of a protocol with CYFS for the reporting of deaths and critical incidents (CIs) to the Advocate.

- **June/14** CYA tabled a briefing Note in the House of Assembly (HOA) outlining her rationale for receiving reports of deaths/CIs.

- **Nov/14**- Private members motion passed in HOA supporting development of legislation, in consultation with the Advocate, mandating reporting of deaths and critical incidents (CIs) by all departments.

- **Dec/14** – Deputy Ministers of Child Youth and Family Services (CYFS), Justice & Public Safety (JPS), Health & Community Services (HCS) and Education & Early Childhood Development (EECD) were directed to consult with the Advocate on a definition of CI.

- **Feb/15** - Interdepartmental Committee was established with representatives from CYFS, HCS, JPS, EECD and Office of the Child, Youth Advocate, led by CYFS.
Child Deaths and Critical Incidents

- The Advocate receives reports of *reportable* deaths (not natural cause deaths) from the Minister of JPS, prepared by the Child Death Review Committee (CDRC) as per s.13.4 of the Fatalities Investigations Act (FIA)

- Advocate regards the report as untimely (released public/60 days)

- By agreed policy CYFS reports deaths to the Advocate since fall (Sept) 2014

- CYFS does not routinely report critical incidents to the Advocate
Advocate’s Request to Include the Following Depts.

- JPS including police, youth/adult corrections, high sheriff
- HCS including Regional Health Authorities (RHAs), community based agencies (Public Health, Mental Health clinics) and deaths/CIs occurring Out of Province
- CYFS including child protection (in – care, protective intervention program, youth services) youth corrections and adoption programs
- EECD K-12 public schools, private schools, child care sector, aboriginal schools
Jurisdictional Analysis

Critical Incidents/Deaths to the Advocates in Ca:

- 5 P/Ts have mandatory reporting to Advocate mainly Child Protection and Justice; Health (addictions and mental health) reporting in BC only
- SK reports in policy; AB, BC, Ont & Nunavut in Advocate Acts
- Of the 5 P/Ts Manitoba reports deaths only (not critical incidents)

No reporting by education or primary health in other provinces or territories
Critical Incident and Death Protocol

August 2016
Critical Incident and Death Protocol

- Current Child/Youth Death Review Protocol implemented in March 2014

- Currently no formal protocol for critical Incidents – staff required to follow processes in Death Protocol

- The Child/Youth Death Review Protocol has now been updated to include Critical Incidents and renamed the “Critical Incident/Death Protocol”
Critical Incident and Death Protocol

What Remains Unchanged:

- The definition of a critical incident (CI)
- Immediate assessment of risk and support to child/youth
- The notification process from regional staff to ADM and QA
- Related public communications managed through CYFS Director of Communications
- ADM to notify the Advocate and Chief Medical Examiner as required
Critical Incident and Death Protocol

What HAS changed/been clarified:

- Notification form has been revised based on regional feedback/discussions with QA

- CI/Death Notification form has:
  - “fillable” sections
  - CI categories in a drop down box
  - More space to describe family composition
  - Space for custody and Aboriginal status of child/youth
  - Space for programs currently opened and those previously opened
  - Space for internal and external service providers notified/to be notified of CI or death
  - RD and ADM signs – SCWK’er, CPS and ZM names are included but no signature required.
Critical Incident and Death Protocol

What HAS changed/been clarified:

- The social worked initially informed of the CI/death completes the CI/Death Notification form

- The form is completed on the child/youth unless it involves multiple children in a family receiving PIP services

- Staff have 48 hours (currently 24hrs) to complete and send the form to ADM for approval

- The form will NOT be completed for CI/death notifications on closed cases due to limited information available in those circumstances
Critical Incident and Death Protocol

What HAS changed/been clarified:

- *Date of death of child/youth shall be entered in CRMS as soon as it becomes known*

- Parents of children in interim/temporary custody are notified of CI’s/deaths involving their children; notifying parents of children in continuous custody is at the discretion of the ZM

- *QA will complete File Reviews (formally called “File Summary”) on all deaths not related to natural/medical causes and in other cases where required by ADM*

- File review will now contain actions required – this will guide development of an action plan with regional staff

- *File review and QA file closure approved by QA and not ADM*
Critical Incident and Death Protocol

Implementation:

- Updated protocol will be effective September 1, 2016.
- Revised protocol and related forms will be uploaded to the Intranet and send out by email prior to September 1, 2016.
  - CI/Death Notification Form
  - File Review Template
  - Action Plan Template
Questions?
Part 2 – E-mail Correspondence
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
Advocate for Children and Youth, NL Released Annual Report 2014-2015

"I am delighted to present our Annual Report for the year April 2014 to March 2015. A lot has been accomplished this past year and we continue to be dedicated to ensuring the voices of children and youth are heard and their rights respected. This year’s Annual Report highlights the major activities of the office in the areas of individual advocacy, systemic advocacy, reviews and investigations and public education."

Carol A. Chafe, Child and Youth Advocate

Over the past year, the Advocate for Children and Youth continued to provide advocacy services to children and youth in Newfoundland and Labrador. Ongoing work included providing individual advocacy services; in response to 632 requests for advocacy services. Outreach visits throughout the province enabled staff to meet with many children and youth, various professionals and members of the public. One investigation was completed and work continued on six other very significant investigations. The first "Advocate’s Report on the Status of Recommendations" was completed and released in February 2015. In June 2014, the Advocate requested that government make amendments to the Child and Youth Advocate Act that will require the mandatory reporting of all deaths and critical incidents involving children and youth receiving government services. Work began on this very important initiative in January 2015.

Included in this year’s Public Annual Report 2014-2015 are:

- Case examples of individual advocacy services provided in areas of housing/income support, education, child/youth in care, youth services and secure custody.
- Systemic advocacy highlights, with a look at our work in the area of post-secondary funding for youth previously in continuous custody and partial school day programming in the K-12 education system.
- Calendar Project – for the eleventh year the office invited schools across the province to participate in the Child and Youth Advocacy Calendar Project by submitting artwork.
- Statistical and business highlights.

The Advocate for Children and Youth is an Independent Statutory Office of the House of Assembly of Newfoundland and Labrador. This office has the authority to represent the rights, interests and viewpoints of children and youth who are entitled to receive services and access programs provided by the government of this province.

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Media contact:
Janice Mullins
Director of Strategic Development and Planning
Advocate for Children and Youth
709-753-3888
janicemullins@ocya.nl.ca

2016 02 15 10:05 a.m.
Hi Joanne,

Attached, for the attention of your Minister, is a letter to Premier Ball dated March 4, 2016, from Carol Chafe, Advocate for Children and Youth.

We are requesting a draft response from your department for the Premier's signature. Please forward draft to premier@gov.nl.ca account.

Thank you,
Kala

--------< HP TRIM Record Information >--------

Record Number:    ICOR2016/0741
Title : Letter dated March 4, 2016 to Premier Ball from Carol A Chafe, Advocate for Children and Youth regarding amendments to the Child and Youth Advocate Act to include mandatory notification when critical incident or death occurs

CODE #: EXE-044942
2. R-C 5.
3. SGW 6.

REGISTRY ☑
March 4, 2016

The Honourable Dwight Ball
Premier of Newfoundland and Labrador
Office of the Premier
East Block, Confederation Building
P.O. Box 8700
St. John's, NL A1B 4J6

RE: Amendment to Child and Youth Advocate Act

Dear Premier Ball:

As you are aware, I am seeking an amendment to the Child and Youth Advocate Act that will include mandatory notification from government departments and agencies when a child or youth receiving services is involved in a critical incident or when a death of a child or youth occurs. As the representative for children and youth in Newfoundland and Labrador, it is paramount that I have the information I need in order to ensure that the rights and interests of every child and youth are protected and advanced. Mandatory notification from government departments and agencies when a child or youth receiving services is involved in a critical incident or when the death of a child or youth occurs will allow me, as the Advocate for Children and Youth, to fulfill my mandate.

After conducting three separate investigations in August 2011, July 2012 and September 2012, I made the same recommendation to the Department of Child, Youth and Family Services in each investigative report to develop protocol with my office to ensure immediate reporting of any critical incidents or sentinel events occurring with children and youth throughout the province. I did not receive an adequate nor an appropriate response or action on this recommendation. Therefore, in accordance with the Child and Youth Advocate Act Section 24, on September 8, 2014 I sent a letter to the Honourable Thomas Marshall, Premier requesting that he bring this report of non-compliance forward to Cabinet. In response to my request, the Premier advised he discussed this issue with the Honourable Paul Davis, Premier Designate as part of transition discussions.

On July 31, 2014 I sent a letter to the Honourable Ross Wiseman, Speaker of the House of Assembly and outlined my request for amendment to the Act, and provided a Briefing Note and Backgrounder. On October 3, 2014, I also sent this request and documents to the
Honourable Paul Davis, Premier. As a result, since the fall of 2014 I completed a presentation to Cabinet as well as to the Deputy Ministers' working committee established to review my request.

S. 27(1)(i), 27(2)(a)

From February to June of 2015, my office collaborated on the working committee chaired by the Department of Child, Youth and Family Services with representation from the Department of Justice and Public Safety, the Department of Health and Community Services and the Department of Education and Early Childhood Development. The mandate of the working committee was to define critical incidents and prepare a Cabinet Submission to propose these legislative changes. Much hard work and collaboration occurred by this committee and the departments involved, however the House of Assembly closed on June 23, 2015 before the Cabinet Submission was tabled. Premier Paul Davis publically stated that he was considering having the House of Assembly sit in the Fall of 2015 before the provincial election to pursue legislative changes to the Child and Youth Advocate Act; this did not occur.

I was pleased and encouraged to read in your mandate letter dated December 14, 2015 to the Honourable Sherry Gamlin-Walsh, Minister of Child, Youth and Family Services that you expect the Minister "...to work with your colleagues and the Child and Youth Advocate to develop legislation for the House of Assembly that will make it mandatory to report deaths and critical incidents to the Advocate." Further, when I met with the Minister on January 6, 2016, I was advised that she planned to meet with the ministers of the Department of Justice and Public Safety, the Department of Health and Community Services and the Department of Education and Early Childhood Development. I was also advised by the Minister that she would follow up within two weeks. On February 15, 2016, I contacted the Deputy Minister of Child, Youth and Family Services regarding this issue and was told there was no update.

On February 29, 2016, I met with Minister Gamlin-Walsh and executives from the Department of Child, Youth and Family Services for a scheduled quarterly meeting. I was surprised and concerned to learn in this meeting that while meetings have occurred between the Ministers of the departments involved, nothing has been done to date to address the two outstanding issues.

In August 2016, it will be five years since I first put forth the recommendation for a protocol to ensure immediate reporting of critical incidents to my office by the Department of Child, Youth and Family Services. In June 2016, it will two years since I publically stated I would seek legislative change regarding mandatory reporting by government departments and agencies to the Child and Youth Advocate when a child or youth receiving services dies or is involved in a critical incident. Currently, it has been over one year since my office collaborated on the working committee chaired by the Department of Child, Youth and Family Services with representation from the Department of Justice and Public Safety, the Department of Health and Community Services and the Department of Education and Early Childhood Development.
It is critical that these legislative changes are made in order for me to fulfill the mandate of the Child and Youth Advocate and ensure that the rights of all children and youth are upheld and their voices are heard. When a child or youth receiving services is involved in a critical incident or when the death of a child or youth occurs, the Child and Youth Advocate Act grants me the legislative authority to conduct an independent investigation and provide advocacy services. Unfortunately however, I only become aware of some of these through other avenues such as media, family members or contacts to my office. With this amendment, it will be mandatory that government departments and agencies, in particular, the Department of Child, Youth and Family Services, the Department of Justice and Public Safety, the Department of Health and Community Services and, the Department of Education and Early Childhood Development notify me of these unfortunate events. Ultimately this will allow my staff and I to provide more comprehensive and timely advocacy services. This amendment means that I will be notified when there is a death or a critical incident involving every child or youth receiving government services such as in schools, hospitals, foster homes or a youth detention centre. Immediate notification will allow me as the Advocate to mobilize quickly to investigate, produce recommendations and prevent further harm. It will also enable immediate provision of an advocacy role to ensure all children and youth involved receive supports and services.

Any further delays in implementing this very important amendment continues to jeopardize the rights and interests of every child and youth in Newfoundland and Labrador. Their rights must be protected and advanced, and their voices heard. I ask that you make the children and youth of this province a priority of your government.

The proposed legislative changes are progressive both provincially and nationally and will result in a positive change for the rights and interests for all children and youth in Newfoundland and Labrador. Enclosed for your information are the Briefing Note and Backgrounder that were sent to Premier Paul Davis on October 3, 2014. As the House of Assembly is set to open on March 8, 2016, I look forward to working with the Provincial Government of Newfoundland and Labrador to move forward with the amendment to the Child and Youth Advocate Act. I am available to discuss this matter at your convenience.

Yours truly,

Carol A. Chafe
Advocate for Children and Youth

Enclosures
Title: Amendment to the Child and Youth Advocate Act

Issue: Amendment to the Child and Youth Advocate Act to include mandatory reporting of critical incidents or death of a child or youth to the Advocate by any Government Department or Agency providing services to the child or youth.

Background and Analysis:

The Office of the Child and Youth Advocate (OCYA) is a Statutory Office of the House of Assembly. The office was established under the authority of the Child and Youth Advocate Act and opened in 2002. The OCYA represents the rights, interests and viewpoints of children and youth who are entitled to services and programs provided by the Provincial Government. The OCYA provides advocacy services to children and youth in four (4) main capacities: Individual Advocacy, Systemic Advocacy, Reviews and Investigations, and Education and Promotion.

The Advocate is seeking legislative changes to require government departments and agencies to notify the Advocate when a child or youth receiving services is involved in a critical incident or when the death of a child or youth occurs. This immediate notification will allow the Advocate to mobilize quickly to investigate, produce recommendations and prevent further harm. It is imperative that the Advocate receive timely information in the event of a critical incident or death of a child or youth.

Currently there is no requirement under the legislation for any government department or agency to provide notification to the Advocate when a critical incident or death of a child or youth occurs. This causes delays in the Advocate becoming involved in a case and results in the Advocate being unable to immediately provide an advocacy role to ensure that the children and youth involved receive support and services. Delays in receiving information also affect the timeline in which investigations are completed and recommendations are put forth. The longer the investigation and recommendations are delayed the greater the risk of another child or youth being harmed. Mandatory reporting of critical incidents and deaths to the Advocate would enable the Advocate to respond to situations in a more timely manner.

Not learning of events as they occur prevents the Advocate from advocating on behalf of children and youth, from being proactive and from having the opportunity to engage with service providers to ensure services are provided to the child or youth to address the issue. There are times when the Advocate becomes aware of these incidents by “chance”; through the media; a parent or youth calling; or, a concerned citizen or anonymous person contacting the office. A formal process is needed.

The requested change in legislation would require government departments and agencies to report critical incidents and deaths to the Advocate. The Advocate’s current legislation is strong and enforces by many of the Advocate’s counterparts across the country as it, mandates that once the Advocate asks for documents or information it has to be provided.

A legislative scan of Child and Youth Advocate Acts from across Canada was completed. The scan revealed that in the legislation of British Columbia and Alberta there are specific requirements for the reporting of critical injuries and sentinel events. British Columbia’s legislation states that once a public body, responsible for providing services to children, youth and their families becomes aware of a critical
injury or death they must provide information respecting the injury or death to the Representative. Once this information has been received the Representative has the authority to conduct a review, Alberta’s legislation states that when a child is seriously injured or dies while receiving a service, the public body responsible for the service shall report the incident to the Advocate as soon as practicable.

The Advocate is requesting a change in legislation to keep children safe and to better protect children and youth who are in care or are receiving government services. If the Advocate is aware that something has happened with a child or youth she can immediately investigate, make recommendations and prevent similar incidents from reoccurring.

**Analysis:**

Legal Consultation:
N/A

Internal Consultation(s):
N/A

External Consultation(s):
N/A

Comparison to Government Policy:
N/A

Financial Impact:
N/A

Legislative Impact:
Amendments will be required to the *Child and Youth Advocate Act* to require mandatory reporting when a critical incident or death of a child or youth occurs.

**Options:**
1. Approve the proposed amendments to the *Child and Youth Advocate Act*.
2. Not approve the proposed amendments to the *Child and Youth Advocate Act*.

**Status:**
The current legislation applies.

**Action Required:**
Approval for the proposed amendments to the *Child and Youth Advocate Act*.

Drafted by: Heather Lannon

Approved by: Carol A. Chafe

Date: July 31, 2014
Backgrounder: Amendment to the Child and Youth Advocate Act.

October 3, 2014

Advocate for Children and Youth Mandate

The mandate of the Advocate for Children and Youth (ACY) is to ensure that the rights and interests of children and youth are protected and advanced and that their views are heard and considered. In my role as the Advocate, an important part of this mandate involves providing information about the availability, effectiveness, responsiveness and relevance of services to children and youth.

When a child or youth receiving services is involved in a critical incident or when the death of a child or youth occurs, the Child and Youth Advocate Act grants me the legislative authority to conduct an independent investigation. The goal of any investigation I undertake is to mitigate the likelihood of similar circumstances reoccurring for other children and youth in Newfoundland and Labrador.

While the Child and Youth Advocate Act permits my office to provide advocacy services and conduct investigations, it does not specify mandatory notification from government departments and agencies when a child or youth receiving services is involved in a critical incident or when a death of a child or youth occurs. Unfortunately, the absence of notification presents a barrier to ensuring my mandate is met; without timely information regarding critical incidents and deaths, potential advocacy services and investigations are delayed or not provided. Subsequently, any recommendations pertaining to such investigations are delayed, resulting in the continuation of risks to children and youth.

Recent Media Attention

In recent weeks, I have been asked on multiple occasions to speak to 35 deaths of children and youth since the formation of the Department of Child, Youth and Family Services in 2009. Of these 35 deaths, I was only aware of six before the additional 27 came to my attention through the media and subsequently two notifications since August by the Department of Child, Youth and Family Services. In fact, the six that I was aware of had previously come to my attention through the media. Whenever I become aware of a death or critical incident of a child or youth
receiving government services, regardless of the source, I immediately seek out additional information from the department or agency involved and assess whether or not my office has an advocacy role for that child or youth and any other children and youth involved.

Seeking Legislative Changes for All Departments/Agencies

Since becoming the Advocate for Children and Youth, I have determined this informal process to be problematic as it does not allow for a timely and comprehensive assessment of all issues emerging for children and youth. As the Advocate for Children and Youth, I should be given all the information needed in order to fulfill my mandate of providing advocacy for all the children and youth in this province.

I wish to clarify that the groundwork for seeking legislative change to the Child and Youth Advocate Act commenced prior to the recent media reports. In addition, it should be acknowledged that the legislative changes I will be seeking to the Child and Youth Advocate Act regarding notification will not be limited to the notification of deaths of children and youth receiving services from the Department of Child, Youth and Family Services. It is imperative that I am notified in a timely manner following the death of a child or youth but also equally imperative in the event that a child or youth is involved in a critical incident. Further, not only is this applicable to Child, Youth and Family Services, but to all provincial government departments and agencies that serve children and youth.

Child Death Review Committee and Chief Medical Examiner

I also wish to address the mandates of the Chief Medical Examiner and the newly appointed Child Death Review Committee and highlight the difference of my role. The Child Death Review Committee has the legislated mandate to complete a multi-disciplinary review of all child deaths reported to the Office of the Chief Medical Examiner under the Fatalities Investigations Act. The Child Death Review Committee aims to help to prevent deaths and to improve the health and safety of children which will have a positive impact on the overall health and safety of children and youth in this province. The review process involves a paper review that is forwarded to the Minister of Justice.

