

# 15-YEAR-OLD LEVI

An Investigative Review



MAY 2017





Under my authority and duty as identified in the *Child and Youth Advocate Act (CYAA)*, I am providing the following Investigative Review regarding the death of a 15-year-old youth who had received Child Intervention Services within two years of his passing. Consistent with Section 15 of the *CYAA*, the purpose of this report is to learn from this sad circumstance and recommend ways of improving Alberta's child intervention system.

This is a public report that contains detailed information about a child and his family. Although my office has taken great care to protect the privacy of the youth and his family, I cannot guarantee that interested parties will not be able to identify them. Accordingly, I would request that readers and interested parties, including the media, respect this privacy and not focus on identifying the individuals and locations involved in this matter.

In accordance with the *CYAA*, the names used in this report are pseudonyms (false names). Finding an appropriate pseudonym is difficult because a young person's name is part of who they are. However, it is a requirement that my office takes seriously and respectfully. In this situation, we have chosen the name Levi.

Levi was a young man of First Nation heritage who became involved with Child Intervention Services when he was very young. Levi's life was unpredictable and lacked the stability necessary for his healthy growth and development because of his exposure to family violence, parental addictions and homelessness. When he was 15 years old, Levi died by suicide.

This review highlights the importance of a balanced focus in addressing the problems that parents experience with the needs of the child. It also emphasizes a child's right to be heard and participate in decision-making and the child's right to have their basic needs met. It is my sincere hope that the recommendations arising from this review will be acted upon, along with relevant recommendations made in other reports, to improve services for Alberta's children and youth.

[Original signed by Del Graff]

**Del Graff**

Child and Youth Advocate

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## EXECUTIVE SUMMARY

Alberta's Child and Youth Advocate (the "Advocate") is an independent officer reporting directly to the Legislature of Alberta, deriving his authority from the *Child and Youth Advocate Act (CYAA)*. The Advocate has the authority to conduct investigations into systemic issues related to the death of a young person who had received Child Intervention Services within two years of their passing.

Levi (not his real name)<sup>1</sup> was a young man of First Nation heritage. Levi was exposed to neglect, homelessness, poverty, family violence, parental addictions and mental health concerns. His child intervention record closed within two years of his death.

The information gathered through this Investigative Review revealed two issues related to children and families involved with Child Intervention Services.

### **1. Child-centered versus family-centered intervention approach**

The services that were provided by child intervention to Levi's family primarily focused on addressing his mother's addictions and mental health. There was not an equal consideration for Levi's needs. In three earlier Investigative Reviews, "*Remembering Brian: Investigative Review*",<sup>2</sup> "*16-Year-Old Sam: Serious Injury Investigative Review*"<sup>3</sup> and "*Toward a Better Tomorrow – Addressing the Challenge of Aboriginal Youth Suicide: Investigative Review*"<sup>4</sup> the Advocate recommended the need for a balanced focus in addressing parental problems with the needs of the children. These recommendations are included in Appendix 4 and are relevant in Levi's circumstances.

### **2. Child's right to participate in decision-making and have their voice heard in having their basic needs met**

The United Nations Convention on the Rights of the Child (UNCRC) states that a child has the right to participate in decision-making (Article 12) and to have their basic needs met. (Articles 6 and 27). Although Levi voiced his concerns and wishes when he was a young child, it is unclear whether they were considered in case planning. Levi's exposure to family violence, parental addictions and homelessness was known in his community. Sometimes individuals helped him, but this did not ensure that Levi's basic needs for shelter, clothing and food were consistently met each and every day.

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1 All names throughout this report are pseudonyms to ensure the privacy of the young person and their parents.

2 Office of the Child and Youth Advocate – Alberta (2013)

3 Office of the Child and Youth Advocate – Alberta (2015)

4 Office of the Child and Youth Advocate – Alberta (2016)

To address these issues and to help improve the effectiveness of Alberta's services to children, the Advocate makes **two recommendations**:

### **Recommendation 1**

The Ministry of Children's Services should establish formalized procedures for the engagement and active participation of children in decision-making. There must be a record of how a child's views were considered and what influence they had on the decision-making process.

