

The Role of Child Advocacy in Canada: With Special Reference to the Province of Ontario, Canada

by Judy Finlay, Chief Advocate
Office of Child & Family Service Advocacy

SUMMARY

Since ratifying the United Nations Convention on the Rights of the Child (UNCRC), Canada has made some substantive steps toward a rights revolution for children but has a considerable way to go to create either a Canada or a world fit for children; a world in which children are loved, respected and cherished, their rights are protected and promoted without discrimination of any kind, where their safety and well-being are paramount and where they can develop in health, peace and dignity. In our interconnected world, we have to be more than just directors or observers of childhood, we have to be partners with children in their struggles, talking with them and listening to them. They are the experts of their lived experience. Together with children we can act to effect change.

The Canadian Council of Provincial Child and Youth Advocates is an alliance of the eight provincially appointed Children's Advocates from the provinces of British Columbia, Alberta, Saskatchewan, Manitoba, Ontario and Newfoundland and Labrador; the Nova Scotia Children's Ombudsman; the Commission des droits de la jeunesse from the province of Quebec; and the British Columbia Children's Officer.¹ Through the Council, Advocates share a common commitment to further the voice, rights and dignity of children.

The Office of Child & Family Service Advocacy (Advocacy Office), Ontario, is the first child advocate office in Canada. It has been in operation since 1978 and is authorized under the *Child and Family Services Act (CFSA)* to protect the rights of Ontario children and families who are receiving or seeking services through the provincial government. The Office advises Ministers on matters that concern children and families. Any student in a residential or demonstration school (Ministry of Education) is also entitled to call the Advocacy Office for help. The Advocacy Office ensures that children and youth in care or custody know and understand their rights and that the laws that protect them from abuse or harsh treatment are enforced. Advocacy Officers:

- elevate the voice of youth;
- intervene when children, who live outside of their family's care, report abuse or harsh treatment;
- empower children and families to make complaints about unacceptable treatment;
- intercede and speak for children and their families who might not be able to get needed services or solutions without help;
- help communities with complex, hard-to-serve cases where more than one government or community agency needs to be involved;
- look into broader problems affecting groups of children and youth that can only be resolved through changes in the system; and
- put the words and concerns of youth into a broader, systemic context to inform and influence legislation, policy and practice.

¹ Canada has 13 Provinces and Territories – Alberta, British Columbia, Manitoba, Newfoundland & Labrador, New Brunswick, North West Territories, Nova Scotia, Nunavut, Ontario, Prince Edward Island, Quebec, Saskatchewan, Yukon.

Last year, the Advocate's Office received approx. 3200 calls. The majority of the calls were about standards of practice for children in residential care, peer-on-peer violence, children living at home with special needs and aboriginal child welfare. The client group includes:

- Youth in conflict with the law;
- Children in child welfare care;
- Children receiving children's mental health services;
- Children with cognitive/developmental disabilities in residential or family care;
- Unattached migrant children;
- Street Kids
- Children residing in residential schools for the deaf, blind, hard of hearing, learning disabled;
- Children with special needs who live at home;
- Children with special needs who are in specialized classrooms;
- Aboriginal/First Nations children on and off reserve;
- Children who have died while in care;
- Children who have committed the most serious offences.

The three levels of advocacy practiced by the Office are Case Advocacy, Systems Advocacy and Policy Advocacy.

Child Welfare

All provincial Child Advocates concern themselves with the most vulnerable children in our society, in other words those taken into care by child protection services – children who have been mistreated, abandoned or neglected, and children who have serious behavioural problems. In all, over 100,000 children and young people in Canada are in the care of the state. The State has an inalienable responsibility to protect and provide for children in institutional care.

Children and Violence

Violence among and toward youth has become an increasing concern in Canada. Youth describe the trajectory of violence in their life from "family to system". They experience or witness violence in the family and then replicate it in schools, group care, in community settings or on the street. Due to an enhanced societal response to domestic violence there has been an increase in reporting and intervention. There is an increase in the number of apprehensions of children in need of protection. Concomitantly, there are daily accounts in the media of youth violence either in the context of assaults directed at family members or at peers. Comprehensive programming has been developed to assist children with the dynamics of bullying in schools and dating violence. Also, there are dramatic illustrations of violence among young sports players and/or their spectator parents. Crime prevention strategies are in place to understand gang culture and the increase in aggression among girls. Finally, youth describe the risk involved in institutional care due to the nature and intensity of violence among youth. Unfortunately, this spectrum of violence involving youth and its public reporting has contributed to a "villification" of youth.

December 2006