There are a number of key points that set the mandate of the Advocate for Children and Youth apart from the Child Death Review Committee. When the death of a child or youth receiving government services occurs, I may call an investigation under the Child and Youth Advocate Act. Rather than investigate the cause of death, my office analyzes whether or not the services
Background: Amendment to the Child and Youth Advocate Act.

October 3, 2014

provided to a child or a youth up to his or her death met his or her needs and if his or her right to services was upheld. For example, one current investigation involves a four-month-old baby who died while receiving government services. The cause of death was head trauma of which a parent has been criminally charged. While the Chief Medical Examiner and Child Death Review Committee would look at the physical cause of death, my office will analyze all government services provided up until the baby’s death and examine whether or not these services met this baby’s needs and if this baby’s rights were upheld.

Further, my office operates from a rights-based perspective, referencing the United Nations Convention on the Rights of the Child (UNCRC) which ensures the protection and advancement of children’s rights are embedded within the recommendations made. In addition, the process for investigations is not limited to a paper file review and often involves a comprehensive review of documents, policies and legislation of multiple departments and agencies; interviews with professionals and family members; analysis of facts; development of recommendations to government and agencies; and a written report that may be distributed publicly. As well, a comprehensive follow-up process on recommendations with the applicable departments and agencies commences following the completion of an investigation.

Another key difference, that sets my mandate apart from the Child Death Review Committee and Chief Medical Examiner is that my investigative scope is not limited to child deaths. Investigating and providing immediate advocacy services in response to critical incidents involving children and youth receiving government services is unique to the Advocate for Children and Youth. The investigative report Sixteen, released last year, investigated services provided to a youth who was convicted of offences in relation to a tragic fire. Currently, one of the investigations being completed involves a critical incident of a traumatic removal of children from a family of new Canadians. Another current investigation involves severe sexual and physical abuse of several children over a 13 year timeframe while they received government services. In addition to investigations, every day individual advocacy staff at the Advocate for Children and Youth respond to situations requiring advocacy services. In order to investigate and immediately respond to critical incidents, I must be aware of them when they occur.

Importance of Legislation Change

I cannot stress enough, the importance that it be a legislated duty for departments and agencies to report to the Advocate when a child or youth receiving services is involved in a critical incident or when the death of a child or youth occurs. I am pleased with the
verbal agreement from the Minister of Child, Youth and Family Services that all deaths will be reported to me when the Minister becomes aware. However, the ability to fulfill my mandate cannot be dependent on a particular minister’s choice or decision to notify me. In addition, this verbal agreement does not include critical incidents and does not apply to all government departments and agencies. As the representative for children and youth in Newfoundland and Labrador, it is paramount that I have the information I need in order to ensure that the rights and interests of every child and youth are protected and advanced.

Carol A. Chafe
Advocate for Children and Youth
March 16, 2016

Ms. Carol A. Chafe  
Child and Youth Advocate  
Office of the Child and Youth Advocate  
193 LeMarchant Road  
St. John’s, NL, A1C 2H5

Dear Ms. Chafe:

Thank you for your letter detailing your ongoing commitment and advocacy regarding the mandatory reporting to your office of deaths and critical incidents involving children and youth receiving government services. As indicated in the Speech from the Throne, government recognizes the importance of doing everything we can to protect children and youth, and our commitment to this reporting.

The Department of Child, Youth and Family Services continues to work toward fulfilling the direction outlined in the Minister of Child, Youth and Family Services’ December 2015 mandate letter to work with her colleagues and your office on legislation that would result in reporting to your office. I understand the Minister has met with the Ministers of Health and Community Services, Justice and Public Safety, and Education and Early Childhood Development to discuss this matter.

I certainly appreciate your interest in advancing this work on a priority basis and, I too, share your interest in seeing this completed. As a new government, it is essential that we fully understand the implications of all new policy initiatives, and I am trusting my Ministers to carefully examine all new requirements that could be placed on public services. The Minister has advised that much work has been completed including an understanding of what is a critical incident and the reporting timeframes you are seeking.

We will continue to collaborate with you on this important initiative, and the Minister will continue to consult with you as this moves forward.

Sincerely,

DWIGHT BALL  
Premier  
MHA, Humber-Gros Morne

cc: Honourable Sherry Gamlin-Walsh, Minister of Child, Youth and Family Services
Griffin, Mark

From: Releases, News
Sent: Tuesday, April 26, 2016 11:16 AM
To: Releases, News

NLIS 2
Office of the Child and Youth Advocate
April 26, 2016


Statement from Carol A. Chafe, Advocate for Children and Youth:

Good Morning:

I will be giving a prepared statement, after which I will be happy to take questions.

I am pleased to present *The Advocate’s Report on the Status of Recommendations 2015*. Since 2006, a total of eight (8) investigations and four (4) case reviews have been completed:

The eight (8) investigations include:
- *Turner Review and Investigation, 2006;*
- *Lost in Transition, 2009;*
- *An Investigation into Janeway Psychiatry Unit J4D Programs and Services, 2010;*
- *The Child Upstairs...Joey’s Story, 2011;*
- *Turning a Blind Eye, 2012;*
- *Out of Focus, 2012;*
- *Sixteen, 2013; and*
- *A Tragedy Waiting to Happen, 2015."

The four (4) case reviews include:
- *Justice Complaint – Emergency Intake, 2011;*
- *Youth in Adult Holding Facilities: Case 1, 2011;*
- *Youth Corrections – Decisions Regarding Open Custody Placements, 2011; and*
- *Youth in Adult Holding Facilities: Case 2, 2013."

These twelve (12) reports include a total of 183 recommendations, which have been made to various government departments and agencies including: the Department of Child, Youth and Family Services; the Department of Health and Community Services; the Department of Justice and Public Safety; the Eastern Regional Integrated Health Authority; the Royal Newfoundland Constabulary; and the Labrador-Grenfell Regional Integrated Health Authority.
For this second Advocate’s Report on the Status of Recommendations, the relevant departments and agencies provided information regarding the status of the twenty one (21) outstanding recommendations that were classified as partially implemented or not implemented in the 2014 report, and the status of ten (10) new recommendations made by my office since 2014.

It is important to note that six (6) recommendations for the Department of Child, Youth and Family Services were categorized as “Not Implemented – Response Inadequate and Inappropriate” in the 2014 report. Through continuing consultation with the Department and their ongoing commitment, two (2) have now been implemented and four (4) partially implemented.

Unfortunately, three (3) of those four (4) partially implemented recommendations have not progressed. In November 2014, the House of Assembly passed a motion committing to legislation to respond to my request to amend the Child and Youth Advocate Act to ensure mandatory reporting by all government departments and agencies of critical incidents and deaths of children and youth receiving services. Intensive work and collaboration took place from January to June 2015 and the House of Assembly closed before the Cabinet Submission was tabled.

In December 2015, the newly elected Premier Ball included in his mandate letter to the Minister of Child Youth and Family Services “to work with your colleagues and the Child Youth Advocate to develop legislation for the House of Assembly that will make it mandatory to report deaths and critical incidents to the advocate”. In the Speech From the Throne, March 8, 2016, Government recognized “the importance of doing everything we can to protect children and youth and will be moving forward with this initiative”. It is almost five years since I put forth the first recommendation to establish a protocol of reporting and I truly hope that progress will be made sooner rather than later to ensure the rights of all children and youth are protected and advanced, and their voices heard.

In addition to reporting on recommendations made to government departments and agencies by my office, this year recommendations made by the Child Death Review Committee are also highlighted. The Child Death Review Committee reviews cases involving the deaths of children (under 19 years of age) which have been provided by the Chief Medical Examiner. These deaths are referred to the Chief Medical Examiner’s office as specifically outlined in Sections 5 through 8 of the Fatalities Investigations Act. In consultation with the Deputy Minister of the Department of Justice and Public Safety, I agreed to coordinate the follow-up process and report on the status of recommendations made by the Child Death Review Committee. As of August 2015, the Department of Justice and Public Safety provided me with nine (9) individual case reviews completed by the Child Death Review Committee. Of the nine (9) case reviews, six (6) had a total of ten (10) recommendations, while three (3) had no recommendations.

These ten (10) new recommendations have been made to various government departments and agencies including: the Child Death Review Committee; the Department of Child, Youth and Family Services; the Department of Health and Community Services; and the Department of Education and Early Childhood Development. In consultation with the Child Death Review Committee, and based on responses from the departments and agencies, I have determined that as of October 2015, 64% of the recommendations made by the Child Death Review Committee have been addressed with 36% requiring further follow-up.

As of October 2015, the status of all 183 recommendations made by my office since 2006, based on responses from the departments and agencies, is as follows:

- 69% Implemented;
- 13% Implemented Through Alternative Measures;
11% Partially Implemented;
0% Not Implemented – Response Inadequate and Inappropriate; and
7% No Longer Applicable

I would like to take this opportunity to thank the government departments and agencies involved for their ongoing cooperation in this intensive process. I would also like to commend each one for their progress in making policy and procedural changes to services for children and youth.

I must stress that it is of great importance that all government departments and agencies ensure that there are ongoing efforts to enable managers and staff to provide a standardized practice throughout the province. While amendments to policies and protocols are crucial, it is just the first step to making lasting changes. It is only through consistent, high-quality practices that our children and youth will receive the services they truly deserve. There is still work to be done and I look forward to continuing to work with departments and agencies providing services to the children and youth of Newfoundland and Labrador to ensure their needs are met and their rights are upheld.

I have provided each of you present today with a copy of the report and a list of key facts. As well, printed copies of the report are available to the public upon request by contacting our office. The report can also be viewed on our website: www.childandyouthadvocate.nl.ca

Thank you for your time today and I welcome any general questions.

Carol A. Chafe
Advocate for Children and Youth

2016 04 26  11:15 a.m.
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
Hi Minister,

I have updated your messaging regarding the mandatory reporting of critical incidents and deaths so as to give you some concrete examples as to why the process is taking so long. Pay particular attention to bullets 2 through 4.

Thanks,

Melony
Mandatory Reporting to the Child and Youth Advocate
Key Messages
April 28, 2016

- CYFS continues to work toward fulfilling the direction outlined in the December 2015 mandate letter to work with colleagues and the Advocate to develop legislation on mandatory reporting of critical incidents and deaths to the Advocate for consideration in the House of Assembly.

- The legislative changes requested by the Advocate span several different departments and entail quite a comprehensive analysis. Each department involved in the process has very different interactions with children and youth, and we must ensure we do this correctly.

- It is important we get this right and make sure we understand the request in its entirety. While we have developed a definition of a critical incident, it is incumbent upon us to ensure we have captured it appropriately. For example, what may be considered a critical incident for CYFS is very different than what may be considered one in the education system.

- I have met with my colleagues in Health and Community Services; Justice and Public Safety; and Education and Early Childhood Development both individually and collectively to discuss mandatory reporting to the Advocate. These departments have numerous boards, commissions and agencies that report to them and in understanding what, if any, of these entities would be required to mandatorily report to the Advocate (Health Boards, childcare centres, Aboriginal schools, RCMP, etc.)

- If an incident occurred on a school playground, for example, would it be considered a critical incident and, if so, who and how does it get reported?

- I have met twice with the Advocate (January and February 2016) to keep her informed and updated on our government’s progress.

- Since September 2014, my department has been voluntarily reporting all deaths to the Advocate, resulting in the reporting of about 10 deaths per year.
• The Speech from the Throne indicates our government's commitment to advancing this legislation. In the short term, we will focus our efforts on the drafting of the Bill and the Advocate will be engaged in the process. I look forward to bringing this to the floor of the House.
Mandatory Reporting to the Child and Youth Advocate
Key Messages
April 28, 2016

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Minister

I will call you shortly on these items.

Item 1 is the legislative review.

Sent from my BlackBerry 10 smartphone on the Bell network.

This is updated version. Kelly does not have anyway to get this to Minister. She is not aware of the meeting with you tomorrow. I will leave it to you to send to Minister.

Update for Minister
July 22, 2016

3. Critical Incidents and Deaths (Red Book/Speech from the Throne/Mandate Letter)

- In February 2016 Ministers of CYFS, JPS, HCS and EECD were briefed on the policy implications of mandatory reporting of critical incidents (CIs) and deaths to the Advocate. Concerns were raised about the
Advocate’s current broad advocacy and investigative mandate which, along with SK, is the broadest in the country.

- In 2008 the CYA Act was broadened substantially to allow for: 1) reviews and investigations of all matters affecting children and youth; 2) the power to subpoena and interview witnesses and review all relevant departmental documentation/policies and procedures. Mandatory reporting of CIs and deaths to the Advocate will further expand its mandate to be the broadest in the country.
From: Cochrane, Rachelle
Sent: Thursday, July 21, 2016 10:13 AM
To: Dow, Sara; Tilley, Jean
Cc: Hunt, Deanne; O'Neill, Melony
Subject: Fw: Cabinet Retreat

Jean

Can you have short bullets for Minister prepared

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Clerk of Executive Council <clerkofexecutivecoun@gov.nl.ca>
Sent: Thursday, July 21, 2016 10:03 AM
To: Bennett, Cathy (Minister); Byrne, Gerry; Coady, Siobhan; Crocker, Steve; GambinWalsh, Sherry; Haggie, John; Hawkins, Allan; Joyce, Eddie; Kirby, Dale; Mitchelmore, Christopher; Parsons, Andrew; Trimmer, Perry; Ballard, Donna M; Bown, Charles W.; Brewer, Donna; Chippett, Jamie; Clarke, Beverley; Cochrane, Rachelle; Companion, Lori Anne; Cooper, Bruce; Dooling, Genevieve (AES); Dutton, Sean; Evans, James W; Genge, Daryl; Gover, Aubrey; Hearn, Judith; Jacobs, Heather; Janes, Colleen G; Lewis, David B.; MacDonald, Ellen; Meade, Brent; Mulally, Julia; Puddester, Leigh; Vivian-Walsh, Janet; Williams, Geoff
Cc: Ball, Dwight; Mercer, Greg
Subject: Cabinet Retreat

Ministers,

Please note that next week’s retreat will include a discussion on progress against mandate letters, as well as the Cabinet work plan and potential legislative agenda. Please ensure that you have had the opportunity to be fully briefed by your Deputy Minister on the information provided to Cabinet Secretariat, and that you are prepared to speak to these items at the meeting.
Griffin, Mark

From: Cotter, Joanne
Sent: Tuesday, August 9, 2016 9:39 AM
To: Evans, Sandra; CYFS - Department Wide - All Users
Subject: RE: New Critical Incident and Death Protocol

A supervisor emailed this morning to determine if CPS's were included in the regional leadership group and the answer is yes. CPS's may join this morning's call, if they are available.

From: Cotter, Joanne
Sent: Monday, August 08, 2016 2:42 PM
To: Evans, Sandra; CYFS - Department Wide - All Users
Subject: RE: New Critical Incident and Death Protocol

Hello everyone,

Please disregard if this does not apply to you.

Further to Sandra's email, we will use the attached deck to discuss the revised CI/Death protocol during this week's sessions. The dates and times for each session is included below as well as the dial in information.

First session is tomorrow morning at 10:30 a.m.

Joanne C

From: Evans, Sandra
Sent: Tuesday, August 02, 2016 3:18 PM
To: CYFS - Department Wide - All Users
Subject: New Critical Incident and Death Protocol

Folks:

Please disregard if this does not apply to you.

I am pleased to announce that the Child/Youth Death Review Protocol has now been updated to include critical incidents. This combined Critical Incident and Death Protocol includes a combination of the current processes we have been following for reporting a death or critical incident and some new processes to reflect feedback received from regional staff and best practice. The new Protocol comes into effect September 1, 2016.

There will be a number of information sessions via conference call held throughout August to review the new Protocol with Provincial Office staff and appropriate regional management and front-line staff. You only have to attend one session. The session should only take about 30 minutes but we have allotted 1 hour in case of questions. You do not need to sign-up ahead of time. Dial in information is included below.

Joanne Cotter will facilitate the sessions during the week of August 9th-11th and I will facilitate the sessions from August 23-25th. A power point deck will be sent out a day in advance of the first call in each week.

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Targeted Audience</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tuesday, August 9th</td>
<td>10:30 – 11:30</td>
<td>Regional Management and Provincial Office</td>
</tr>
</tbody>
</table>
Wednesday, August 10th  10:30 – 11:30  Front Line Staff
Thursday, August 11th  10:30 – 11:30  Front Line Staff
Tuesday, August 23rd  10:30 – 11:30  Regional Management and Provincial Office
Wednesday, August 24th  10:30 – 11:30  Front Line Staff
Thursday, August 25th  10:30 – 11:30  Front Line Staff

Please note the times listed above are in NL time.

ACCESS INFORMATION

Dial Toll Free Number 1-888-579-9842
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TELEPHONE KEYPAD FEATURES
*0 Speak to an Operator
*1 Mute/Un-mute your own line
*6 Terminate call when last moderator disconnects (moderator only)

Thank you,

Sandra

Sandra Evans
Director Quality Assurance
Department of Child, Youth and Family Services
5 C Harris Avenue
Mailing Address:
Provincial Building
3 Cromer Avenue
Grand Falls-Windsor, NL A2A 1W9

709-292-4525
709-292-4541 (Fax)

Never miss an opportunity to tell your child “I Love You”
Newfoundland Labrador

Critical Incident and Death Protocol

August 2016
Critical Incident and Death Protocol

- Current Child/Youth Death Review Protocol implemented in March 2014

- Currently no formal protocol for critical Incidents – staff required to follow processes in Death Protocol

- The Child/Youth Death Review Protocol has now been updated to include Critical Incidents and renamed the "Critical Incident/Death Protocol"
Critical Incident and Death Protocol

What Remains Unchanged:

- The definition of a critical incident (CI)
- Immediate assessment of risk and support to child/youth
- The notification process from regional staff to ADM and QA
- Related public communications managed through CYFS Director of Communications
- ADM to notify the Advocate and Chief Medical Examiner as required
Critical Incident and Death Protocol

What HAS changed/been clarified:

- Notification form has been revised based on regional feedback/discussions with QA

- CI/Death Notification form has:
  - “fillable” sections
  - CI categories in a drop down box
  - More space to describe family composition
  - Space for custody and Aboriginal status of child/youth
  - Space for programs currently opened and those previously opened
  - Space for internal and external service providers notified/to be notified of CI or death
  - RD and ADM signs – SCWK’er, CPS and ZM names are included but no signature required.
Critical Incident and Death Protocol

What HAS changed/been clarified:

- The social worked initially informed of the CI/death completes the CI/Death Notification form

- The form is completed on the child/youth unless it involves multiple children in a family receiving PIP services

- Staff have 48 hours (currently 24hrs) to complete and send the form to ADM for approval

- The form will NOT be completed for CI/death notifications on closed cases due to limited information available in those circumstances
Critical Incident and Death Protocol

What HAS changed/been clarified:

- *Date of death of child/youth shall be entered in CRMS as soon as it becomes known*

- Parents of children in interim/temporary custody are notified of CI's/deaths involving their children; notifying parents of children in continuous custody is at the discretion of the ZM

- *QA will complete File Reviews (formally called “File Summary”) on all deaths not related to natural/medical causes and in other cases where required by ADM*

- File review will now contain actions required – this will guide development of an action plan with regional staff

- *File review and QA file closure approved by QA and not ADM*
Critical Incident and Death Protocol

Implementation:

• Updated protocol will be effective September 1, 2016.

• Revised protocol and related forms will be uploaded to the Intranet and send out by email prior to September 1, 2016.

  – CI/Death Notification Form
  – File Review Template
  – Action Plan Template
Questions?
From: Releases, News
Sent: Wednesday, September 28, 2016 11:07 AM
To: Releases, News
Subject: NLIS 3 - Advocate for Children and Youth Calls Four Investigations

NLIS 3
Office of the Advocate for Children and Youth
September 28, 2016

Advocate for Children and Youth Calls Four Investigations

Statement from Carol A. Chafe, Advocate for Children and Youth:

Good Morning:

I will be giving a prepared statement, after which I will be happy to take questions.