### **Recommendation 2**

The Ministries of Children's Services and Education should develop processes for the early identification of children who may be at risk of homelessness. Community-specific strategies must be developed in partnership with all levels of government, to support and intervene with these children and their families.

The Ministry of Children's Services must provide information that documents how these recommendations are implemented consistently across the province.

### The Office of the Child and Youth Advocate

Alberta's Office of the Child and Youth Advocate (the "Advocate") is an independent officer reporting directly to the Legislature of Alberta. The Advocate derives his authority from the *Child and Youth Advocate Act (CYAA)*,<sup>5</sup> which came into force April 1, 2012.

The role of the Advocate is to represent the rights, interests and viewpoints of children receiving services through the *Child, Youth and Family Enhancement Act*<sup>6</sup> (the *Enhancement Act*), the *Protection of Sexually Exploited Children Act*<sup>7</sup> (*PSECA*), or from the youth justice system.

### Investigative Reviews

The CYAA provides the Advocate with the authority to conduct Investigative Reviews. The Advocate may investigate systemic issues arising from the death of a child who was receiving child intervention services within two years of their death if, in the opinion of the Advocate, the investigation is warranted or in the public interest.

Upon completion of an investigation under this section of the CYAA, the Advocate releases a public Investigative Review report. The purpose is to make findings regarding the services that were provided to the young person and make recommendations that may help prevent similar incidents from occurring in the future.

An Investigative Review does not make legal conclusions, nor does it replace other processes that may occur, such as investigations or prosecutions under the *Criminal Code of Canada*. The intent of an Investigative Review is not to find fault with specific individuals, but to identify key issues along with meaningful recommendations, which are:

- prepared in such a way that they address systemic issue(s); and,
- specific enough that progress made on recommendations can be evaluated; yet,
- not so prescriptive to direct the practice of Alberta government ministries.

It is expected that ministries will take careful consideration of the recommendations, and plan and manage their implementation along with existing service responsibilities.

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5 *Child and Youth Advocate Act, S.A. 2011, c. C-11.5.*

6 *Child, Youth and Family Enhancement Act, RSA 2000, c. C-12.*

7 *Protection of Sexually Exploited Children Act, RSA 2000, c. P-30.3.*

The Advocate provides an external review and advocates for system improvements that will help enhance the overall safety and well-being of children who are receiving designated services. Fundamentally, an Investigative Review is about learning lessons, rather than assigning blame.

## About This Review

The Advocate received information that 15-year-old Levi (not his real name)<sup>8</sup> died by suicide. Although Levi's last contact with Child Intervention Services occurred approximately three years earlier, his intervention record remained open until 20 months prior to his death. We do not know why.

Levi's child intervention records were thoroughly reviewed by the investigative staff from the Office of the Child and Youth Advocate (OCYA). The Advocate determined that an Investigative Review was warranted and the Ministry of Children's Services was subsequently notified.

Terms of Reference for the review were established and are provided in Appendix 1. A team gathered information and conducted an analysis of Levi's circumstances through a review of relevant documentation, interviews and research. Attempts to speak with Levi's mother were unsuccessful; however, a relative spoke with the investigative team about Levi and his experiences.

A preliminary report was completed and presented to a committee of subject matter experts who provided advice related to findings and recommendations. The list of committee members is provided in Appendix 2. Committee membership included experts and academics in the fields of addictions, homelessness, family violence, child rights and an Elder.

## About Levi and his Family

Levi was a youth of First Nation heritage. He enjoyed the outdoors, skating and bike riding. Levi had a sense of humor, was kind and liked to be helpful to others. When he reached adolescence, he was described as quiet and kept to himself.

Levi's parents (Janet and Ben) had two children, Levi and Josh. In addition, Janet had four children with her long-term partner, Andrew. They lived together for a number of years before and after Levi's birth. Levi, Josh and their younger brother, Logan, lived primarily with Janet while their other siblings lived with their maternal grandmother.