On July 27, 2016, I provided notification to the Deputy Ministers of the Departments of Children, Seniors and Social Development (CSSD) (formerly known as Child Youth and Family Services), Health and Community Services, Justice and Public Safety and Education and Early Childhood Development of my intention to conduct four investigations involving children who were in receipt of services provided by government departments and agencies. I have provided the same notification to the CEOs of the Eastern Regional Health Authority, the Newfoundland and Labrador English School District, as well as the Chief of the Royal Newfoundland Constabulary and the Commanding Officer of the Royal Canadian Mounted Police. The purpose of these investigations is to determine whether the services provided met the needs of these children and youth, and whether their right to services was upheld.

The systems currently in place in this province to provide services to children and youth continue to have significant gaps which place children at risk. I will provide a brief overview of each of the four new investigations:

- An 18-year old youth who committed suicide while residing in a group home and receiving services from DCSSD and the Regional Health Authority.
- A 16-year old youth with complex mental health needs whose health deteriorated while in her group home placement and had experienced several critical incidents. Eventually, she was moved to another service provider and is currently thriving in her new placement.
- A family of several children, who had an open protective intervention file with DCCSD for several years, and yet they were allegedly maltreated and physically and sexually abused by their parents.
- A young child who was placed in an alternate care arrangement by DCCSD as his mother required further supports. The child remained in that arrangement for a lengthy period of time and concerns have been identified with the services provided by DCCSD including a lack of permanency planning.

These four new investigations involve the death of one child and three critical incidents related to seven children. In addition to the four new investigations, we are currently conducting six previously called investigations which involve two deaths and four critical incidents involving eighteen children. This results
in a total of 10 investigations that involve the death of three children and seven critical incidents involving 25 children.

It is significant to note, that I only became aware of two of the three deaths and all seven critical incidents through avenues such as family members and/or media. One death, I was notified by the Department of Children, Seniors and Social Development in compliance with the verbal agreement in place with that department since September 2014.

It is imperative that I receive accurate and timely information in the event of a critical incident or death of a child or youth. In November 2014, the House of Assembly passed a motion committing to legislation to respond to my request of June 2014 to amend the Child and Youth Advocate Act to ensure mandatory reporting by all government departments and agencies of critical incidents and deaths of children and youth receiving services. This proposed amendment, if approved, could result in this Office having one of the most progressive legislations in Canada and allow me to further fulfill my mandate as Child and Youth Advocate. It will further enhance the ability of this Office to ensure that the advocacy needs of children and youth are consistently met for all children and youth. Intensive work and collaboration took place from January to June 2015 and the House of Assembly closed before the Cabinet Submission was tabled.

In December 2015, the newly elected Premier included in his mandate letter to the Minister of Children, Seniors and Social Development “to work with your colleagues and the Child Youth Advocate to develop legislation for the House of Assembly that will make it mandatory to report deaths and critical incidents to the advocate.” In the Speech From the Throne, March 8, 2016, Government recognized “the importance of doing everything we can to protect children and youth and will be moving forward with this initiative.” It is almost five years since I put forth the first recommendation to establish a protocol of reporting and over two years since I requested legislative changes to the Child and Youth Advocate Act.

I acknowledge the hard working staff in government departments and agencies who are striving to provide crucial supports and services to our children and youth. However, we can and must do better. We can no longer accept that “change takes time”; action must be taken immediately to make that “change now.” We must ensure that not one more child or youth suffers because their right to services is not upheld.

Thank you for your time today and I welcome any general questions.

Carol A. Chafe
Advocate for Children and Youth

2016 09 28 11:05 a.m.
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For immediate release
Sept. 28, 2016

**Child and Youth Advocate legislation way overdue; must be priority**

The NDP critic for Children, Seniors and Social Development says the province’s Child and Youth Advocate has waited too long for legislation promised first by the former Conservative government, agreed on by the entire House of Assembly, highlighted in last December’s ministerial mandate letters, and promised again in the Speech from the Throne.

St. John’s Centre MHA Gerry Rogers says it is shameful that government is still not providing the advocate with the information she needs, despite her years of formal requests for mandatory reporting legislation.

“When the Liberals were in Opposition, Dwight Ball brought a private member’s motion into the House of Assembly urging the immediate adoption of this legislation. All three parties voted in support of that,” Rogers said.

“The PCs started work, but didn’t get the legislation completed. The Liberals have said it is important, but in the full year they’ve been in office, I have seen no sign that they are actually doing anything to make this legislation happen. They certainly did not introduce it in the spring sitting.”

Rogers says the Child and Youth Advocate’s work helps prevent the repetition of critical incidents or deaths of children or youth, and she must be given accurate and timely information.

“The Advocate says this amendment would give us one of the most progressive legislations in Canada and allow her to further fulfill her mandate as Child and Youth Advocate,” said Rogers.

“Those are two goals we should definitely be striving for. It is inexcusable that government has not yet introduced the legislation.”
For information, contact Jean Graham, ph. 729-2137 (o) or 693-9172 (c).
https://nlndpcaucus.ca/nr092816CYALegislation

Director of Communications, NDP Caucus
O: 709-729-2137 C/T: 709-693-9172
5th floor, Confederation Building
St. John’s, NL A1B 4J6

Melony O’Neill
Director of Communications
Department of Children, Seniors and Social Development (Children and Youth)
95 Elizabeth Avenue, P.O. Box 8700
St. John’s, NL A1B 4J6
709-729-5148

Newfoundland
Labrador
Children, Seniors and Social Development
CYA Investigations – Key Messages  
September 28, 2016

- The Provincial Government respects the role of the Office of the Child and Youth Advocate, and we certainly appreciate the valuable role she plays in child protection in our province. All recommendations and requests for information related to investigations by the Child and Youth Advocate are taken very seriously.

- The Department of Children, Seniors and Social Development (CSSD) works cooperatively with the Advocate’s office, and we continuously provide her with all requested information she requires for her investigations. In fact, we have been providing information on the investigations announced today for some time.

- The death of a child or youth is a tragic and emotional time – whether it is a family member, a friend, or even our dedicated staff who had a vested interest in the lives of these children and youth – and they are all grieving for these losses. We welcome all investigations and, in conjunction with the Advocate, we continue to work toward ensuring the best possible care of children in our province.

- Since 2014, CSSD has been voluntarily notifying the Child and Youth Advocate of all child deaths relating to children receiving services from the department. Collectively, we all share the same goal – namely the best interests of children and youth.

- Over the past several years, the Advocate has brought forward a number of recommendations which are consistent with the recommendations of the Clinical Services Review and other reviews completed on the service delivery of CSSD. They validate our efforts to date towards laying a strong foundation to address the challenges in child protection services.

- In fact, the Provincial Government has implemented approximately 90 per cent of the recommendations put forward by the Child and Youth Advocate in her various reports. A total of 92 of the 104 recommendations have been fully implemented, and the Advocate has classified the outstanding items as partially implemented, and work continues on these recommendations.

- The Child and Youth Advocate has also called for amendments to the Child and Youth Advocate Act to require the departments of Children, Seniors and Social Development; Health and Community Services; Justice and Public Safety; and Education and Early Childhood Development (as well as their agencies) to report child/youth deaths or critical incidents to the Advocate within 24 hours of notification.
• While we recognize the process has been ongoing for some time, changes to the Advocate’s legislation impact many government departments. Therefore, consultations, input and feedback from all government departments/stakeholders was necessary.

• Since the onset of the process, a considerable amount of work has been done by all the relevant departments, as well as the Child and Youth Advocate’s office (a DM committee was established; a working group was established which included CYA representative; groups met regularly to develop definition of critical incident and understand the parameters of CYA’s request). Each department continues to work on developing their individual proposed reporting protocol.

• The proposed legislation is progressive and would be unprecedented across the country, particularly considering that no other province or territory requires that four departments including Health, Justice, Education, and Child Protection report critical incidents and deaths to the Child and Youth Advocate.

• It is also important to note that the absence of mandatory reporting to the Child and Youth Advocate does not mean that departments and agencies do not have appropriate accountability measures already in place to respond to critical incidents and deaths.

• The safety and protection of our vulnerable populations such as children and youth is an important focus for our government. We will continue to work cooperatively with the Child and Youth Advocate and also continue to review all our existing programs and services and focus on addressing any identified issues.
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
From: White, Kelly
Sent: Monday, October 3, 2016 9:13 AM
To: GambinWalsh, Sherry
Subject: RE: CYA INvestigations....Key Messages

OK

Kelly White
Executive Assistant -
Minister Sherry Gambin-Walsh
Children, Seniors and Social Development
Minister Responsible for the Newfoundland and Labrador Housing Corporation
Minister Responsible for the Status of Persons with Disabilities

Second Floor, West Block, Confederation Complex
P.O. Box 8700, St. John’s NL A1B 4J6
709-729-0660 (SWSD)
709-729-0160 (CYFS)
kellywhite@gov.nl.ca

From: GambinWalsh, Sherry
Sent: Monday, October 03, 2016 9:13 AM
To: White, Kelly
Subject: Re: CYA INvestigations....Key Messages

Txs. I have a paper copy with me. Paddy is hosting this am. On at 09:30ish

Sent from my BlackBerry 10 smartphone on the Bell network.

From: White, Kelly
Sent: Monday, October 3, 2016 9:01 AM
To: GambinWalsh, Sherry
Subject: CYA INvestigations....Key Messages

CYA Investigations – Key Messages
September 28, 2016

- The Provincial Government respects the role of the Office of the Child and Youth Advocate, and we certainly appreciate the valuable role she plays in child protection in our province. All recommendations and requests for information related to investigations by the Child and Youth Advocate are taken very seriously.

- The Department of Children, Seniors and Social Development (CSSD) works cooperatively with the Advocate’s office, and we continuously provide her with all requested information she requires for her investigations. In fact, we have been providing information on the investigations announced today for some time.

- The death of a child or youth is a tragic and emotional time – whether it is a family member, a friend, or even our dedicated staff who had a vested interest in the lives of these children and youth – and they are all grieving for these losses. We welcome all investigations and, in conjunction with the Advocate, we continue to work toward ensuring the best possible care of children in our province.
Since 2014, CSSD has been voluntarily notifying the Child and Youth Advocate of all child deaths relating to children receiving services from the department. Collectively, we all share the same goal – namely the best interests of children and youth.

Over the past several years, the Advocate has brought forward a number of recommendations which are consistent with the recommendations of the Clinical Services Review and other reviews completed on the service delivery of CSSD. They validate our efforts to date towards laying a strong foundation to address the challenges in child protection services.

In fact, the Provincial Government has implemented approximately 90 per cent of the recommendations put forward by the Child and Youth Advocate in her various reports. A total of 92 of the 104 recommendations have been fully implemented, and the Advocate has classified the outstanding items as partially implemented, and work continues on these recommendations.

The Child and Youth Advocate has also called for amendments to the Child and Youth Advocate Act to require the departments of Children, Seniors and Social Development; Health and Community Services; Justice and Public Safety; and Education and Early Childhood Development (as well as their agencies) to report child/youth deaths or critical incidents to the Advocate within 24 hours of notification.

While we recognize the process has been ongoing for some time, changes to the Advocate's legislation impact many government departments. Therefore, consultations, input and feedback from all government departments/stakeholders was necessary.

Since the onset of the process, a considerable amount of work has been done by all the relevant departments, as well as the Child and Youth Advocate’s office (a DM committee was established; a working group was established which included CYA representative; groups met regularly to develop definition of critical incident and understand the parameters of CYA’s request). Each department continues to work on developing their individual proposed reporting protocol.

The proposed legislation is progressive and would be unprecedented across the country, particularly considering that no other province or territory requires that four departments including Health, Justice, Education, and Child Protection report critical incidents and deaths to the Child and Youth Advocate.

It is also important to note that the absence of mandatory reporting to the Child and Youth Advocate does not mean that departments and agencies do not have appropriate accountability measures already in place to respond to critical incidents and deaths.

The safety and protection of our vulnerable populations such as children and youth is an important focus for our government. We will continue to work cooperatively with the Child and Youth Advocate and also continue to review all our existing programs and services and focus on addressing any identified issues.

Kelly White
Executive Assistant -
Minister Sherry Gamlin-Walsh
Children, Seniors and Social Development
Minister Responsible for the Newfoundland and Labrador Housing Corporation
Minister Responsible for the Status of Persons with Disabilities

Second Floor, West Block, Confederation Complex
P.O. Box 8700, St. John's NL A1B 4J6
Minister,
Attached pls find a meeting note for tomorrow am's meeting with Carol. We will be briefing you on this at 930am.
Bruce

Sent from my BlackBerry 10 smartphone on the Bell network.
Meeting Note
Department of Children, Seniors and Social Development
Meeting with the Office of the Child and Youth Advocate
October 12th, 2016, 10:00am
6th Floor, Confederation Building, West Block

Attendees: Minister Gamblin-Walsh, Deputy Minister Bruce Cooper, Assistant Deputy Minister Jean Tilley

Purpose of Meeting:

- Quarterly Meeting with the Office of the Child and Youth Advocate (OCYA). The last meeting occurred on May 25, 2016.

- The Advocate has requested an update on the following items:
  1.  
  2.  
  3.  
  4.  
  5. Status of Request for Legislative Changes

Background:

- Since 2006, the Child and Youth Advocate has completed eight investigative reports and four reviews.

- On an annual basis, the Advocate publishes a status report on the actions taken by departments/agencies to implement the recommendations from reviews and reports. On April 18, 2016, the Advocate provided her most recent report regarding the status of implementation. The 2015 Status Report notes that of the 183 recommendations from the Advocate since 2006, 82% are implemented, 11% are partially implemented and 7% are no longer applicable.

- The Advocate launched four investigations into CSSD files in August 2016. Two files have been completed. The remaining two files are ongoing. We provided the Advocate with a schedule indicating we would provide the complete documentation on the outstanding two files by November 4, 2016.

- There are ten active investigations by the OCYA, including the four launched in August 2016.
Agenda Item #5 (Status of Request for Legislative Changes)

- The Advocate has requested a change to her legislation for the mandatory reporting of deaths and Critical Incidents (CIs) from government departments. The Advocate feels that current delays in receiving information about child deaths and critical incidents prevents the office from intervening early to prevent future incidents from occurring.

- Between 2011 and 2014, three investigative reports from the Advocate have recommended the development of a protocol with CSSD for mandatory reporting of deaths and CIs involving children and youth.

- In September 2014, CSSD began reporting deaths in policy to the OCYA. This decision corresponded with an ATIPPA request from the CBC on the child/youth deaths from 2009-2014. At the time, the Advocate publicly advised she was not aware of the deaths and advocated for CSSD to commence reporting.

- The fall 2015 Liberal Platform committed to legislating reporting with the Minister of CSSD directed, in her mandate letter, to action this file. A further commitment was noted in the March 2016 Speech from the Throne.

Analysis

- A considerable amount of work has been done by all the relevant departments, as well as the Child and Youth Advocate’s office.

- A Deputy Ministers committee and a working group was which included CYA representative; groups met regularly to develop the definition of critical incident and understand the parameters of CYA’s request.
Each department continues to work on developing their individual proposed reporting protocol.

**Potential Speaking Points**

- It is recognized the process has been ongoing for some time however changes to the Advocate's legislation impact many government departments. Therefore, consultations, input and feedback from all government departments/stakeholders is necessary.

- Since the onset of the process, a considerable amount of work has been done by all the relevant departments, as well as the Child and Youth Advocate's office (a DM committee was established; a working group was established which included CYA representative; groups met regularly to develop definition of critical incident and understand the parameters of CYA's request). Each department continues to work on developing their individual proposed reporting protocol.

- The proposed legislation is progressive and would be unprecedented across the country, particularly considering that no other province or territory requires that four departments including Health, Justice, Education, and Child Protection report critical incidents and deaths to the Child and Youth Advocate.

- It is also important to note that the absence of mandatory reporting to the Child and Youth Advocate does not mean that departments and agencies do not have appropriate accountability measures already in place to respond to critical incidents and deaths.

**Proposed Actions**

- The safety and protection of our vulnerable populations such as children and youth is an important focus for our government. We will continue to work cooperatively with the Child and Youth Advocate and also continue to review our existing programs and services, while addressing any identified issues.

**Prepared/Approved by:**  M Griffin/J Tilley  
**Ministerial Approval:** Received from Hon: Sherry Gamblin-Walsh  
**October 11, 2016**
I will let them know.

I'll also give you the messaging on the CYA's request for mandatory reporting.

Thanks,

Mel

Sent from my BlackBerry 10 smartphone on the Bell network.

Yes, around 9:30 - 9:45.

We need to be prepared for anything else Jonathon may ask me about.

Hi Minister,

Nightline has sent the invitation below for tomorrow night. I will pull together some key messages for you, if you are able to accommodate this request.

Thanks,
Mel

Melony O’Neill
Director of Communications
Department of Children, Seniors and Social Development (Children and Youth)
6th Floor, West Block
St. John’s, NL A1B 4J6
709-729-5148

Newfoundland Labrador

Children, Seniors and Social Development

From: Dave Williams [mailto:dwilliams@newcap.ca]
Sent: Monday, October 17, 2016 3:48 PM
To: O’Neill, Melony
Subject: VOCM Interview Request

Afternoon Melony,

I wanted to extend an invitation to the Minister to promote Foster Families Week during Nightline with Jonathan Richler. I was hoping we could speak tomorrow evening between 8-10 pm.

Cheers,
Dave Williams
Producer of Nightline
570-1143
Hi Minister,

Attached please find key messages on [redacted]. All of this should provide you with a broad picture for any questions the host may ask.

I have also included the recent messaging on the CYA investigations and mandatory reporting. [redacted]

Let me know if you need anything else.

Thanks,

Melony

Melony O'Neill
Director of Communications
Department of Children, Seniors and Social Development (Children and Youth)
6th Floor, West Block
St. John's, NL A1B 4J6
709-729-5148

Children, Seniors and Social Development
The Provincial Government respects the role of the Office of the Child and Youth Advocate, and we certainly appreciate the valuable role she plays in child protection in our province. All recommendations and requests for information related to investigations by the Child and Youth Advocate are taken very seriously.

The Department of Children, Seniors and Social Development (CSSD) works cooperatively with the Advocate’s office, and we continuously provide her with all requested information she requires for her investigations. In fact, we have been providing information on the investigations announced today for some time.

The death of a child or youth is a tragic and emotional time — whether it is a family member, a friend, or even our dedicated staff who had a vested interest in the lives of these children and youth — and they are all grieving for these losses. We welcome all investigations and, in conjunction with the Advocate, we continue to work toward ensuring the best possible care of children in our province.

Since 2014, CSSD has been voluntarily notifying the Child and Youth Advocate of all child deaths relating to children receiving services from the department. Collectively, we all share the same goal — namely the best interests of children and youth.

Over the past several years, the Advocate has brought forward a number of recommendations which are consistent with the recommendations of the *Clinical Services Review* and other reviews completed on the service delivery of CSSD. They validate our efforts to date towards laying a strong foundation to address the challenges in child protection services.

In fact, the Provincial Government has implemented approximately 90 per cent of the recommendations put forward by the Child and Youth Advocate in her various reports. A total of 92 of the 104 recommendations have been fully implemented, and the Advocate has classified the outstanding items as partially implemented, and work continues on these recommendations.

The Child and Youth Advocate has also called for amendments to the *Child and Youth Advocate Act* to require the departments of Children, Seniors and Social Development; Health and Community Services; Justice and Public Safety; and Education and Early Childhood Development (as well as their agencies) to report child/youth deaths or critical incidents to the Advocate within 24 hours of notification.
• While we recognize the process has been ongoing for some time, changes to the Advocate’s legislation impact many government departments. Therefore, consultations, input and feedback from all government departments/stakeholders was necessary.

• Since the onset of the process, a considerable amount of work has been done by all the relevant departments, as well as the Child and Youth Advocate’s office (a DM committee was established; a working group was established which included CYA representative; groups met regularly to develop definition of critical incident and understand the parameters of CYA’s request). Each department continues to work on developing their individual proposed reporting protocol.

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• The safety and protection of our vulnerable populations such as children and youth is an important focus for our government. We will continue to work cooperatively with the Child and Youth Advocate and also continue to review all our existing programs and services and focus on addressing any identified issues.
Thanks

From: O'Neill, Melony
Sent: Tuesday, October 18, 2016 10:50 AM
To: GambinWalsh, Sherry <SherryGambinWalsh@gov.nl.ca>
Cc: White, Kelly <KellyWhite@gov.nl.ca>; Shea, Erin <ErinShea@gov.nl.ca>
Subject: RE: Key Messages

The producer just contacted me and said the best number to call is 570-1143.

Thanks,

Melony

Melony O'Neill
Director of Communications
Department of Children, Seniors and Social Development (Children and Youth)
6th Floor, West Block
St. John's, NL A1B 4J6
709-729-5148

Newfoundland Labrador

Children, Seniors and Social Development

From: O'Neill, Melony
Sent: Tuesday, October 18, 2016 10:26 AM
To: GambinWalsh, Sherry
Cc: White, Kelly; Shea, Erin
Subject: Key Messages

Hi Minister,

Attached please find key messages on [URL] All of this should provide you with a broad picture for any questions the host may ask.

I have also included the recent messaging on the CYA investigations and mandatory reporting.

Let me know if you need anything else.
Thanks,

Melony

Melony O’Neill
Director of Communications
Department of Children, Seniors and Social Development (Children and Youth)
6th Floor, West Block
St. John’s, NL A1B 4J6
709-729-5148

Newfoundland Labrador
Children, Seniors and Social Development
Hi Jean,

Here's the newest version of the Mandatory Reporting Note. The highlighted part has been added from the binder edits.

Thanks,

E.

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**House of Assembly Note**

**Title:** Mandatory Reporting of Critical Incidents and Deaths to the Office of the Child and Youth Advocate (OCYA)

**Key Messages:**

- CSSD continues to work toward fulfilling the direction outlined in the December 2015 mandate letter to work with colleagues and the Advocate to develop legislation on mandatory reporting of critical incidents and deaths to the Advocate for consideration in the House of Assembly.

- I recently met with the Advocate (October 2016) to keep her informed and updated on our government’s progress, and there is a meeting being scheduled with the Advocate to advance this further in the coming days.

- Since September 2014, my department has been voluntarily reporting all deaths to the Advocate, resulting in the reporting of about 10 deaths per year.

- The Advocate is supportive of this process, but has requested that reporting be legislated as opposed to an agreement with the department.

- Since the onset of the process, work has been done by all relevant departments, as well as the Child and Youth Advocate's office. Each department continues to work on their individual proposed reporting protocol.

- While we recognize the process has been ongoing for some time, changes to the Advocate’s legislation impact many government departments. Therefore, consultations, input and feedback from all government departments/stakeholders was necessary.
• Since the onset of the process, a considerable amount of work has been done by all the relevant departments, as well as the Child and Youth Advocate’s office (a DM committee was established; a working group was established which included CYA representative; groups met regularly to develop definition of critical incident and understand the parameters of CYA’s request). Each department continues to work on developing their individual proposed reporting protocol.

• The proposed legislation is progressive and would be unprecedented across the country, particularly considering that no other province or territory requires that four departments including Health, Justice, Education, and Child Protection report critical incidents and deaths to the Child and Youth Advocate.

• It is also important to note that the absence of mandatory reporting to the Child and Youth Advocate does not mean that departments and agencies do not have appropriate accountability measures already in place to respond to critical incidents and deaths.

• The safety and protection of our vulnerable populations such as children and youth is an important focus for our government. We will continue to work cooperatively with the Child and Youth Advocate and also continue to review all our existing programs and services and focus on addressing any identified issues.

• The Speech from the Throne indicates our government’s commitment to advancing this legislation.
Background:

- In recent years, Advocate's reports have recommended the development of a protocol with CSSD for the reporting of CI's and deaths involving children and youth.

- In July 2014 the Advocate tabled a briefing note in the HOA outlining her rationale for the mandatory reporting of deaths and CI's including that the current delay in receiving information from government about child deaths prevents her from intervening early to advocate or investigate matters and to prevent future incidents from occurring.

- The Advocate has publically stated the need for legislative change after she became aware through the media (who were advised through an ATIPPA request) of the deaths of 26 children previously involved with CSSD.

- In November 2014 the HOA passed a motion committing to legislation to respond to the Advocate's request for mandatory reporting of CI's and deaths to her office.

- In December 2015 the Minister of CYFS was directed in the departmental mandate letter to develop legislation for consideration by the HOA regarding this reporting. A further commitment was noted in the March 2016 Speech from the Throne.

Current Status:

- The departments of CSSD, JPS, HCS and EECD are completing an in-depth analysis of the Advocate's request to ensure we fully appreciate the implications resulting from mandatory reporting for each department and for the whole of government particularly in the current fiscal climate.

Prepared by/Reviewed by: M. Griffin/J. Tilley
House of Assembly Note

Title: Mandatory Reporting of Critical Incidents and Deaths to the Office of the Child and Youth Advocate (OCYA)

Key Messages:

- CSSD continues to work toward fulfilling the direction outlined in the December 2015 mandate letter to work with colleagues and the Advocate to develop legislation on mandatory reporting of critical incidents and deaths to the Advocate for consideration in the House of Assembly.

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- The Advocate is supportive of this process, but has requested that reporting be legislated as opposed to an agreement with the department.

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Current Status:

- The departments of CSSD, JPS, HCS and EECD are completing an in-depth analysis of the Advocate’s request to ensure we fully appreciate the implications resulting from mandatory reporting for each department and for the whole of government particularly in the current fiscal climate.

Prepared by/ Reviewed by: M. Griffin/J. Tilley
Can one of you ladies kindly print this for the minister?

Thanks,

Mel

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Barfoot, Scott <ScottBarfoot@gov.nl.ca>
Sent: Monday, November 21, 2016 11:36 AM
To: Cooper, Bruce; O'Neill, Melony
Subject: FW: NLNewsNow Transcript - ADVISE FOR REPLACEMENT: "Carol Chafe" talks about what advi

From: NLIS, NLIS
Sent: Monday, November 21, 2016 11:25 AM
To: Shea, Erin; O'Neill, Melony
Cc: Cannizzaro, Michelle; Foote, Carla; Barfoot, Scott
Subject: FW: NLNewsNow Transcript - ADVISE FOR REPLACEMENT: "Carol Chafe" talks about what advi

ADVISE FOR REPLACEMENT: "Carol Chafe" talks about what advise she would give whoever ends up in the position of Child and Youth Advocate about it being all about the children and youth. She urges government to cooperate with the office because it is so crucial that there be mandatory reporting.

["Heather Gillis", Guest Panelist]

Program: NTV - Issues & Answers
Aired: 2016/11/20 12:25:00pm
Duration: 00:04:00
Reporter: Lynn Burry
Ref Id: n6X-3V6-20

Please find attached the requested transcript.
ADVISE FOR REPLACEMENT: "Carol Chafe" talks about what advice she would give whoever ends up in the position of Child and Youth Advocate about it being all about the children and youth. She urges government to cooperate with the office because it is so crucial that there be mandatory reporting. ["Heather Gillis", Guest Panelist]

Program: NTV - Issues & Answers
Aired: 2016/11/20 12:25:00pm
Duration: 00:04:00
Reporter: Lynn Burry
Ref Id: n6X-3V6-20

HEATHER GILLIS: As many people know, you will be leaving in the middle of December, and moving on; you haven't reapplied for your job, but, for the person who steps up and takes it next: what kind of advice do you have for them going forward, for children and youth in the province?

CAROL CHAFE: Well, firstly, I would say focus on the children and youth. This position is so crucial; I mean, people fought for this to be created years ago, this office and this position, and especially over the most recent years, its been so productive and so good for what we can do for the children and youth. So, its crucial that the person in there is focused on that; focused on the mandate of the office. Its not a role you go into for yourself, or to promote yourself or anything else. It has to be all about the children and youth. The second thing is, I would say, there are a lot of good processes we have set up, and I have excellent staff there: Please, you know, work with them and listen to them. Move forward what we've done, by all means, you know...you have your own ideas, but don't just wipe out what's been done. Have a good clear eye and look at it all, and just move the momentum forward and don't give up, because every little bit of progress helps in moving it forward.

LYNN BURRY: And your advice to the government, when it comes to assisting the work of your office?

CAROL CHAFE: Oh, well, as always, under the legislation, cooperate and provide us with the information we want, but please pass the legislation for mandatory reporting for the office, because, as I said, I wasn't pursuing that for me, myself, but for the position and the office, and that's so crucial for all the children and youth; that that legislation for mandatory reporting of critical incidents and deaths occur, because then, at least, we're knowing about everything, and we can try and help every child, instead of just one.

LYNN BURRY: And, of course, the comment you made just a moment ago that if there are cutbacks to come in government spending, it should not be in...

CAROL CHAFE: No, its not an area to even consider, it really isn't, because its obvious that it needs the resources, and it needs more attention.

LYNN BURRY: Ms. Chafe, I know you're retiring from this position. You've had a career now as Child and Youth Advocate; you had a long career in the health care sector as well, and this may not be the last
we've heard of Carol Chafe.

CAROL CHAFE: That's not my plan right now. I'll take a little break, but I'm certainly ready to take on another challenge.

LYNN BURRY: Well, good luck to you in the future.

CAROL CHAFE: Thank you very much.
LYNN BURRY: Welcome back everyone and our special guest on this week's program is Carol Chafe who is the province's Child and Youth Advocate who announced to the public earlier this week that she was going to step down from her position and finishes up the middle of December. Our next question comes from Heather Gillis.

HEATHER GILLIS: With mandatory reporting of child deaths and critical incidents still not there, how would this help you advocate for children and youth in the province.

CAROL CHAFE: Well ah you know, as I've said many times in terms of seeking that I only become aware of cases through various avenues and whether that is that the client calls us themselves, a family member, a professional, I hear it in the media from your stories; I'm not getting notified automatically by Departments when critical incidents occur or deaths. Since I've been seeking this, now it's five years since I first brought this issue up and that was initially when making recommendations directly to CYFS in particular I mean my office has a mandate for other government departments but the key one is CYFS but, and you know that wasn't
getting responded to so then I formally a couple of years ago did put in that I wanted a change in legislation and you know the process I've gone through for that. We are finally making really good progress. In 2014 near the end of year, the PC government at the time agreed, they brought it right to the House and it was all agreed to that they would move forward. From January to June of 2015 we had a lot of good work, we had a good working committee of those departments and my office. A lot of work done and we were this close and the House closed in June but there was still an intent and a promise that you know hopefully it would pass in the fall and we would have this up and running January 2016. Then there was a new election and really here we are today and honestly I have inquired on a regular basis every opportunity I'm out on an issue I raise, I keep getting assured it's still a priority you know and I appreciate that but I have not seen one effort of movement moving forth. Having said that there is a meeting supposed to come up soon next week that I will be back at the table for the first time in over a year to talk with those departments on it.

LYNN BURRY: Do you worry with the fact that we are going through difficult economic times, that there will be a trickle down effect when it comes to having social workers and people on the ground who are able to detect child abuse the way that they should be. I'm just wondering about cutbacks, do you see that having an effect or not?

CAROL CHAFE: If there were cutbacks it would most definitely have an effect, a very negative effect. I would like to think that no government would ever cut down the crucial services that can further put those children and youth at risk.

 NL News Now
 Email: production@nlnewsnow.ca
 Tel: 709-726-6397
 Web: www.nlnewsnow.ca
MANDATORY REPORTING: Child and Youth Advocate "Carol Chafe" discusses the need for mandatory reporting of child deaths and critical incidents. ['Heather Gillis', Guest Panelist]

Program: NTV - Issues & Answers  
Aired: 2016/11/20 12:15:00pm  
Duration: 00:06:00  
Reporter: Lynn Burry  
Ref Id: Z6S-3c7-20

LYNN BURRY: Welcome back everyone and our special guest on this week’s program is Carol Chafe who is the province’s Child and Youth Advocate who announced to the public earlier this week that she was going to step down from her position and finishes up the middle of December. Our next question comes from Heather Gillis.

HEATHER GILLIS: With mandatory reporting of child deaths and critical incidents still not there, how would this help you advocate for children and youth in the province.

CAROL CHAFE: Well ah you know, as I’ve said many times in terms of seeking that I only become aware of cases through various avenues and whether that is that the client calls us ourselves, a family member, a professional, I hear it in the media from your stories; I’m not getting notified automatically by Departments when critical incidents occur or deaths. Since I’ve been seeking this, now it’s five years since I first brought this issue up and that was initially when making recommendations directly to CYFS in particular I mean my office has a mandate for other government departments but the key one is CYFS but, and you know that wasn’t getting responded to so then I formally a couple of years ago did put in that I wanted a change in legislation and you know the process I’ve gone through for that. We are finally making really good progress. In 2014 near the end of year, the PC government at the time agreed, they brought it right to the House and it was all agreed to that they would move forward. From January to June of 2015 we had a lot of good work, we had a good working committee of those departments and my office. A lot of work done and we were this close and the House closed in June but there was still an intent and a promise that you know hopefully it would pass in the fall and we would have this up and running January 2016. Then there was a new election and really here we are today and honestly I have inquired on a regular basis every opportunity I’m out on an issue I raise, I keep getting assured it’s still a priority you know and I appreciate that but I have not seen one effort of movement moving forth. Having said that there is a meeting supposed to come up soon next week that I will be back at the table for the first time in over a year to talk with those departments on it.

LYNN BURRY: Do you worry with the fact that we are going through difficult economic times, that there will be a trickle down effect when it comes to having social workers and people on the ground who are able to detect child abuse the way that they should be. I’m just wondering about cutbacks, do you see that having an effect or not?

CAROL CHAFE: If there were cutbacks it would most definitely have an effect, a very negative effect. I would like to think that no government would ever cut down the crucial services that can further put
those children and youth at risk.
Griffin, Mark

From: GambinWalsh, Sherry
Sent: Monday, November 21, 2016 4:32 PM
To: Shea, Erin; Bennett, Derek; Cooper, Bruce; GambinWalsh, Sherry; Healey, Rick M.; Tilley, Jean; Walsh, Susan; White, Kelly
Cc: O'Neil, Melony; Shea, Erin
Subject: Re: QP for Monday, Nov 21

Can we get the info on when the CYA's position was posted online; when it was removed and where we are with the process - IAC?

Thank you,
Minister

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Shea, Erin
Sent: Monday, November 21, 2016 4:24 PM
To: Bennett, Derek; Cooper, Bruce; GambinWalsh, Sherry; Healey, Rick M.; Tilley, Jean; Walsh, Susan; White, Kelly
Cc: O'Neil, Melony; Shea, Erin
Subject: QP for Monday, Nov 21

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MR. SPEAKER: The hon. Member for Fortune Bay – Cape La Hune.

MS. PERRY: Thank you, Mr. Speaker.

Did the minister of child, youth and family services have any concerns about government collapsing the once stand-alone Department of CYFS?

MR. SPEAKER: The hon. the Minister of Children, Seniors and Social Development.

MS. GAMBIN-WALSH: Not at all, Mr. Speaker.

We have put two very good teams together. Child protection is a critical and challenging area of service delivery and the two teams together are doing a great job.

SOME HON. MEMBERS: Hear, hear!

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MS. PERRY: The Child and Youth Advocate, Carol Chafe, in an interview this weekend said that she was pleased with the progress being made by the former administration. Little to nothing has been done by the current government over the last 12 months.

I ask the minister: Can she tell us what's been done with mandatory reporting legislation?

MR. SPEAKER: The hon. Minister of Children, Seniors and Social Development.

MS. GAMBIN-WALSH: Thank you, Mr. Speaker.

Yes, Mr. Speaker, I, myself, met with the Child and Youth Advocate just last month and my team is meeting next month. The department's involved with the critical incident reporting, reporting of deaths and critical incidents - are working independently on their own issues and their own statements.

Thank you.

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SOME HON. MEMBERS: Oh, oh!
MR. SPEAKER: Order, please!
The Member for Fortune Bay – Cape La Hune.
MS. PERRY: Thank you so much, Mr. Speaker.
It was tabled in our last days of government, so why have you been delaying it for over a year?
MR. SPEAKER: The hon. the Minister of Children, Seniors and Social Development.
MS. GAMBIN-WALSH: Mr. Speaker, I’m not sure how they knew it was going to be their last days in government and I’m not sure why they didn’t put it through; however, we are working to put it through and we will deliver on our promise.
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MR. SPEAKER: The hon. the Member for Fortune Bay – Cape La Hune.
MS. PERRY: We certainly didn’t know that would happen. That’s how history turned out. If we were there it would have been done by now, Mr. Speaker.
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MS. PERRY: I ask the minister of child, youth and family services with respect to children that are in the care of the Newfoundland government, what measures has her government put in place to ensure these children are receiving the proper vaccinations?
MR. SPEAKER: The hon. the Minister of Health and Community Services.
MR. HAGGIE: Mr. Speaker, there is a universal vaccination program for, I think, somewhere between 11 and 14 conditions which rolls out and is available to every child in the province free of charge.

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MS. PERRY: Mr. Speaker, it doesn’t give me a comfort level that they’re looking after the children in their care.

When will all the children in the care of government receive their vaccinations?

MR. SPEAKER: The hon. the Minister of Health and Community Services.

MR. HAGGIE: Mr. Speaker, thank you for the question. If the Member opposite has any evidence that they are not receiving them, I would be delighted to hear it.

MR. SPEAKER: The hon. the Member for the District of St. John’s Centre.

MS. ROGERS: Mr. Speaker, Carol Chafe, the Child and Youth Advocate is stepping down after six years of intensive and courageous work on behalf of the children and youth of our province. Her last day is December 15, less than a month away.

I ask the minister, Mr. Speaker: How long has she known the advocate was stepping down, what has she done to start the process to find a new replacement, how long will it take the Independent Appointments Commission to find her replacement?

MR. SPEAKER: The hon. the Minister of Children, Seniors and Social Development.

MS. GAMBIN-WALSH: Mr. Speaker, I found out like everyone else when Carol was stepping down, through the media release. The appointments, it will go through the Independent Appointments Commission. I would like to take this opportunity to thank Carol. Her work has been phenomenal and she is dedicated to her job.

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MR. SPEAKER: The hon. the Member for St. John’s Centre.

MS. ROGERS: Mr. Speaker, this is a crucial role in our province. I ask the minister: What is planning to do to fill the vacant position of Child and Youth Advocate until a new advocate is found?

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MR. SPEAKER: The hon. the Member for St. John’s Centre.

MS. ROGERS: Mr. Speaker, December 15 is just a few weeks away. What is she going to do to bridge that gap?

MR. SPEAKER: The hon. the Minister of Children, Seniors and Social Development.

MS. GAMBIN-WALSH: Mr. Speaker, we knew this position was up for review and we have already put it up on the website and advertised for the position.

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MS. ROGERS: Thank you, Mr. Speaker.

Well it’s going to take longer than a few weeks I dare say.

Mr. Speaker, I ask the minister what is she going to do to address the crisis issues the Auditor General raised in his report regarding the documentation and assessment issues in child protection cases?