Janet and Andrew frequently separated and reconciled. Janet often asked for assistance to leave the community and seek addictions treatment, but she seldom followed through. Janet and the children stayed with relatives or friends when they had nowhere to live.

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<sup>8</sup> All names throughout this report are pseudonyms to ensure the privacy of the child and family.



## HISTORY OF INVOLVEMENT WITH CHILD INTERVENTION SERVICES

Child Intervention Services was intermittently involved with Levi's family over the eight years prior to his birth. Concerns included Janet's poor mental health, the children's exposure to substance abuse, family violence, neglect, and homelessness.

### Levi from Birth to 5 Years Old

Levi's first involvement with Child Intervention Services occurred when he was two months old. The concerns were not substantiated and child intervention involvement ended.

When Levi was approximately 18 months old, Janet asked that he be placed in a foster home because she had left Levi's stepfather (Andrew) and had nowhere to live. A family support worker worked with the family for about three months. Janet's instability, uncertain future plans, frequent moves and addictions were noted as potential risks to Levi's development. It was determined there were no immediate concerns and child intervention involvement ended.

Child Intervention Services had no involvement with Levi for approximately one year. However, there was involvement with Levi's older siblings who lived with their grandmother.

Over the following two years, Child Intervention Services received concerns about drinking and domestic violence in Janet and Andrew's home. They had a violent relationship which often resulted in assault charges and restraining orders. Sometimes, Janet was the perpetrator of the violence and was temporarily removed from the home. The police had significant concerns about the children's ongoing exposure to domestic violence. Child intervention did not remain involved.

When Levi was five years old, police went to his home because Janet and Andrew were drinking and fighting. Child Intervention Services received concerns that Janet was not meeting the needs of her children and they were taking care of themselves. Levi, Josh and Logan remained with Janet under a Supervision Order.<sup>9 10</sup>

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9 The court grants mandatory supervision of a child to the Director. Guardianship and custody of the child remains with the family/legal guardian.

10 Levi turned six years old when the Supervision Order was granted.

## Levi from 6 to 10 Years Old

Within one week after the Supervision Order was granted, Janet asked that the children be placed in a foster home because she could not manage them; she later withdrew her request. When the order expired, child intervention involvement ended.

A short time later, Janet contacted Child Intervention Services because she felt overwhelmed and had problems getting six-year-old Levi to go to school. She asked for him to be placed in a foster home several times. However, shortly after, she either changed her mind or child intervention did not agree to her request. Levi told a relative that he wanted to go to a foster home because he did not like his mother's drinking.

A short time later, Janet was arrested while intoxicated. Levi and Logan were placed with Andrew. Upon her release, Janet and Andrew reconciled and agreed to participate in parenting assessments, drug testing and to work with a family support worker.

The children were subsequently taken into care so that Janet could attend a residential treatment program and receive mental health services. The boys were placed in an emergency foster home. They had lice and needed extensive dental work.

About one week later, Levi and Logan were placed with their uncle, under a kinship arrangement. Levi was excited to move and a youth worker was arranged to help him adjust. The boys had regular telephone contact with their mother. Approximately one month later, their uncle asked to have the boys moved for personal reasons.

Levi and Logan returned to the same foster home for approximately two weeks, before being placed with other relatives. Although Logan remained in this home, Levi was moved to another foster home about six weeks later, because his relatives could not manage his behaviours. Levi settled into the foster home quickly; though he sometimes had nightmares and said he was afraid he would have to move again.

While Levi was in care, Janet completed an addictions program. Andrew completed a parenting assessment, attended alcohol and drug screening, moved into his own house and worked with a family support worker. He had regular telephone contact with the children. The children returned to Janet's care under a Supervision Order. After two months, the order was terminated and child intervention involvement ended when Levi went to live temporarily with his grandmother.