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MS. GAMBIN-WALSH: Mr. Speaker, child protection is a critical and challenging area of service delivery. Every day our social workers go to work making difficult decisions about the safety and protection of our children. Our department has put in place a quality committee. We accept all 27 recommendations of the Auditor General. We have met with the School of Social Work so we can fast track a program on documenting. Thank you, Mr. Speaker.

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MS. ROGERS: Again, Mr. Speaker, I ask the minister where is the crucial long-awaited legislation of mandatory reporting of deaths and critical incidents of children and youth to the Child and Youth Advocate. When can we see that?

MR. SPEAKER: The hon. the Minister of Children, Seniors and Social Development, for a quick response.

MS. GAMBIN-WALSH: Mr. Speaker, the work is ongoing and as I said earlier each department is working on their individual proposed reporting protocol.

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PARTIALLY EDITED QUESTION PERIOD

Monday, November 21, 2016

Oral Questions

MR. SPEAKER: The hon. the Leader of the Opposition.

MR. P. DAVIS: Thank you, Mr. Speaker.

The federal government announced today their commitment to phase out coal-fired generated electricity by 2030. Mr. Speaker, this decision is significant for Newfoundlanders and Labradoreans.

I ask the Premier: Will you demand a commitment from Quebec to ensure that Newfoundland and Labrador is given fair transmission access through Quebec, that same access that Newfoundlanders and Labradoreans have been denied for 40 years?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

I would say that based on the work of the prior administration that access was denied by the work that they have done. Mr. Speaker, as you know, back in July of this year we met in the Yukon and part of the Agreement on Internal Trade factors into the free flow of electricity.

That agreement has not been finalized yet, but we all recognize that the free flow of electricity through jurisdictions like Quebec and across jurisdictional borders are important for all of us.

Mr. Speaker, what is important is that we continue a working relationship with all our provinces, which could include Nova Scotia, New Brunswick and others, to make sure that the flow of electricity, no different than the railway would have been many, many years ago, is important to all Canadians and is important to Newfoundlanders and Labradoreans.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Leader of the Opposition.

MR. P. DAVIS: Thank you, Mr. Speaker.

The Premier likes to talk about the past administration. Well, we’ve been denied access since 1969, Mr. Speaker – 1969, an incredible long time.

I ask the Premier: Why would you not commit to confirming transmission before you start courting Quebec on other deals? Transmission is the key to export; it’s the key to the success of the Churchill River.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

Transmission, of course, until we get to the point where you can actually find some creative way to deliver electricity wirelessly – we’re not there yet, but transmission is extremely important, Mr. Speaker. What’s important too is we continue to put in place good working relationships, whether it’s through Atlantic Canada or through Quebec or whatever the jurisdictions would be.
So, Mr. Speaker, we look forward to working with the federal government, we look forward to working with all provincial governments to make sure that if we have wealth or we have the opportunities to develop the Lower Churchill that, indeed, there is a mechanism to get that to markets.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Leader of the Opposition.

MR. P. DAVIS: Thank you, Mr. Speaker.

You’re right, Premier; partnership is key. There’s much speculation that this announcement was coming and it’s good for Newfoundland and Labrador – as I mentioned, it is good for Newfoundland and Labrador that the federal government has now made this; 2030 is not far away.

But having speculated this was coming, I’ll ask the Premier: Have you had any discussions with the premier of Nova Scotia and New Brunswick about Newfoundland and Labrador supplying more renewable power to help meet their needs as the coal-fired is phased out?

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

I’m sure the former premier would recognize since it’s part of the Canadian Energy Strategy, which he was a signature on as part of the co-chair of this, what happens with transmission is extremely important. It’s a strategy that we continue to work with.

In early December of this year, hopefully around December 9, there will be a meeting on climate change. It will occur in Ottawa. And, of course, electricity and hydro power will be a significant part of that, as well wind power, solar power and beyond.

So no matter where we go with the energy assets that we have in our province, it’s important that we have access to markets. I think anyone that would have followed any of the comments coming out of Nova Scotia, comments that I would have made last week, Nova Scotia is certainly someone who is interested in working with our province to develop resources that we have in Newfoundland and Labrador. But it will only be when it’s right for Newfoundlanders and Labradorians.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Leader of the Opposition.

MR. P. DAVIS: Thank you, Mr. Speaker.

I was part of the strategy, and was pleased to be part of the strategy, but a strategy is not a commitment.

Now, last week, Premier, you refused to commit to bringing a deal to the people of Newfoundland and Labrador first.

So I ask the Premier: Do you commit to keeping the people of Newfoundland and Labrador informed about your discussions with Quebec, or should Newfoundlanders and Labradorians just tune in to Quebec media to find out and get updates?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

Well, it’s a far cry from that question from where the former Premier was last week when he was saying he was more interested in closing the doors and abruptly leading meetings. This was a strategy that he’s saying today that he
endorsed, because he was a part of forming that agreement, but yet last week he was distancing himself from the very thing that he was part of, I say, Mr. Speaker.

This really goes to why there’ve been so many failed attempts, I would say, because of the attitude of the people like the former Premier when it comes to working with our provincial colleagues, Mr. Speaker.

We will do what’s right for Newfoundlanders and Labradorians, just like we did in 2012 when the person that’s sitting next to him today, the minister, said that in 2012 at sanctioning of Muskrat that they were willing to put the sale of surplus energy into reducing ratepayers of our province. Mr. Speaker, that is completely false, he did not agree to that then, it was only because of pressure of us when we were in Opposition at the time. We have made a commitment (inaudible).

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for District of Conception Bay South.

MR. PETTEN: Thank you, Mr. Speaker.

Mr. Speaker, the CEO of Nalcor said recently regarding topsoil removal at Muskrat Falls, and I quote “there’s no evidence to suggest that it would actually improve the methylmercury situation.” He said it could even make it worse.

I ask the Minister of Environment: Given your background, do you agree with Mr. Marshall’s comments?

MR. SPEAKER: The hon. the Minister of Environment and Conservation.

MR. TRIMPER: Thank you very much, Mr. Speaker.

There can be nothing more important than the human health of the constituents of Lake Melville. So what we have committed to do was to look at every issue around human health and if more mitigation measures are needed we look forward to the recommendations coming from an independent experts’ advisory committee. I will take that advice and we will follow it.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Conception Bay South.

MR. PETTEN: Thank you, Mr. Speaker.

I remind the minister, it’s all of Labrador, not just Lake Melville.

I ask the Minister of Environment: Are you satisfied the full clearing is not required at the Muskrat Falls site?

MR. SPEAKER: The hon. the Minister of Environment and Conservation.

MR. TRIMPER: I’m not sure I heard the question, but I believe it’s on the same line, Mr. Speaker.

The fact of the matter is that this is a very complicated topic. I’ve indicated that for the last 12 months. I’m very pleased to say that through discussions the Premier, the Minister of Natural Resources and myself had with the indigenous leaders of Labrador, we’ve agreed to a table of experts that will provide advice to us. I look forward to receiving that recommendation.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!
MR. SPEAKER: The hon. the Member for Conception Bay South.

MR. PETTEN: Thank you, Mr. Speaker.

In June, the Minister of Environment accepted Nalcor’s methylmercury plan. In September, the minister’s position changed and he supported additional clearing.

I ask the minister: Why did you change your position?

MR. SPEAKER: The hon. the Minister of Environment and Climate Change.

MR. TRIMPER: Thank you very much, Mr. Speaker.

In fact, it’s not a changing of opinion, but what it is, is a changing of a project that, my goodness, if you look back 10 years and the shift in direction that we’ve had to move a multi-billion dollar project that is over budget, that has not listened to so many concerns from the people, not just of Lake Melville but of Labrador in general, it has taken an amazing effect to move it. But I’m very pleased to say of the progress we have been making as a government; we’re going to continue to make that progress. We will listen to those concerns and we will act, if we need to.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Conception Bay South.

MR. PETTEN: Thank you, Mr. Speaker.

I’d like to go back to it again. In June, the Minister of Environment accepted Nalcor’s methylmercury plan. In September, the minister’s position changed, as we all know, and he supported additional clearing.

I ask the minister: Why did you change your position?

MR. SPEAKER: The hon. the Minister of Environment and Climate Change.

MR. TRIMPER: Mr. Speaker, it’s very important to point out that there are sort of two different activities happening here.

In June, my decision regarded the Human Health Risk Assessment Plan, which essentially is a document which instructs how Nalcor will ensure that any negative effects of the Muskrat Falls Project will not accrue to the human health of the people of Lake Melville and Labrador in general.

What’s been happening since are further issues around the environment. I’m looking forward to those discussions and deliberations as we convene. In the last few weeks, we have been working very closely with the three indigenous leaders. I’m looking forward to hearing their input and making great progress.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Conception Bay South.

MR. PETTEN: Thank you, Mr. Speaker.

I ask the Minister of Environment: What impact, if any, will the additional clearing of trees have with respect to methylmercury?

MR. SPEAKER: The hon. the Minister of Environment and Climate Change.
MR. TRIMPER: Mr. Speaker, on the 4th of August, I was very pleased to convene a workshop that finally involved the three indigenous leaders and a variety of experts from some seven provincial and federal departments. We started the discussion around this very topic of soil removal, whether it was necessary, how it could be done, what are the implications and so on.

It’s not as straightforward as putting your shovel in the ground and removing the soil. There are a lot of implications in terms of the stability of the watershed, how you would do it, what you would do with the soil and so on. There is going to need to be a table of experts. I’m very pleased to say we’ve convened that table and I’m looking forward to that advice.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Member for Conception Bay South.

MR. PETTEN: Thank you, Mr. Speaker.

I ask the Minister of Environment: How much will the additional removal of tree cost ratepayers?

MR. SPEAKER: The Minister of Environment and Climate Change.

MR. TRIMPER: Mr. Speaker, I’m very pleased to say that I take my job very seriously. As the minister of environment and conservation, my role as a regulator is to ensure that the human health and the environment of this province are protected.

So when I make a decision as regards to additional mitigation measures, such as my recent ordering of Nalcor’s full clearing concept, price does not enter into that type of conclusion. I consider the effects on the environment and what can be done about it. And if it’s needed, we will do it.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Member for Conception Bay South.

MR. PETTEN: Thank you, Mr. Speaker.

Mr. Speaker, I ask the minister: Can you provide details of the agreement reached on the methylmercury concerns between indigenous leaders and the Premier?

MR. SPEAKER: The Minister of Environment and Climate Change.

MR. TRIMPER: If I can recall, Mr. Speaker, there was a press conference immediately after that agreement at some 2 or 3 in the morning. There’s since been a communiqué as to the key elements of that agreement.

We continue to enjoy close collaboration and co-operation and will continue to report to anyone who’s interested what’s happening.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Member for the District of Cape St. Francis.

MR. K. PARSONS: Thank you, Mr. Speaker.

The federal government is currently exploring a tag system for the recreational cod fishery.
I ask the minister: Does he support this tag system?

MR. SPEAKER: The Minister of Fisheries, Forestry and Agrifoods.

MR. CROCKER: Thank you, Mr. Speaker.

Mr. Speaker, the federal government is currently undergoing a consultation process throughout the province with regard to the structure of a future recreational fishery. One of the things that we stated and we put out there very early in the mandate — and it’s actually in my mandate letter from the Premier — was to ensure that, as a province, we supported the recreational fishery and growing more of a tourism fishery as well.

One of the most important things that Members opposite and the people have to realize that as we move forward towards a ground fishery of the future, our cod will need to be MSC certified. One of the tricks and one of the ways to get MSC certification will certainly be we need to measure the amount of fish being harvested in this province.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Member for Cape St. Francis.

MR. K. PARSONS: Yes, Mr. Speaker, thank you.

I attended the consultations that were recently held and DFO stated that up to 30 or 50 tags will be reasonable.

Do you think that’s a reasonable number of tags for fishers to have?

MR. SPEAKER: The Minister of Fisheries, Forestry and Agrifoods.

MR. CROCKER: Again, Mr. Speaker, thank you.

I thank the hon. Member for the question. It’s not for me to decide how DFO structures their fishery of the future. People in this province have an opportunity now to go out into the consultations, have their say. Again, I will reiterate that as a province it is important as we move forward to the cod fishery or the ground fishery of the future that our seafood obtains marine stewardship certification. One of the important things with that is knowing how much fish is harvested.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Cape St. Francis.

MR. K. PARSONS: Thank you, Mr. Speaker.

I ask the minister: Do you believe that it’s reasonable for Newfoundlanders and Labradorians to be paying for those tags?

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Minister of Fisheries, Forestry and Agrifoods.

MR. CROCKER: Thank you, Mr. Speaker.

Again, to the hon. Member, that’s decisions that DFO will make in their consultation with the people of this province. It is not unusual for people in our province and other jurisdictions in the country to pay for permits to harvest, to cut wood, to do other things.
Mr. Speaker, if there’s a fee involved in maintaining a certification system, that helps our harvesters. We have to think back to our fishery. Our fishery provides 17,000 jobs in this province, $1.2 billion-a-year industry. The most important thing is that our seafood is seen on the world stage as being MSC certified.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Cape St. Francis.

MR. K. PARSONS: Mr. Speaker, we all agree how important the fishery is to our province but what I’m asking the minister – this is a recreational fishery where people put food on their tables and give fish to their neighbours.

I’m asking you: Do you think it’s reasonable that Newfoundlanders and Labradorians be the only province in Canada that would have to pay to catch a codfish?

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Minister of Fisheries, Forestry and Agrifoods.

MR. CROCKER: Thank you very much, Mr. Speaker.

Mr. Speaker, one thing I have done in my conversations with the federal minister of fisheries, as recently as two weeks ago today, is I raised with the minister that any system that comes into Newfoundland and Labrador with regard to harvesting of groundfish on a recreational food-fish basis, that that system should include all of Atlantic Canada.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Cape St. Francis.

MR. K. PARSONS: Thank you for the answer, Mr. Minister.

Also, when I mentioned the 30 or 50 tags, last year there were 46 days that were available for Newfoundlanders and Labradorians to go on the water. That amounted to approximately 230 fish that they could catch.

So are you agreeing with the 50 tags that DFO says they are going to give to people this year and reduce it from 230 to 50?

MR. SPEAKER: The hon. the Minister of Fisheries, Forestry and Agrifoods.

MR. CROCKER: Thank you, Mr. Speaker.

Mr. Speaker, what’s important to me, as the Minister of Fisheries in this province, is that as we move forward into a fishery of the future and the transition that’s going to bring in the next two to three years, it’s going to be two or three difficult years as we transition from shellfish to groundfish for our harvesters in this province.

We need to make sure that as we do that, make that transition, that we can get the best value for our commercially harvested fish in this province when it goes to market, and that’s the challenge that we face.

With regard to the number of fish a family needs to harvest or to have for consumption, well, Mr. Speaker, that’s something again that’s left to the federal minister of Fisheries to decide.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Member for Cape St. Francis.
MR. K. PARSONS: Thank you, Mr. Speaker.

At the consultations it was said that only 1 per cent of the Total Allowable Catch in the cod fishery was the recreational fishery.

What I'm asking the minister: Are you saying that it's okay for Newfoundlanders and Labradorians to be cut from 230 to 50 fish when it's only 1 per cent of the Total Allowable Catch?

Newfoundlanders and Labradorians not only catch fish for themselves, they catch fish for their neighbours, they catch fish for seniors and they catch fish for people in their communities, so I don't think it should be reduced. Do you think it should be reduced?

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Minister of Fisheries, Forestry and Agrifoods.

MR. CROCKER: I thank the Member for the question.

I'd like to ask the Member if he can please show me the information because we have no system of gauging how much fish is harvested. He's telling me it's 1 per cent that's harvested, so I would like for the Member to forward that information. If he has that information, I'd like for him to forward it to DFO because DFO clearly told me back 12 months ago that they have no idea how much fish is being harvested in the recreational food fishery, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Member for Conception Bay East — Bell Island.

MR. BRAZIL: Mr. Speaker, school board elections are tomorrow.

I ask the minister: What efforts have you made to inform, engage and encourage people to get out and vote?

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Minister of Education and Early Childhood Development.

MR. KIRBY: Thank you, Mr. Speaker.

I'd like to take this opportunity — thanks to the Member for the question — to thank all of the candidates who have come forward for the election. I think we have 62 people who have put their names forward.

I'd also like to thank staff in the Department of Education, the Department of Justice and at the two school boards for all of their hard work over the past eight months as we've worked towards tomorrow, which is election day for these school trustees.

We have done a lot of promotion over the past few months. We have had tens of thousands of visits on the website schoolboardelections.nl.ca. We distributed materials to all the schools. They found their way to school councils, to Municipalities Newfoundland and Labrador — and I'll continue if I get a second chance, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Member for Conception Bay East — Bell Island.

MR. BRAZIL: I think the minister should also thank the NLTA because they did a phenomenal job in trying to get the message out there and encouraging people here to vote.

SOME HON. MEMBERS: Hear, hear!
MR. BRAZIL: I’ve received numerous calls from individuals who are confused about the zones they were in, where they vote, do they vote for the English board only and the confusion goes on and on.

I ask the minister: Are you satisfied you’ve done everything that you could to promote school board elections and engage people in the voting process?

MR. SPEAKER: The Minister of Education and Early Childhood Development.

MR. KIRBY: Thank you, Mr. Speaker.

Yes, I am satisfied that we’ve done everything that we can. We’ve had a very robust social media campaign. We’ve had paid advertising at VOCM, CBC, the Transcontinental newspapers. We’ve had materials that children will take home to their parents. We’ve had a variety of other activities. We’ve distributed the message through the public service email system. The Synervoice voice system that parents get messages from school is going to be used to inform parents either today and tomorrow, one or the other.

So we’ve done a whole bunch of different activities. I’ve done a variety of media interviews about this over the past three years, as have Members of the Opposition.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Member for Conception Bay East – Bell Island.

MR. BRAZIL: Mr. Speaker, with the calls and the emails I’ve gotten, there’s still a lot of confusion out there. So obviously somebody fell down on the job.

I ask the Minister of Education: Did the former Liberal candidate you hired to oversee the school board elections go through the Independent Appointments Commission?

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

I’ve recognized the hon. the Member for Conception Bay East – Bell Island.

MR. BRAZIL: Mr. Speaker, again I ask to the minister: Did the former Liberal candidate you hired to oversee the school board elections go through the Independent Appointments Commission?

MR. SPEAKER: The Minister of Education and Early Childhood Development.

MR. KIRBY: Thank you, Mr. Speaker.

No.

MR. SPEAKER: The hon. Member for Fortune Bay – Cape La Hune.

MS. PERRY: Thank you, Mr. Speaker.

Did the minister of child, youth and family services have any concerns about government collapsing the once stand-alone Department of CYFS?

MR. SPEAKER: The hon. the Minister of Children, Seniors and Social Development.

MS. GAMBIN-WALSH: Not at all, Mr. Speaker.

We have put two very good teams together. Child protection is a critical and challenging area of service delivery and the two teams together are doing a great job.
SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Member for Fortune Bay – Cape La Hune.

MS. PERRY: The Child and Youth Advocate, Carol Chafe, in an interview this weekend said that she was pleased with the progress being made by the former administration. Little to nothing has been done by the current government over the last 12 months.

I ask the minister: Can she tell us what’s been done with mandatory reporting legislation?

MR. SPEAKER: The hon. Minister of Children, Seniors and Social Development.

MS. GAMBIN-WALSH: Thank you, Mr. Speaker.

Yes, Mr. Speaker, I, myself, met with the Child and Youth Advocate just last month and my team is meeting next month. The department’s involved with the critical incident reporting, reporting of deaths and critical incidents – are working independently on their own issues and their own statements.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Member for Fortune Bay – Cape La Hune.

MS. PERRY: Last year, Mr. Speaker, that legislation was just about ready to bring into government. It was nearly a year now –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

The Member for Fortune Bay – Cape La Hune.