Five months later, there was a fight in the home while eight-year-old Levi was present. Janet was referred to community services and child intervention involvement ended.

Approximately two months later, a cousin died by suicide in Janet's home. Levi did not witness the suicide but was present when the body was removed. A caseworker recommended that Janet and Levi get counselling. Janet contacted Mental Health Services and child intervention involvement ended. Janet did not follow through and

Levi did not receive counselling. There were concerns that Levi's school attendance was poor. He was behind in all of his subjects and had inadequate winter clothing.

The following month, Levi went for help after seeing his mother walking on a bridge while intoxicated. He was afraid that Janet would jump off the bridge and die. When the police arrived, Janet assaulted one of the officers and was charged. Levi was apprehended and a Temporary Guardianship Order<sup>11</sup> was obtained. He told his caseworker that Janet had been drinking a lot and he did not like it when she drank. Levi was placed in the Taylor foster home (not their real name). Although he was only with them for approximately one month, he enjoyed his time there.

At Janet's request, Levi was subsequently moved to a kinship home in his community. His caregiver described him as a bright boy who liked school and was well-behaved. Levi liked living there. After approximately two months, agreement could not be reached on funding and he was moved back to the Taylor foster home.

Levi was excited to be with the Taylors where he remained for six months. He made friends quickly. Although he was in Grade 3, he was reading at a Grade 1 level. Initially, he struggled with rules and self-control. He went to counselling briefly, but the counsellor did not feel Levi required ongoing therapy. A psychoeducational assessment was completed that indicated Levi did not require a modified program. He improved academically and behaviourally. His teachers described him as a capable student who brought a positive attitude to school every day.

Levi had a close relationship with his foster father and they enjoyed spending time together working on homework, skating and snowboarding. His foster father described him as a sensitive boy and advocated for his needs. Although Levi had regular family visits, he wrote a letter to his mother and told her that he loved his foster father and wished that he could stay there forever.

Janet completed a substance abuse program, went to counselling and saw an addictions counsellor weekly, but she was unable to stay drug and alcohol free. Approximately one month after his ninth birthday, Levi returned to his mother's care under a Supervision Order. Over the next six months, Janet and her new common-law partner were drinking and involved in incidents of violence.

When the Supervision Order expired, child intervention involvement ended.

When Levi was 10 years old, concerns were reported about Janet's drinking. She denied the allegations, the children did not voice any concerns and child intervention involvement ended.

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<sup>11</sup> The court awards custody and guardianship to the Director for a specified period of time. This order is sought when it is believed that the child can be safely returned to their guardian.

## Levi from 11 to 15 Years Old

A month after Levi's 11th birthday, Janet requested that he be placed in a foster home because she had nowhere to live. Child intervention involvement ended at Screening because the family could not be located.

Three times over the following nine months, concerns were reported that Levi had been abandoned and was walking around with no place to stay. The concerns were not substantiated and involvement ended.<sup>12</sup>

When Levi was 12 years old, the police found several intoxicated adults at the home where Janet was staying. She told them that Levi had been missing for about a week. A few days later, he was found in a yard where he had been staying in a tent for about a month because of Janet's drinking. Levi did not wish to talk to the caseworker and child intervention involvement ended.<sup>13</sup>

Little is known about Levi over the next two to three years. It is unclear where he was living or how his basic needs were met. He rarely attended school and stopped going altogether after Grade 8. At times, community members gave him food and clothing.

Shortly after his 15th birthday, Levi was taken to hospital by ambulance because of stomach pains. He said that he had been drinking for six days because he was depressed about the death of a close friend who had died two years earlier by suicide. He was treated in the Emergency Department and released. He continued to drink that evening.

Early the next morning, Levi was taken to hospital by ambulance. He was found in a ditch and talked of suicide by alcohol poisoning. He repeated that he was sad about his friend's death. He left without being seen by a physician.

Four months later, Levi died by suicide. He had spent an evening socializing with friends and was found deceased the following morning.<sup>14</sup>

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12 Through the Investigative Review process, the Advocate was unable to obtain any additional information about Levi's circumstances and how the concerns were determined to be unsubstantiated.