MS. PERRY: Thank you so much, Mr. Speaker.

It was tabled in our last days of government, so why have you been delaying it for over a year?

MR. SPEAKER: The hon. the Minister of Children, Seniors and Social Development.

MS. GAMBIN-WALSH: Mr. Speaker, I’m not sure how they knew it was going to be their last days in government and I’m not sure why they didn’t put it through; however, we are working to put it through and we will deliver on our promise.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Fortune Bay – Cape La Hune.

MS. PERRY: We certainly didn’t know that would happen. That’s how history turned out. If we were there it would have been done by now, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MS. PERRY: I ask the minister of child, youth and family services with respect to children that are in the care of the Newfoundland government, what measures has her government put in place to ensure these children are receiving the proper vaccinations?

MR. SPEAKER: The hon. the Minister of Health and Community Services.
MR. HAGGIE: Mr. Speaker, there is a universal vaccination program for, I think, somewhere between 11 and 14 conditions which rolls out and is available to every child in the province free of charge.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Fortune Bay – Cape La Hune.

MS. PERRY: Mr. Speaker, it doesn’t give me a comfort level that they’re looking after the children in their care. When will all the children in the care of government receive their vaccinations?

MR. SPEAKER: The hon. the Minister of Health and Community Services.

MR. HAGGIE: Mr. Speaker, thank you for the question. If the Member opposite has any evidence that they are not receiving them, I would be delighted to hear it.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for St. John’s East – Quidi Vidi.

MS. MICHAEL: Thank you very much, Mr. Speaker.

The Minister of Education and Early Childhood Development has said that school board elections are important and people should get out and vote. I’ve been inundated by people who want to vote in the English School Board elections who continue to be totally frustrated in their attempts to find their zone, their candidates and where to vote tomorrow.

I ask the minister: Did he communicate with the English School Board when he became aware of the poor job they were doing of informing the public about school board elections?

MR. SPEAKER: The hon. the Minister of Education and Early Childhood Development.

MR. KIRBY: Thank you, Mr. Speaker.

Democratic governance of our schools by community members is crucial to public education and we’re pleased to return to that model after it was basically abolished by the previous administration.

I admire our public servants and the job they’ve done. I think they’ve done a very good job. The Member was on the radio last week and called their work a mess. I don’t consider their work a mess. They’ve been working very hard for the past eight months to get everything in place for the election tomorrow. I’m confident that everything that could be done has been done. I commend them on their work.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for St. John’s East – Quidi Vidi.

MS. MICHAEL: Thank you very much, Mr. Speaker.

I hope the minister has been listening to what people in the know are saying because that website is a mess.

Mr. Speaker, the Schools Act states that the Minister of Education is responsible for the manner in which elections of school board trustees are carried out, so I ask the minister: what direction did he give to the English School Board about how the current elections should be conducted to ensure a good voter turnout?

MR. SPEAKER: The hon. the Minister of Education.
MR. KIRBY: There are actually two school boards electing trustees tomorrow, there’s also the Conseil scolaire francophone de TNL vous, so there’s the French and the English that are having an election tomorrow. I don’t understand some of the Members points. Again, I heard her on the radio the weekend saying that we should have had this election concurrently with the provincial election. The provincial election is three years away, yet, in the summer the Member was saying we weren’t moving fast enough to have the election. So, there are a lot of contradictions in what the Third Party has demanded of government for this election.

We’ve done everything that we can. We’ve worked with all of our partners on the ground. We’ve provided the significant resources for this election and I’m hopeful that we’ll have a decent turnout and an increased participation for tomorrow.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for St. John’s East – Quidi Vidi.

MS. MICHAEL: Thank you very much, Mr. Speaker.

I won’t get at all the misquotes he just did there with regard to me but I do ask the minister: What if any analysis was done of how the elections could be carried out to highlight their importance and engage voters in this important democratic process.

MR. SPEAKER: The hon. the Minister of Education.

MR. KIRBY: Mr. Speaker, it’s great to hear these suggestions - although they’re rather vague – from the Member the day before the election. We had a substantive debate here in April, May and June on the budget, there was no mention of the school board election, no one brought it up, there were no ideas brought to the table. We brought a lot of ideas to the table for this election. We had – as I said before – a fairly robust social media campaign. We tried to get people where they are which is often on Facebook and on the Internet, viewing news and so on. We use all of our partnerships and education to connect with parents and to people. I’ve done numerous interviews myself, earned the media, if you will, as have Members of the Opposition. I’m confident we’ve done everything that we can and tomorrow we’ll find out how it’s going to go.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for the District of St. John’s Centre.

MS. ROGERS: Mr. Speaker, Carol Chafe, the Child and Youth Advocate is stepping down after six years of intensive and courageous work on behalf of the children and youth of our province. Her last day is December 15, less than a month away.

I ask the minister, Mr. Speaker: How long has she known the advocate was stepping down, what has she done to start the process to find a new replacement, how long will it take the Independent Appointments Commission to find her replacement?

MR. SPEAKER: The hon. the Minister of Children, Seniors and Social Development.

MS. GAMBIN-WALSH: Mr. Speaker, I found out like everyone else when Carol was stepping down, through the media release. The appointments, it will go through the Independent Appointments Commission.

I would like to take this opportunity to thank Carol. Her work has been phenomenal and she is dedicated to her job.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for St. John’s Centre.

MS. ROGERS: Mr. Speaker, this is a crucial role in our province.
I ask the minister: What is planning to do to fill the vacant position of Child and Youth Advocate until a new advocate is found?

MR. SPEAKER: The hon. the Minister of Children, Seniors and Social Development.

MS. GAMBIN-WALSH: Mr. Speaker, I believe Carol will stay in the role until December 15. It will go through the Independent Appointments Commission.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for St. John’s Centre.

MS. ROGERS: Mr. Speaker, December 15 is just a few weeks away. What is she going to do to bridge that gap?

MR. SPEAKER: The hon. the Minister of Children, Seniors and Social Development.

MS. GAMBIN-WALSH: Mr. Speaker, we knew this position was up for review and we have already put it up on the website and advertised for the position.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for St. John’s Centre.

MS. ROGERS: Thank you, Mr. Speaker.

Well it’s going to take longer than a few weeks I dare say.

Mr. Speaker, I ask the minister what is she going to do to address the crisis issues the Auditor General raised in his report regarding the documentation and assessment issues in child protection cases?

MR. SPEAKER: The hon. the Minister of Children, Seniors and Social Development.

MS. GAMBIN-WALSH: Mr. Speaker, child protection is a critical and challenging area of service delivery. Every day our social workers go to work making difficult decisions about the safety and protection of our children. Our department has put in place a quality committee. We accept all 27 recommendations of the Auditor General. We have met with the School of Social Work so we can fast track a program on documenting.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for St. John’s Centre for a very quick question.

MS. ROGERS: Again, Mr. Speaker, I ask the minister where is the crucial long-awaited legislation of mandatory reporting of deaths and critical incidents of children and youth to the Child and Youth Advocate. When can we see that?

MR. SPEAKER: The hon. the Minister of Children, Seniors and Social Development, for a quick response.

MS. GAMBIN-WALSH: Mr. Speaker, the work is ongoing and as I said earlier each department is working on their individual proposed reporting protocol.

SOME HON. MEMBERS: Hear, hear!
Griffin, Mark

From: Shea, Erin
Sent: Thursday, November 24, 2016 4:03 PM
To: Bennett, Derek; Cooper, Bruce; GaminWalsh, Sherry; Healey, Rick M.; Tilley, Jean; Walsh, Susan; White, Kelly
Cc: O’Neill, Melony; Shea, Erin
Subject: HoA QP Excerpts for CSSD - Thurs, Nov 24
Attachments: Partially Edited QP November 24, 2016.pdf

Please see the attached full QP transcript and the below excerpts from QP which are specific to the department;

Questions have been highlighted:

HoA Excerpts for CSSD from QP – Thursday, November 24, 2016

MR. SPEAKER: The hon. the Member for Fortune Bay – Cape La Hune.

MS. PERRY: I ask the Minister of Children, Seniors and Social Development: What is the total number of children and youth currently receiving services from your department?

MR. SPEAKER: The hon. the Minister of Children, Seniors and Social Development.

MS. GAMBIN-WALSH: Mr. Speaker, there are currently, approximately under 1,000 children receiving services.

MR. SPEAKER: The hon. the Member for Fortune Bay – Cape La Hune.

MS. PERRY: I ask the minister if she can elaborate. Of those 1,000, how many are considered under government’s care – because, of course, as you are aware, not all children and youth receiving services are under government’s care. So of those, how many are under government’s care?

MR. SPEAKER: The hon. the Minister of Children, Seniors and Social Development.

MS. GAMBIN-WALSH: I’m not quite clear on the question. All the children who are receiving services are receiving in-care services from government.

I guess the Member means how many children are actually in care?

MS. PERRY: Yes.

MS. GAMBIN-WALSH: About 170.

MR. SPEAKER: The hon. the Member for Fortune Bay – Cape La Hune.

MS. PERRY: Thank you, Minister.

Have there been any children or youth who have died or have suffered serious injury while in care or receiving services from your department over the last 12 months?

MR. SPEAKER: The hon. the Minister of Children, Seniors and Social Development.

MS. GAMBIN-WALSH: Mr. Speaker, I can’t give those details here in the House, but what I can say is that we have been reporting all deaths to the Child and Youth Advocate.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Fortune Bay – Cape La Hune.

MS. PERRY: In October of 2015, the department of child, youth and family services signed an historic agreement with the Sheshatshiu and Mushuau First Nations which recommended joint committees. Can the minister tell this hon. House if the joint committee process has been established yet in each community?

MR. SPEAKER: The hon. the Minister of Children, Seniors and Social Development.

MS. GAMBIN-WALSH: Yes, Mr. Speaker, the committees have been established. I, in fact, as the minister, have been in Hopedale and Sheshatshiu myself. We have developed a great relationship with the Aboriginal community.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Fortune Bay – Cape La Hune.
MS. PERRY: I ask the minister: How many matters have you referred this year to the Child and Youth Advocate?

MR. SPEAKER: The hon. the Minister of Children, Seniors and Social Development.

MS. GAMBIN-WALSH: Mr. Speaker, just to be clear on the question, how many matters have been referred to the Child and Youth Advocate. Well, all deaths have been referred to the Child and Youth Advocate, Mr. Speaker.

MR. SPEAKER: The hon. the Member for Fortune Bay – Cape La Hune.

MS. PERRY: Can the minister give us an update on the status of the development of the Innu risk prevention program?

MR. SPEAKER: The hon. the Minister of Children, Seniors and Social Development.

MS. GAMBIN-WALSH: Yes, Mr. Speaker, I met with the Nunatsiavut Government. And as I just said earlier, I was in the community of Sheshatshiu and Hopevale and everything is on schedule and going well.

MR. SPEAKER: The hon. the Member for Fortune Bay – Cape La Hune.

MS. PERRY: What is the current client to social worker ratio in the province?

MR. SPEAKER: The hon. the Minister of Children, Seniors and Social Development.

MS. GAMBIN-WALSH: Well, Mr. Speaker, I’m sure they probably know the number, that it’s 1-20; however, in Labrador we are having issues with keeping social workers, recruiting social workers. So the number is a bit higher.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Fortune Bay – Cape La Hune.

MS. PERRY: Can the minister provide for us what that number ratio is for Labrador?

MR. SPEAKER: The hon. the Minister of Children, Seniors and Social Development.

MS. GAMBIN-WALSH: No, I can’t report exactly today what the number is because it is fluid, it’s changing and it varies. It depends on what part of Labrador you are asking about.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Fortune Bay – Cape La Hune.

MS. PERRY: Thank you, Minister.

I ask if you could table the most recent numbers you have from your officials in this hon. House.

I also would like to ask the minister: How many children are currently in independent living arrangements?

MR. SPEAKER: The hon. the Minister of Children, Seniors and Social Development.

MS. GAMBIN-WALSH: The Member for Fortune Bay – Cape La Hune is asking questions that perhaps we could sit down and have a brief on.
Oral Questions

MR. SPEAKER: The hon. the Leader of the Opposition.

MR. P. DAVIS: Thank you, Mr. Speaker.

Mr. Speaker, Bill 46, An Act Respecting Procurement by Public Bodies, is being debated before the House.

I ask the Premier: Will you make a draft copy of the regulations pertaining to Bill 46 available to Members of the House before a vote takes place?

MR. SPEAKER: The hon. the Minister of Municipal Affairs.

MR. JOYCE: Thank you, Mr. Speaker.

As we know, this procurement act, I think the Reid Report was done in 2008 – eight years ago that this government committed to bringing it in. In 2012, it was Bill 1 – the signature bill that they were going to bring in was never brought in.

Mr. Speaker, we worked very hard with all the partners. We had many consultations over the last year, and I know the previous government had many consultations also. We had great ideas. We’re trying to protect the people of Newfoundland and Labrador. But as the former premier knows, he knows very well – to the Leader of the Opposition – this is the first step but once you get this done, you can bring in the regulations. He’s well aware of that. He was a minister. He knows we set up the bill and the regulations will come later.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Leader of the Opposition.

MR. P. DAVIS: Thank you, Mr. Speaker.

What’s actually before the House is simply a framework. As is quite often said, the devil’s in the details, but there are no details in the framework. And actually the bill allows for government, for Cabinet and the minister, to create 20 aspects of the bill through regulation, which the House will have no say in, Mr. Speaker. This deals with $4 billion dollars in spending a year.

So I’ll ask the minister again: If you want the House to make informed decisions, will you bring the regulations to the House before this is asked to be voted on?

MR. SPEAKER: The hon. the Minister of Municipal Affairs.

MR. JOYCE: Mr. Speaker, this bill is for the people of Newfoundland and Labrador and helps savings of their money and helps small communities, which was endorsed by MNL.

I find it very odd that he, who was the minister at the time in 2012, wouldn’t bring it forward, and he’s asking for the regulations. I didn’t want to make this political and I won’t, but I will have to read something from Hansard.

Reading from the Hansard of May 20, 2014, and I quote the former deputy premier, “We are establishing an arm’s-length, not-for-profit corporation but we will retain authority for Cabinet to appoint the board of directors, to approve or alter the telephone levy, to make regulations relating to civic addressing, and to approve any borrowing or pledging of its assets.” He knows – ask his former deputy premier – that the regulations were made once the act was brought in.
SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Leader of the Opposition.

MR. P. DAVIS: Thank you, Mr. Speaker.

I’ll remind the Premier, as my questions are going to go to the Premier, but I’ll remind the Premier that it was the current government who came to the House on numerous occasions, and I’ll be quite happy to bring forward examples of that when time permits me to research them – and I will bring them forward. And said that they should have all the information available, Mr. Speaker.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: The hon. the Leader of the Opposition.

MR. P. DAVIS: Thank you, Mr. Speaker.

They said Members of the House should have all of the information. Mr. Speaker, this is about $4 billion of spending – according to the minister’s own assessment when spoke on the bill – $4 billion of taxpayer spending each and every year. What they brought to the House is simply a framework. It’s not a bill; it’s not decisions. We don’t know when the act applies; we don’t know what the rules will be. That will be in regulation.

MR. SPEAKER: I ask the Member to get to his question.

MR. P. DAVIS: Premier I ask you: Will you bring the regulations to the House so Members have the information before they’re asked to vote on it?

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Minister of Municipal Affairs.

MR. JOYCE: Mr. Speaker, I can see why this was never brought in before. He does not understand the procedure and he was the minister. I want to say if you don’t understand procedure, ask the Member for Mount Pearl North about the procedure.

Mr. Speaker, we committed, the first thing the Premier said we’re going to bring was procurement. We’re bringing this in. Go ask MNL do they agree with this here and help out communities of the province. Go ask a lot of the associations that we met with do you agree with what we are doing to protect the people of Newfoundland and Labrador. Go ask many of the groups that we met with do you agree with this.

Everybody that we met with had input in this. Everybody understands this is the first step. Regulations will come in. We gave some guidelines what we’re going to bring in. We will have consultations on the regulations as they ask for it.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Leader of the Opposition.

MR. P. DAVIS: Thank you, Mr. Speaker.

I’m glad the minister is telling us that everyone in the province agrees with this bill because the people who have contacted me in the last couple of days are concerned about it because the details have not been presented in the bill.

Now, the minister talks about regulations. This is $4 billion of spending each and every year; $4 billion is what the minister said when he rose and presented this bill. Mr. Speaker, that’s significant. And 20 regulations will decide what the rules will be and when they apply and how they apply to each circumstance. It’s not contained in the bill, Mr. Speaker; this is simply a framework. That’s all they have brought forward.
Will you provide the regulations and the details so all Members of the House will know what it is that they are voting on?

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Minister of Municipal Affairs.

MR. JOYCE: Thank you, Mr. Speaker.

I say to the Leader of the Opposition if you have some groups who have concerns, call me and we’ll have a meeting and we’ll discuss it. I’m open to any discussions whatsoever on the regulations.

Mr. Speaker, these regulations will be made in consultation with all parties involved. They will be made public and they will be brought into the spirit of the act. When this act was brought in – and they are well aware of the procedure – regulations will follow. There are parameters that will guide us.

Mr. Speaker, the majority of the people that we met with, the majority – there was one or two who are saying, well, we’d like to have more consultations just on the regulations, which we agreed to, to the person – agrees that this is great for the people of Newfoundland and Labrador. That’s who we’re standing up for here, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Leader of the Opposition.

MR. P. DAVIS: Thank you, Mr. Speaker.

I ask the minister: Will you allow those meetings to take place before a vote is called?

MR. SPEAKER: The hon. the Minister of Municipal Affairs.

MR. JOYCE: Mr. Speaker, we’re after having numerous – well, I’m not sure. Seven years that they were in, how many meetings did you have in seven years and couldn’t bring it in?

The number of groups we met with are pleased with this legislation. For the Member now to try all of a sudden to make this political – because he was the minister who would not bring it in; I would be embarrassed also. I would be embarrassed if I wouldn’t bring it in either.

Mr. Speaker, I remember Bill MacKenzie, Clerk of the House, they took the Clerk of the House to bring in a procurement act. Guess what? It’s being brought in now by this government here.

SOME HON. MEMBERS: Hear, hear!

MR. JOYCE: I call tell you, Mr. Speaker, people will be consulted on the regulations. People are pleased with this bill. The people of Newfoundland and Labrador are pleased with this bill. I’m not going to sit on this for another eight years, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Fortune Bay – Cape La Hune.

MS. PERRY: I ask the Minister of Children, Seniors and Social Development: What is the total number of children and youth currently receiving services from your department?

MR. SPEAKER: The hon. the Minister of Children, Seniors and Social Development.

MS. GAMBIN-WALSH: Mr. Speaker, there are currently, approximately under 1,000 children receiving services.

MR. SPEAKER: The hon. the Member for Fortune Bay – Cape La Hune.
MS. PERRY: I ask the minister if she can elaborate. Of those 1,000, how many are considered under government's care - because, of course, as you are aware, not all children and youth receiving services are under government's care. So of those, how many are under government's care?

MR. SPEAKER: The hon. the Minister of Children, Seniors and Social Development.

MS. GAMBIN-WALSH: I'm not quite clear on the question. All the children who are receiving services are receiving in-care services from government.

I guess the Member means how many children are actually in care?

MS. PERRY: Yes.

MS. GAMBIN-WALSH: About 170.

MR. SPEAKER: The hon. the Member for Fortune Bay – Cape La Hune.

MS. PERRY: Thank you, Minister.

Have there been any children or youth who have died or have suffered serious injury while in care or receiving services from your department over the last 12 months?

MR. SPEAKER: The hon. the Minister of Children, Seniors and Social Development.