13 There was no further contact with Levi, but his electronic record remained open until 20 months prior to Levi's death.

14 No information could be found about Levi's circumstances over the four months between his hospitalization and his death.

The Terms of Reference for this Review identified two systemic issues:

1. **Child-centered versus family-centered intervention approach**
2. **Child’s right to participate in decision-making and have their voice heard in having their basic needs met**

### Child-Centered Versus Family-Centered Intervention Approach

Levi’s early life was unpredictable and lacked the stability necessary for his healthy growth and development. Janet and her partners had many challenges, including drug and alcohol addictions and mental health problems. Violence was a common occurrence in their home.

The services provided by Child Intervention Services focused on addressing Levi’s mother’s addictions and mental health concerns. Levi’s experiences remind us of the consequences of focusing interventions primarily on parents and not assessing the impact of parental addictions and family violence on the developing child. While ideally children’s needs are best served within their families, there must be a balance. In earlier Investigative Reviews, the Advocate has recommended that there needs to be a balanced focus in addressing parental issues with the needs of the children.

In this circumstance, the Advocate is not making any new recommendations on the issue of ensuring a balanced focus in addressing parental issues with the needs of the children. **Relevant recommendations** have been made in three previous Investigative Reviews, and apply to Levi’s circumstance:

*“Remembering Brian: Investigative Review”<sup>15</sup>*

Child Intervention Services should engage in comprehensive assessments to ensure a balance is struck between child-focused and family-centered approaches. It is vital that intervention services not only address the presenting issues in a family, but also fully examine and address the impacts those issues have had on children in the family.

Develop guidelines that will aid caseworkers in assessing the impacts of family violence and parental addictions on children, and which provide direction for supporting children who have been exposed to these circumstances.

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15 Office of the Child and Youth Advocate – Alberta (2013)

*“16-Year-Old Sam: Serious Injury, Investigative Review”*<sup>16</sup>

The Ministry of Human Services needs greater early intentional focus on assessment and intervention that includes an equal emphasis on children, siblings and parents.

*“Toward a Better Tomorrow – Addressing the Challenge of Aboriginal Youth Suicide: Investigative Review”*<sup>17</sup>

Alberta Human Services should review child intervention case practice to ensure that intervention is focused on the child’s needs. The impact on a child exposed to domestic violence, parental substance abuse and other forms of child maltreatment must be addressed early in conjunction with their caregivers’ treatment plans.

The Advocate regularly reports on the progress of recommendations at:  
<http://www.ocya.alberta.ca/adult/publications/recommendations/>

The Ministry of Children’s Services publicly responds to recommendations at:  
<http://www.humanservices.alberta.ca/publications/15896.html>

## Children’s Right to be Heard and Participate

The United Nations Convention on the Rights of the Child (UNCRC) is an international agreement that identifies the rights of all children and provides a child-centered framework for the development and provision of services to children and youth. In 1991, Canada ratified the UNCRC and by doing so, agreed to implement these rights. Article 12 states that every child has a right to participate in decisions that affect them and to have their opinions seriously considered.<sup>18</sup>

On a number of occasions, Levi told adults that he did not like being around his mother when she drank. When he was six years old, he said he wanted to go a foster home but was left with his mother. When he was eight years old, he wrote a letter to his mother asking to stay with his foster father but Levi was returned to her care. When he was 12 years old, Levi was found living in a tent because of his mother’s drinking, but no action was taken. When he was 15 years old, he was taken to hospital twice because he was depressed and drinking, but there was no follow up with child intervention or mental health services. Although Levi told adults how he was feeling (or showed them through his actions), there was no indication that his views were acknowledged. As Levi got older, he would leave the home when his mother was drinking, often for extended periods.

Children can express their views about their own lives. How a child experiences their environment is unique to them. Children are a primary source of critical information

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<sup>16</sup> Office of the Child and Youth Advocate – Alberta (2015)

<sup>17</sup> Office of the Child and Youth Advocate – Alberta (2016)

<sup>18</sup> United Nations General Assembly (1989)

that must be considered as part of an assessment of their safety. In order to determine the impact a child's environment has had on them, we must hear and consider their experiences.

As Eileen Munro indicates, there are a number of barriers to seeing children as active contributors to decisions in their own lives. We live in a culture that assumes adults know best.<sup>19</sup> Society generally believes that by virtue of their youth, children lack competence, knowledge and good judgement; yet, when they are provided information, the opportunity and the time, even very young children are able to express their feelings, likes and dislikes and know what's important to them.<sup>20</sup> A change in attitudes about the participation of children in decision-making is needed.

Giving children a voice is a powerful tool - *when it is heard*. It allows them to challenge situations of maltreatment. Child neglect, whether it is physical or emotional, can only be effectively addressed if children and youth are asked about their experiences by adults with the authority to take appropriate action to ensure their safety. Not ensuring and considering a child's voice in circumstances of maltreatment further marginalizes and victimizes them.<sup>21</sup> The relationship between a child and their caseworker is one of the most important factors in establishing a foundation for children's participation.

Section 2(d) of the *Child, Youth and Family Enhancement Act*, Matters to be Considered,<sup>22</sup> acknowledges the entitlement of children to express their opinions and views on matters that affect them. However, policy<sup>23</sup> only speaks to the frequency and location of contact between a child and their caseworker.

In order to fully implement the right to be heard and participate, policies should reflect the value of listening to children and considering their views and opinions in decision-making.

## Recommendation 1

The Ministry of Children's Services should establish formalized procedures for the engagement and active participation of children in decision-making. There must be a record of how a child's views were considered and what influence they had on the decision-making process.

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19 Munro (2011)

20 Lansdown (2011)

21 Center for Parenting Education (n.d.)

22 *Child, Youth And Family Enhancement Act*, RSA 2000, s. 2(i)(i-vi)

23 Alberta Human Services (2016)

## Children’s Right to Have Their Needs Met

The UNCRC, Articles 6 and 27, also state that it is the right of every child to have their basic needs met. This includes “the right to live... to survive and develop healthily, and the right to a standard of living that is good enough to meet their physical and mental needs.”<sup>24</sup>

Over Levi’s 15 years, he did not have a consistent source of food, clothing or shelter. Although monies were provided for the family’s basic needs, the funds were limited and often spent on alcohol and drugs. This resulted in unstable housing and inadequate food and clothing.

Children require a secure and stable relationship with a parent or caregiver who is sensitive and responsive to them. In *Toward a Better Tomorrow – Addressing the Challenge of Aboriginal Youth Suicide: Investigative Review*, the Advocate identified the importance of a significant connection to a healthy adult, as well as to culture, as protective factors for those at risk of suicide. Children at risk can be identified and responded to earlier if there is a healthy connection with school. Levi’s physical safety and emotional needs were frequently not met.

As Levi got older, concerns were reported that he was wandering in the community with no place to go. When he was 12 years old, Levi was staying in a tent because of his mother’s drinking.

Levi’s circumstances highlight the importance of early identification and intervention with children who are neglected. In 2016, *Without A Home: The National Youth Homelessness Survey*, indicated there is a strong connection between a child’s early experiences and their resulting homelessness when they are adolescents. Youth who leave home at an early age are more likely to:

- experience multiple episodes of homelessness
- be involved with child protection services due to childhood trauma and abuse
- experience bullying
- be victims of crime
- have greater mental health and addictions symptoms
- experience poorer quality of life including poor nutrition
- become chronically homeless and attempt suicide

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24 United Nations General Assembly (1989)



Levi's exposure to chronic family violence, parental addictions and homelessness was known in his community. His larger community consisted of government services such as: child welfare, education, justice, health, and Chief and Council. His family lived in poverty and at times, community members gave the children food and clothing. While individuals sometimes helped, this did not ensure that all of Levi's needs were consistently met each and every day.