MS. GAMBIN-WALSH: Mr. Speaker, I can't give those details here in the House, but what I can say is that we have been reporting all deaths to the Child and Youth Advocate.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Fortune Bay – Cape La Hune.

MS. PERRY: In October of 2015, the department of child, youth and family services signed an historic agreement with the Sheshatshiu and Mushuau First Nations which recommended joint committees.

Can the minister tell this hon. House if the joint committee process has been established yet in each community?

MR. SPEAKER: The hon. the Minister of Children, Seniors and Social Development.

MS. GAMBIN-WALSH: Yes, Mr. Speaker, the committees have been established. I, in fact, as the minister, have been in Hopedale and Sheshatshiu myself. We have developed a great relationship with the Aboriginal community.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Fortune Bay – Cape La Hune.

MS. PERRY: I ask the minister: How many matters have you referred this year to the Child and Youth Advocate?

MR. SPEAKER: The hon. the Minister of Children, Seniors and Social Development.

MS. GAMBIN-WALSH: Mr. Speaker, just to be clear on the question, how many matters have been referred to the Child and Youth Advocate. Well, all deaths have been referred to the Child and Youth Advocate, Mr. Speaker.

MR. SPEAKER: The hon. the Member for Fortune Bay – Cape La Hune.

MS. PERRY: Can the minister give us an update on the status of the development of the Innu risk prevention program?
MR. SPEAKER: The hon. the Minister of Children, Seniors and Social Development.

MS. GAMBIN-WALSH: Yes, Mr. Speaker, I met with the Nunatsiavut Government. And as I just said earlier, I was in the community of Sheshatshiu and Hopedale and everything is on schedule and going well.

MR. SPEAKER: The hon. the Member for Fortune Bay – Cape La Hune.

MS. PERRY: What is the current client to social worker ratio in the province?

MR. SPEAKER: The hon. the Minister of Children, Seniors and Social Development.

MS. GAMBIN-WALSH: Well, Mr. Speaker, I’m sure they probably know the number, that it’s 1-20; however, in Labrador we are having issues with keeping social workers, recruiting social workers. So the number is a bit higher.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Fortune Bay – Cape La Hune.

MS. PERRY: Can the minister provide for us what that number ratio is for Labrador?

MR. SPEAKER: The hon. the Minister of Children, Seniors and Social Development.

MS. GAMBIN-WALSH: No, I can’t report exactly today what the number is because it is fluid, it’s changing and it varies. It depends on what part of Labrador you are asking about.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Fortune Bay – Cape La Hune.

MS. PERRY: Thank you, Minister.

I ask if you could table the most recent numbers you have from your officials in this hon. House.

I also would like to ask the minister: How many children are currently in independent living arrangements?

MR. SPEAKER: The hon. the Minister of Children, Seniors and Social Development.

MS. GAMBIN-WALSH: The Member for Fortune Bay – Cape La Hune is asking questions that perhaps we could sit down and have a brief on.

MR. SPEAKER: The hon. the Member for Conception Bay East – Bell Island.

MR. BRAZIL: Thank you, Mr. Speaker.

I ask the Minister of Education: How does a ballot box go missing for over 12 hours with no one questioning its whereabouts?

MR. SPEAKER: The hon. the Minister of Education.

MR. KIRBY: I don’t know how that happens, Mr. Speaker. I haven’t heard that, that happened anywhere. I think the Member might be referring to the school board election results in Zone 12. There was no ballot box that went missing there.

I heard the Returning Officer for the English School District on the radio this morning. He was very apologetic. He said it was a technical error with their fax to email system, where the fax failed and the information failed to transmit. So that information was not included in the preliminary results of the election. As I pointed out yesterday the election results were preliminary until everything was finalized. Now the results are finalized, basically.
SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Member for Conception Bay East – Bell Island.

MR. BRAZIL: Mr. Speaker, another example of how the minister is not on top of the situation that he’s responsible for obviously.

SOME HON. MEMBERS: Hear, hear!

MR. BRAZIL: Why were not all ballot boxes accounted for prior to declaring candidates elected? You were responsible for this election.

MR. SPEAKER: The hon. the Minister of Education and Early Childhood Development.

MR. KIRBY: I’m not aware that happened, Mr. Speaker. The deputy returning officer in Zone 12 at that poll did their job. The returning officer did his job.

It’s unfortunate that the total result was not available, or the result that’s public now was not available that night. I know staff worked very hard well into the night to get as much done as possible. There was a lot of pressure to get the result announced.

As I said, the returning officer has been very apologetic to the individual who subsequently lost – was reported to have lost the election. These things happen from time to time. It’s been seven years since we had a school board election. We’ll use the learnings from this one to improve the process next time.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Member for Conception Bay East – Bell Island.

MR. BRAZIL: Mr. Speaker, another example of how the process of due diligence wasn’t done by the minister and his department.

I ask the minister: Will the newly elected school board have the authority to reverse the decision to close Whitbourne Elementary?

MR. SPEAKER: The hon. the Minister of Education and Early Childhood Development.

MR. KIRBY: Mr. Speaker, the school board trustees have the authority that’s vested in them under the Schools Act to administer primary, elementary and secondary education in the province.

I find it galling to take lessons from the Member opposite on due diligence when his ferry fiasco has basically resulted in the taxpayers of this province being overcharged something like $15 million. This election did not go over budget.

That Member over there put taxpayers in this province on the hook for $15 million because of his incompetence. I’m not taking any lessons from him on due diligence, I’ll tell you that much.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Member for Conception Bay East – Bell Island.

MR. BRAZIL: The Minister of Education hasn’t been able to do due diligence in education. Now he wants to be the minister of TW. Maybe the Premier will make a shuffle in the coming months.

SOME HON. MEMBERS: Hear, hear!

MR. BRAZIL: I ask the minister: Will the newly elected school board have the authority to reconsider the decision to cancel the school at Witless Bay?
MR. SPEAKER: The hon. the Minister of Education and Early Childhood Development.

MR. KIRBY: Mr. Speaker, every year the boards of trustees of the school districts make recommendations to government on what their capital requests are every year. The government then considers those requests, I'm surprised this gentleman was Minister of Transportation and Works; he doesn't even know the process for capital projects in the province. He doesn't know basically what it was his job was to do when he was the minister. It's surprising to me, Mr. Speaker, but in any case government then decides which capital projects are going to proceed, which ones are considered and so on but I'm surprised to hear he doesn't know this because he was the minister responsible for that.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Conception Bay East – Bell Island.

MR. BRAZIL: You're right I was the minister responsible. All I do know about is seven schools were completed, two ferries were arriving here and three wharfs got built, the last one will be finalized by my colleague there the Minister of Transportation and Works.

SOME HON. MEMBERS: Hear, hear!

MR. BRAZIL: I ask the minister: Will you respect and support the new school board's decision that they make over the coming years?

MR. SPEAKER: Order, please!

I've recognized the hon. Member for Conception Bay East – Bell Island.

MR. BRAZIL: I ask the minister: Will the new school board have final decision making authority?

MR. SPEAKER: The hon. the Minister of Education and Early Childhood Development.

MR. KIRBY: Mr. Speaker, the Schools Act is pretty clear about the responsibilities, rolls, the authorities of these school boards of trustees. I know why the Member is upset, Mr. Speaker. The people went out and decided who they wanted to be their boards of trustees. They elected their own people instead of the practice of the Members opposite which was to pick the people they thought the people should have as their boards of trustees.

They're upset that we have had a democratic process which basically removed the people that they appointed to be school board trustees. I make no apologies for that. These people have a big job to do, I congratulate them all for coming forward to run.

I'm going to let them do their job as I've said about 100 times. I'm not going to strong arm them or interfere like the previous government.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Conception Bay East – Bell Island.

MR. BRAZIL: It's only the Member that seems to get upset. You haven't seen me upset other than one time when you cut all the libraries.

SOME HON. MEMBERS: Hear, hear!

MR. BRAZIL: In the past history with this minister was not to meet with previous school boards. I ask the minister: Will you commit to meet with the newly elected school board?

MR. SPEAKER: The hon. the Minister of Education and Early Childhood Development.
MR. KIRBY: Mr. Speaker, I met with the previous board of trustees, that was in fact the first meeting that I had as minister was with the board of trustees. I met regularly with the CEO and the chair, Mr. Peach. We had a great working relationship. I expect I’ll have the same relationship with the incoming board of trustees. Of course I’ll meet with them.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Conception Bay East – Bell Island.

MR. BRAZIL: I hope you’ll also commit to meet with all the other stakeholders that have a real role in the education system here in Newfoundland and Labrador.

Budget 2016 cancelled the desperately needed expansion to Riverside Elementary. There has been lots of talk and consultation since.

Can the minister update on the new proposed plan?

MR. SPEAKER: The hon. the Minister of Education and Early Childhood Development.

MR. KIRBY: Thank you, Mr. Speaker.

I was out at Riverside Elementary for Remembrance Day a few weeks back. I have to say, it’s a great school, great teachers there, a lot of great things being done. I had an opportunity to tour the school, look at the requirements there. I think one of the major concerns is around space for lunch time. They have to have a couple of different sittings.

We’ve added a number of modular classrooms there. That seems to be working well. Over the course of the next few months I understand the school district is going to be reaching out to parents in the surrounding communities to see what their preferences are for moving forward. We’ll take that information and we’ll go from there.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Mount Pearl North.

MR. KENT: Mr. Speaker, Eastern Health revealed today that patients who have had open-heart surgery in this province in the last four years could be at risk of infection. Eastern Health found out about this problem from Health Canada in October.

I ask the Minister of Health and Community Services: Why the one-month delay in publicly disclosing this?

MR. SPEAKER: The hon. the Minister of Health and Community Services.

MR. HAGGIE: Thank you very much, Mr. Speaker.

This is part of an international recall effecting Europe and North America, including the United States. The information was passed from Health Canada. Eastern Health has set up a database and has now contacted all 2,500, or thereabouts, individuals who had used on them in open-heart surgery this disposable heater cooler system.

The public service announcement today, in line with recommendations from Cameron, was to ensure that anybody who may have missed that communication was also contacted. They will continue to work through with these individuals to deal with any problems that may or may not be related to it. I have confidence that’s going ahead well.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Mount Pearl North.
MR. KENT: I thank the minister for the comprehensive answer; however, in line with the recommendations from Cameron, events such as this should be disclosed relatively quickly.

Why did it take a month?

MR. SPEAKER: The hon. the Minister of Health and Community Services.

MR. HAGGIE: Mr. Speaker, the situation was that this is a very low incident, less than 0.1 per cent has been reported internationally.

The system Eastern Health chose to adopt was based on best practices which were to set up a database, a central number to contact the patients individually, after contacting their primary care practitioners. The PSA at the end of this process is a safety net as recommended by Cameron.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Member for Mount Pearl North.

MR. KENT: Mr. Speaker, this week the Town of Wabush has written the Minister of Health and Community Services identifying a mental health crisis following a number of tragic suicides in Labrador West in the past few weeks.

I ask the minister: What proactive measures are being taken to address these concerns?

MR. SPEAKER: The hon. the Minister of Health and Community Services.

MR. HAGGIE: Thank you very much for the question, Mr. Speaker.

It is unfortunate that such an event as this has occurred. There have been five suicides in that region in the last eight months. Labrador-Grenfell have reached out to the community. I have been in contact with Labrador-Grenfell, as has the Member for the district there.

There is a link with IOC in that most of the people involved recently have been employees there. Labrador-Grenfell has put extra counselling resources in place. IOC is bringing in counselling resources of their own and IOC is working hard to look at their workplace environment.

So I think at present the response is appropriate and we'll keep an eye on that.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Member for Mount Pearl North.

MR. KENT: Mr. Speaker, I thank the minister again for his response. I would acknowledge that the Labrador-Grenfell Health team, the mental health staff on the ground, are doing a great job. I'm pleased to hear that extra resources have been allocated.

I ask the minister to comment specifically on what additional resources have been allocated on the ground, and how he's going to work to improve access to mental health services to help individuals and families deal with this crisis.

MR. SPEAKER: The hon. the Minister of Health and Community Services.

MR. HAGGIE: Mr. Speaker, thank you.

Labrador West now has slightly more counsellors per capita than would be normal. There will be 11 on the ground when the IOC-delivered or appointed counsellor is added to that. In addition to that, the counselling staff will actually be working evenings and weekends. In addition to that, there is the Mental Health Crisis Line and 811.

SOME HON. MEMBERS: Hear, hear!
MR. SPEAKER: The hon. Member for Mount Pearl North.

MR. KENT: I thank the minister once again for the response. The Town of Wabush and other community partners aren't aware of some of what was just outlined.

I ask the minister respectfully: Would he commit to meeting with the town and other partners in the community to discuss some of the immediate actions that are being taken to help address these concerns?

MR. SPEAKER: The hon. Minister of Health and Community Services.

MR. HAGGIE: Thank you very much, Mr. Speaker.

The Member for Labrador West has already met with and will meet again. I received communication in actual fact within the last hour and a half from the mayor of Lab West. We are, as we speak, organizing a meeting for them to come in and talk to the department.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Mount Pearl North.

MR. KENT: Thank you.

I thank the minister sincerely for the responses to the questions today on a couple of very serious issues. We're hearing concerns from people on the Burin Peninsula.

I ask the Minister of Health: Can he confirm that there are plans to reduce X-ray and blood collection services at the Grand Bank Medical Centre?

MR. SPEAKER: The hon. the Minister of Health and Community Services.

MR. HAGGIE: Thank you very much, Mr. Speaker.

I spoke with the Member from the district yesterday. I can confirm that there are no plans to change the level of services at Grand Bank currently.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Mount Pearl North for a very quick question.

MR. KENT: Thank you, minister.

I ask, can we anticipate changes to the location of services, or even the removal of services in some rural areas in the province in 2017?

MR. SPEAKER: The hon. the Minister of Health and Community Services, for a quick response.

The short answer is if he reads The Way Forward he will see that Burin in particular will be getting a primary health care team added to the area in 2017.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for St. John's Centre.

MS. ROGERS: Mr. Speaker, in 2012 the former government undertook a review of the Residential Tenancies Act. The report of the hearings was submitted that same year with a promise of revised legislation by spring, 2013 – it did not happen. It's been almost 5 years and still no revised act.
I ask the Minister of Service Newfoundland and Labrador, he's had a whole year to work this out, where is his act, what is his plan?

**MR. SPEAKER:** The hon. the Minister Responsible for Service NL.

**MR. JOYCE:** Mr. Speaker, I agree that the former government did commit and were in consultations with bringing in the act. It had been brought to my attention 11 months ago that we need a new *Residential Tenancies Act*. Our department is in consultation now to start changing the *Residential Tenancies Act*. It will take time. I agree there is a need to change a lot of the residential amendments in the act. We are committed to do that, it will be done, there will be public consultations on the act. I can’t give any time frame of when it will be done, but I can assure I’ll inform the Member when we start, where the public consultations will be, and we’re open to improve the *Residential Tenancies Act*.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for St. John’s Centre.

**MS. ROGERS:** Mr. Speaker, again, no clear commitment as to when we’re going to see a new *Residential Tenancies Act*.

Mr. Speaker, at the residential tenancy review hearings social workers, community workers, mental health and addiction workers all reported on the deplorable, unhealthy and substandard conditions in many boarding houses.

I ask the Minister of Service NL: Will he commit to including the critical and long overdue regulation of rooming and boarding houses in the new act?

**MR. SPEAKER:** The hon. the Minister Responsible for Service NL.

**MR. JOYCE:** Thank you, Mr. Speaker.

The Member is correct that boarding houses are not included in the *Residential Tenancies Act* as we speak. That is a concern of the department. That will be in the bigger picture of the whole act that will be one of the pieces of the review that we will have, to have it included to see how we can include it. It is a concern that has been brought to our attention. It is a concern that we will be looking at and I can assure the Member if I give a timeline, six to eight months, and it’s missed, I can guarantee you one thing that if I commit that we’re going to redo the Residential Tenancies Act, it will be done and there will be public consultations open for anybody.

Mr. Speaker, there is no one on this side of the House who don’t want the best for the residents in the Province of Newfoundland and Labrador and (inaudible).

**MR. SPEAKER:** The hon. the Member for St. John’s East - Quidi Vidi.

**MS. MICHAEL:** Thank you very much, Mr. Speaker.

It is well-known that poor housing conditions lead to serious health problems which are a cost to the health care system.

I ask the Minister of Health and Community Services: Has his department done an analysis of the health care costs in this province of people living in sub-standard, unhealthy boarding homes?

**MR. SPEAKER:** The hon. the Minister Responsible for Service NL.

**MR. JOYCE:** Thank you, Mr. Speaker.

I thank the Member for the question. The people on this side of the House understand that boarding houses and living conditions are just not an issue for government; it’s for landlords and for the City of Corner Brook. And I can assure the Member that under the review of the act we will look at all scopes of the act.
I understand that there are some people, landlords who aren’t keeping their properties up but we have to work together. Under the legislation, and under the review that is going to take place we’ll have it pretty broad, we’ll have it wide-scope, we’ll have to take in all ideas, all suggestions, because we are committed to bringing in the residential act, we are committed to make it better for residents to live in better conditions and ensure that there are standards that we need to keep and maintain.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for St. John’s East — Quidi Vidi.

MS. MICHAEL: Thank you, Mr. Speaker.

A 2013 accreditation report on Eastern Health stated that sub-standard housing is a significant issue for many clients. It recommended that Eastern Health work with the Department of Health and Community Services to develop minimum housing standards and public health legislation as it existed in other provinces.

I ask the Minister of Health has he started working on that recommendation with Eastern Health.

MR. SPEAKER: The hon. the Minister of Health and Community Services.

MR. HAGGIE: Thank you very much, Mr. Speaker.

I would refer the Member opposite to The Way Forward document which references health and all policies. As part of the discussions from my colleague, the Minister of Service NL, the issue of social determinants of health and how our new regulations, our new legislation will go forward will be viewed through a health lens with the aim of recommending these kinds of issues.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: There’s about 15 seconds left so we’ll –

MS. MICHAEL: (Inaudible.)

MR. SPEAKER: The hon. Member for St. John’s East — Quidi Vidi you weren’t recognized on the camera, if you want to ask the question again very quickly.

MS. MICHAEL: I wonder if the Minister of Health could give us a timeline for these wonderful ideas that he has, Mr. Speaker.

MR. SPEAKER: The hon. the Minister of Service NL.

MR. JOYCE: As we said earlier we’re going to review this. We look at it, one of the things that has been brought to the attention and I know the Member is very concerned is the in-house assessment for seniors which we do now. That is part of this government, in-house assessment for seniors. So we are making improvements.

Can we change everything in 11 months, of course not but I can assure you that this government is going to stand up to make lives better for the people of Newfoundland and Labrador every way we can, The Way Forward is giving us a path forward and we will live to the recommendations and the standards that we set for ourselves.
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Part 3 – Briefing Notes
Recommendations Report Fact-Check


Turner: Review and Investigation (September 2006)

A total of 30 recommendations were made to CYFS. As indicated in the facts-based sections of the report, the Department has fully implemented a total of 28/30 recommendations. Recommendations #7.18 and #7.19 are classified in the report as partially implemented.

Recommendation 7.18:

The facts-based sections of the report indicates this recommendation is partially implemented and completion of this recommendation is pending the completion of the electronic transfer of all records.

Status: The Department’s classification of the recommendation is congruent with the facts-based sections of the report.

Recommendation 7.19:

The facts-based sections of the report indicates this recommendation is partially implemented and completion of this recommendation is pending implementation of the ISM system.

Status: The Department’s classification of the recommendation is congruent with the facts-based sections of the report.

Lost in Transition (May 2009)

A total of 15 recommendations were made to CYFS. As indicated in the facts-based sections of the report, the Department has fully implemented a total of 15/15 recommendations.

The Child Upstairs...Joey’s Story (August 2011)

A total of 8 recommendations were made to CYFS. As indicated in the facts-based sections of the report, the Department has fully implemented a total of 6/8 recommendations. Recommendations #1 and #9 are classified in the report as partially implemented.
Recommendation 1:

The facts-based sections of the report indicates this recommendation is partially implemented and completion of this recommendation is pending the completion of the electronic transfer of all files.

Status: The Department’s classification of the recommendation is congruent with the facts-based sections of the report.

Recommendation 9:

The facts-based sections of the report indicates this recommendation is partially implemented and completion of this recommendation is pending the completion of the amendments to the Child and Youth Advocate Act.

Status: The Department’s classification of the recommendation is congruent with the facts-based sections of the report. The Department continues to be committed to the process of development and implementation of legislation mandating the reporting of child deaths and critical incidents to OCYA by CYFS. This commitment is further highlighted by the Mandate Letter of December 14, 2015, which emphasizes continued government collaboration to develop legislation for the house of assembly that will make it mandatory to report child deaths and critical incidents to the Child and Youth Advocate.

Turning a Blind Eye (July 2012)

A total of 11 recommendations were made to CYFS. As indicated in the facts-based sections of the report, the Department has fully implemented a total of 10/11 recommendations. Recommendation #12 is classified in the report as partially implemented.

Recommendation 12:

Please see response to recommendation #9 (The Child Upstairs...Joey’s Story). The Department’s classification of the recommendation is congruent with the facts-based sections of the report.

Out of Focus (September 2012)

A total of 13 recommendations were made in the report to CYFS. As indicated in the facts-based sections of the report, the Department has fully implemented a total of 12/13 recommendations. Recommendation #13 is classified in the report as partially implemented.
Recommendation 13:

Please see response to recommendation #9 (The Child Upstairs...Joey's Story). The Department’s classification of the recommendation is congruent with the facts-based sections of the report.

Sixteen (October 2013)

A total of 19 recommendations were made to CYFS. The facts-based sections of the report indicate CYFS has implemented a total of 16/19 recommendations while recommendations #4, #16 and #26 are classified in the report as partially implemented.

Recommendation 4:

The facts-based sections of the report indicate completion of this recommendation is pending the selection and implementation of the new on-call system.

In Fall 2015 CYFS implemented the After Hours On-Call Emergency Services Protocol. The on-call protocol provides operating guidelines for all social workers and clinical program supervisors who provide on-call services. The on-call protocol is applied province wide and meets the need for emergency child protection services across the province. This new protocol has enhanced the delivery of on-call services across the province and CYFS is satisfied with the modified system.

Recommendation 16:

The facts-based sections of the report indicate that completion of this recommendation is pending the permanent implementation of the pilot project.

On October 16, 2015 the Department provided you with the following update pertaining to this recommendation: CYFS is piloting for one year, effective October 31, 2015, the assignment of two social workers where a youth is involved in both the Youth Services (YS) and Community Youth Corrections (YC) Programs and where staffing resources allow for the assignment of two social workers. In instances where a youth is assigned a social worker for each program area, the social workers will be expected to collaborate and share information to ensure the youth has access to services necessary for his/her rehabilitation and a successful transition to adulthood. CYFS will develop indicators to measure the pilot which will be completed at the end of the pilot period.

The Department has commenced the one year pilot. CYFS continues the development of key indicators to evaluate the pilot following the one year pilot period. Following the conclusion of the pilot, the key indicators will be used in the evaluation of the pilot to determine its effectiveness and sustainability. The Department is of the view this recommendation will be fully implemented when CYFS concludes its evaluation and makes a determination whether or not to permanently implement the pilot.
Recommendation 26:

The facts-based sections of the report indicates recommendations 26(a) and 26(b) are fully implemented.

Recommendation 26(c) is classified in the report as partially implemented. The report indicates completion of 26(c) is pending finalization of revisions to the Community Youth Corrections Standards and Practice Manual, and implementation of those revisions, including the requirement that a Youth Corrections Plan be completed for any youth who is simultaneously receiving services from the Community Youth Corrections Program and from one or more other agencies.

In October 2015, the Department provided you with the following update pertaining to this recommendation: Revisions to the Community Youth Corrections Standards and Practice Manual have been drafted and are currently undergoing a legal review before finalization. The revised manual will include a section on service planning which establishes a new standard for the completion of a written service plan for community based youth corrections. The new policy on service planning will replace the ISSP planning process referenced in the current policy manual. A Youth Corrections Service Plan form has also been developed.

Please be advised the legal review of the Community Youth Corrections Standards and Practice Manual is nearing completion. Finalization and implementation of the revisions is pending the conclusion and outcome of the review.

A Tragedy Waiting To Happen (December 2015)

A total of 5 recommendations were made to CYFS. As indicated in the report, the Department has implemented recommendation #7. Recommendations #1, #8, #9 and #10 are classified as partially implemented.

Recommendation 1:

The facts-based sections of the report indicates this recommendation is partially implemented and completion of this recommendation is pending approval and operationalization of the MOU between CYFS and the RCMP.

Status: The Department’s classification of the recommendation is congruent with the facts-based sections of the report.

Recommendation 8:

The facts-based sections of the report indicates this recommendation is partially implemented and completion of this recommendation is pending implementation of SDM and the ISM system.

Status: The Department’s classification of the recommendation is congruent with the facts-based sections of the report.
Recommendation 9:

The facts-based sections of the report indicates this recommendation is partially implemented and completion of this recommendation is pending the identification and establishment of committees at the community level to ensure collaboration, communication and information sharing among service providers.

Status: The Department's classification of the recommendation is congruent with the facts-based sections of the report.

Recommendation 10:

The facts-based sections of the report indicates this recommendation is partially implemented and completion of this recommendation is pending the completion of a comprehensive needs assessment, in collaboration with local governments and other service providers, of the services being provided in every remote and isolated community in the province, as well as the development and implementation of strategies to address the identified deficiencies in a timely manner.

Status: The Department's classification of the recommendation is congruent with the facts-based sections of the report.

Youth Corrections – Decisions Regarding Open Custody Placements

A total of 2 recommendations were made to CYFS. As indicated in the facts-based sections of the report, the Department has fully implemented both of the recommendations.

Child Death Review Committee – Individual Case Reviews

A total of 5 recommendations have been made to CYFS. The facts-based sections of the report indicates the Department has implemented a total of 3/5 recommendations. The report indicates the following 2 recommendations are not fully implemented:

Case # SP 136-2014

Recommendation 2:

The facts-based sections of the report indicates this recommendation is partially implemented and completion of this recommendation is pending completion of an informed response to the recommendation by CYFS, as well as distribution, in collaboration with the DHCS, of relevant information on the issue of SIDS risk factors to DCYFS regional staff, and the incorporation of information into the CORE Training Program.
In October 2015, the Department held discussions with the Department of Health and Community Services (DHCS) regarding the role of DHCS with respect to the recommendation. With respect to the update provided to you in October 2015, it is important to clarify CYFS did not state it would lead “an informed response to the recommendation”. Rather, DHCS agreed to lead the gathering of information regarding SIDS risk factors to inform implementation of the recommendation. Collaboration continues between the respective Departments and DHCS has provided CYFS with relevant information on SIDS risk factors. CYFS shall forward the information to regional staff in the near future. In addition, The Training Unit has been engaged and will incorporate information into CORE Training as part of an upcoming review of the curriculum commencing in the spring 2016.

Case # FP3-15

Recommendation 1:

The facts-based sections of the report indicates this recommendation is not implemented and the response given by CYFS is inadequate and inappropriate. The report states DCFS does not intend to initiate collaboration with Community Health and the Innu to explore a culturally sensitive education campaign to increase community awareness of SIDS risk factors and safe sleeping arrangements. The DCYFS has a responsibility to provide adequate programs and services to Innu children and youth in the province. In consultation with the CDRD regarding the response received from DCYFS, the Advocate determined that the recommendation remains that the DCYFS initiate collaboration with Community Health and the Innu to implement this recommendation.

Given the Innu has the mandate for public health in Innu communities, the Department will advise the appropriate Innu leadership of this recommendation.
Ministerial Information Note

Title: Mandatory Reporting of Critical Incidents and Deaths to the Advocate for Children and Youth (ACY).

Issue: Update on the process to legislate reporting of critical incidents (CI) and deaths to the Advocate for Children and Youth.

Key Messages:

- Child, Youth and Family Services take all recommendations of the Advocate for Children and Youth very seriously and are committed to implementing all requests and recommendations. Through various investigations and reviews the Advocate has made 104 recommendations to Child, Youth and Family Services. Of the 104 recommendations, 89 have been fully implemented and work continues on the remaining 15 recommendations.

- Child, Youth and Family Services continues to work toward fulfilling the direction outlined in the Minister’s December 2015 mandate letter which is to work with colleagues in other government departments and the Advocate for Children and Youth to develop legislation on mandatory reporting of critical incidents and deaths to the Advocate.

- What is being requested is not only reporting for children and youth receiving services from the Department of Child, Youth and Family Services but also reporting of critical incidents and deaths of children and youth receiving services from the Departments of Health and Community Services, Justice and Public Safety and Education and Early Childhood Development. This means there are many parties involved such as private and public schools, child care agencies, hospitals, police, and correction services. As a new government we want to take the time required to fully understand and appreciate the implications resulting from mandatory reporting for these parties and for the government as a whole. It is important that we get this right for the children and youth in our province.

- The Minister of Child, Youth and Family Services has met with the Ministers of Health and Community Services, Justice and Public Safety and Education and Early Childhood Development individually and collectively (January and February 2016) to discuss the Advocate for Children and Youth’s request for mandatory reporting of critical incidents and deaths to her office.

- The Minister of Child, Youth and Family Services has also met twice with the Advocate for Children and Youth (January & February 2016) to keep her informed and to update her on government’s progress. Child, Youth and Family Services also meet with the Advocate on a quarterly basis to proactively discuss matters of common interest.
• Reporting to the Advocate for Children and Youth is already occurring on a voluntary basis. Since September 2014, CYFS has been reporting all deaths to the Advocate. In addition to reporting child deaths, CYFS staff provides the Advocate with all requested information and do so in an expedited manner. In addition to regular updates provided by front line staff on case specific matters, Child, Youth and Family Services also responded to 45 written requests for information from the Advocate in the 2015 calendar year.

Background:

• The Advocate’s office is a statutory office of the House of Assembly established in 2002 under the authority of the Child and Youth Advocate Act (CYA Act).

• The Advocate represents the rights and interests of children and youth receiving government services and provides advocacy in four main capacities: individual advocacy, systemic advocacy, reviews and investigations and education and promotion.

• In 2008, the CYA Act was amended to substantially broaden the powers of the ACY to review and investigate all matters involving children and youth regardless if a complaint regarding a child or youth is made to the office.

• Specific powers added included the power to call and subpoena witnesses, the power to review all documentation regarding services provided to the children or youth, the power to review departmental policies and procedures and recommend changes and the ability to recommend whether government programs or services are meeting the needs of children and youth. These changes have resulted in the Advocate having one of the broadest mandates in Canada (similar to SK).

• Since 2011, three reports from the Advocate’s office have recommended the development of a protocol with CYFS for the reporting of CI’s and deaths involving children and youth.

• In July 2014, the Advocate tabled a briefing note in the HOA outlining her rationale for the mandatory reporting of CI’s and deaths including that the current delay in receiving information from government about child deaths prevents her from intervening early to advocate or investigate matters and to prevent future incidents from occurring.

• The Advocate has publicly stated the need for legislative change after she became aware through the media (who were advised through an ATIPPA request) of the deaths of 26 children previously involved with CYFS.

• In November 2014, the HOA passed a motion committing to legislation to respond to the Advocate’s request for the mandatory reporting of CI’s and deaths to her office. In addition to CYFS and with the Advocate’s support, the Advocate’s request includes reporting by EECD, JPS and HCS and their bodies.
• In December 2015, the Minister of CYFS was directed in a departmental mandate letter to develop legislation for consideration by the HOA regarding this reporting. However, the mandate letter does not specify what departments should be engaged in the mandatory reporting process. This allows government the flexibility to determine the scope of reporting to the ACY while still meeting its mandate. The previous government had written the Advocate stating that CYFS, EEC, JPS and HCS would be involved in discussions regarding mandatory reporting.

Current Status:

• The Departments of Child, Youth and Family Services, Health and Community Services, Justice and Public Safety and Education and Early Childhood Development are completing an in-depth analysis of the Advocate’s request to ensure government fully appreciates the implications resulting from mandatory reporting for each department and for the whole of government.

• Proceeding with the Advocate’s request for mandatory reporting of critical incidents and deaths will result in the Advocate’s office having the greatest oversight of government services in the country (SK has broad advocacy and investigative powers but they do not report deaths and critical incidents to the respective Advocate office).

Next Steps:

• Continue to work with the departments and when ready, CYFS will update the Advocate on government’s progress.

Potential Questions:

1. Are all departments committed to the reporting?

• As per the Advocate’s request, mandatory reporting is being considered for the Departments of Child, Youth and Family Services, Health and Community Services, Justice and Public Safety and Education and Early Childhood Development and their bodies. This includes parties such as the child care sector, private and aboriginal schools, regional health authorities, police and corrections services and the Advocate supports this approach.

• CYFS is committed to continuing the work of reporting deaths and critical incidents to the Advocate.

• If further questioned on whether all department’s support mandatory reporting add:

• Each respective department is in the best position to comment on their support for mandatory reporting to the Advocate. Given Child, Youth and Family Service’s involvement with vulnerable children, the department is committed to continuing the work of reporting deaths and critical incidents to the Advocate.
2. Why is this taking so long? Will the draft bill be presented in the House this spring sitting?

- Child, Youth and Family Services continues to work toward fulfilling the direction outlined in the Minister’s December 2015 mandate letter which is to work with colleagues and the Advocate for Children and Youth to develop legislation on mandatory reporting for consideration in the HOA.

- The Departments of Child, Youth and Family Services, Health and Community Services, Justice and Public Safety and Education and Early Childhood Development are completing an in-depth analysis of the Advocate’s request to ensure we fully appreciate the implications resulting from mandatory reporting for each department and their bodies and for government as a whole. We want to ensure that we are able to provide the Advocate with the information requested with the resources we have.

- The departments have prioritized this work but it is essential that we take the time necessary to carefully examine the implications of mandatory reporting and in particular an understanding of the implications for front line workers. Much work has been completed including an understanding of what is a critical incident, an understanding of the timeframes the Advocate is seeking for reporting to the office and the kind of information the Advocate is requesting.

3. Given the current fiscal restraints government is facing, are there budget implications for those departments to report deaths and critical incidents to the Advocate?

- There are no direct financial costs associated with reporting as existing departmental resources will be used, however it is anticipated that additional resources will be required to respond to requests for information from the Advocate following the department’s notification of deaths and critical incidents to the Advocate’s office. Between January and December 2015, CYFS responded to 45 written requests for information from the Advocate and frontline workers in CYFS also provided regular and ongoing updates on case specific case matters to the Advocate.

- The Departments of Child, Youth and Family Services, Health and Community Services, Justice and Public Safety and Education and Early Childhood Development are completing an in-depth analysis of the Advocate’s request to ensure we fully appreciate the implications resulting from mandatory reporting for each department and for government as a whole. We want to ensure that we are able to provide the Advocate for Children and Youth with the information requested with the resources we have.

Prepared by: J. Cotter/P. Rodgers
Approved by: R. Cochrane
March 3, 2016
Information Note
Department of Child, Youth and Family Services


Issue: To provide an overview of the report from the Advocate regarding the implementation of recommendations from previous reports and reviews.

Background and Current Status:
- Since 2006, the Child and Youth Advocate has completed eight investigative reports and four reviews with the most recent investigation involving a house fire that caused the death of two children and their grandfather in Nain (A Tragedy Waiting to Happen).
- On an annual basis, the Advocate publishes a status report on the actions taken by departments/agencies to implement the recommendations from reviews and reports. On April 18, 2016, the Advocate wrote departments and provided her most recent report regarding the status of implementation by departments/agencies.
- In this report the Advocate has also included the status of departmental implementation of recommendations from the Child Death Review Committee since its establishment as the Advocate has been tracking departmental actions regarding these recommendations since 2015.
- She has scheduled a press conference for Tuesday April 26, 2016 at 11:00 for the release of this report.

Analysis:
- The 2015 Status Report notes that of the 183 recommendations from the Advocate since 2006, 82% are implemented, 11% are partially implemented and 7% are no longer applicable. A substantive number of these recommendations relate to CYFS with 86% implemented and 14% partially implemented. The other departments and agencies named in this report include Health and Community Services, Justice and Public Safety, and Education and Early Childhood Development.
- The Status Report also contains the status of departmental/agency actions regarding the 11 recommendations from the Child Death Review Committee noting that 55% are implemented, 36% are partially implemented and 9% are no longer applicable.
- Government’s commitment to addressing the recommendations and the ongoing cooperation between the Advocate’s office and various departments/agencies in enhancing services to children and youth is also noted in the Status Report.
- The Advocate has highlighted the lack of progress on amendments to the *Child and Youth Advocate Act* to mandate the reporting of critical incidents and deaths by government
departments/agencies. Mandatory reporting was first recommended by the Advocate in her 2011 investigative report “Joey’s Story” and subsequently recommended in two further investigative reports. The report states that substantial work involving departments and the Advocate’s Office had been advanced on this recommendation however it has been stalled since the summer of 2015.

Action Being Taken:
- The Minister of CYFS has been briefed and is prepared to respond accordingly on behalf of CYFS. The report and this briefing note has been shared with other departments who will be prepared to respond accordingly.

- The key message remains that government takes all recommendations involving children and youth very seriously and much progress continues to be made on the implementation of recommendations. Government continues to be committed to working with the Advocate and the Child Death Review Committee to improve the delivery of services to the children and youth of Newfoundland and Labrador.

Prepared/Approved by: D. McGrath/ R. Cochrane
Ministerial Approval: Received from Hon. Sherry Gambin-Walsh
April 22, 2016
Response to Reports Released by OCYA
Key Messages
April 19, 2016

- The Department of Child, Youth and Family Services takes any recommendations made by the Office of the Child and Youth Advocate very seriously. Our government respects the role of the Office of the Child and Youth Advocate, and we remain committed to continue working collaboratively with the Advocate and her staff.

- CYFS has implemented approximately 90 per cent of the recommendations put forward by the Child and Youth Advocate in her various reports. The Advocate has classified the outstanding items as partially implemented, and work continues on these recommendations.

- The recommendations brought forward by Advocate are consistent with the recommendations of the Clinical Services Review and other reviews completed on the service delivery of CYFS, and validate our efforts to date towards laying a strong foundation to address the challenges in child protection services.

- We recognize that each of these reports point to serious systemic issues, and our government is continuing to build upon the foundation that was laid through the creation of a department devoted to children, youth and their families. We will also continue to review all our existing programs and services and focus on addressing any identified issues.

- We are dedicated to creating a culture of organizational accountability, excellence and consistency across all Child, Youth and Family Services’ programs and regions. This is about getting back to the basics of case management and service delivery.

- To date, significant progress has been made regarding the transformation of service delivery for children, youth and their families through the following:
  
  - New Organizational Model
  - Continuum of Care Strategy
  - New Legislation
  - New Protection and In Care Policy and Procedures Manual
  - New Documentation Policy and Guidelines
  - Updated Risk Management Decision-Making Model
  - New Adoptions Policy and Procedures Manual
  - New Training Unit
  - New Quality Assurance Division

- With respect to legislative amendments to require mandatory reporting of deaths and critical incidents, much work has been done and departments have given priority to this work; however, it is essential that we take the time necessary to carefully examine the implications of this reporting.