Although each of the stakeholders had individual concerns for Levi's welfare, he was not identified by the larger group as a child at risk, nor was a coordinated approach developed to support him. Levi's experiences speak to the importance of the community identifying a child at risk early and coming together to intervene and support the child.

The Government of Alberta is a recognized leader in addressing homelessness through the development of *A Plan for Alberta: Ending Homelessness in 10 Years*.<sup>25</sup> Furthermore, the government has recognized the need to support youth ages 13 to 24, who are at risk of homelessness through a youth plan, *Supporting Healthy and Successful Transitions to Adulthood: A Plan to Prevent and Reduce Youth Homelessness*.<sup>26</sup> Moving forward, there is a need to build on those successes and **focus on early identification of children under the age of 13**, who are at risk of being homeless. Additional consideration must be given to Indigenous children who live in rural areas.

## Recommendation 2

The Ministries of Children's Services and Education should develop processes for the early identification of children who may be at risk of homelessness. Community-specific strategies must be developed in partnership with all levels of government, to support and intervene with these children and their families.

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25 Alberta Secretariat for Action on Homelessness (2008)

26 Alberta Government (2015)

## CLOSING REMARKS FROM THE ADVOCATE

Levi was a kind and quiet youth. Our condolences are extended to those who knew and loved him. I want to thank those who spoke with us and shared their insights. Unfortunately, we were unable to speak to Levi's mother and little is known about his last two years.

This Investigative Review emphasizes the importance of making sure that children's voices are heard and their perspectives considered in decisions made about them. Children become invisible when they are not included in assessment and planning processes.

I am not making any new recommendations on the issue of a child-centered versus family-centered intervention approach. Four relevant recommendations have been made in previous Investigative Reviews that apply directly to Levi's circumstances and the findings of this review. Minimal progress has been made on these recommendations.

There is an urgent need for the early identification of children who are exposed to chronic neglect and homelessness. Service providers must intervene in a way that is meaningful for young people. Communities must come together to help these children and families. When their most basic needs are consistently unmet, children are not able to succeed in school, be an active part of their community and realize their full potential.

If children and youth are to have improved outcomes we must strive to do better. This review calls for action by the Ministries of Children's Services and Education, to identify those children most at risk of homelessness and neglect early on. It is critical for all levels of government to increase their efforts in a coordinated way for these vulnerable children and their families.

[Original signed by Del Graff]

**Del Graff**

Child and Youth Advocate

# APPENDICES

## APPENDIX 1: TERMS OF REFERENCE

### Authority

Alberta's Child and Youth Advocate (the "Advocate") is an independent officer reporting directly to the Legislature of Alberta. The Advocate derives his authority from the *Child and Youth Advocate Act (CYAA)*. The role of the Advocate is to represent the rights, interests and viewpoints of children receiving services through the *Child, Youth and Family Enhancement Act*, the *Protection of Sexually Exploited Children Act* or from the youth justice system.

The CYAA provides the Advocate with the authority to conduct Investigative Reviews. The Advocate may investigate systemic issues arising from the death of a young person who received child intervention services within two years of their death if, in the opinion of the Advocate, the investigation is warranted or in the public interest.

### Incident Description

The Advocate learned that 15-year-old Levi died by suicide. Although Levi's last contact with Child Intervention Services occurred approximately three years earlier, his intervention record remained open until 20 months prior to his death.

The decision to conduct an investigation was made by Del Graff, Child and Youth Advocate.

### Objectives of the Investigative Review

To review and examine service and supports provided to Levi and his family specifically related to:

- Child-centered versus family-centered intervention approach
- Child's right to participate in decision-making and have their voice heard in having their basic needs met

### Scope/Limitations

An Investigative Review does not make legal conclusions, nor does it replace other processes that may occur, such as investigations or prosecutions under the *Criminal Code of Canada*. The intent of an Investigative Review is not to find fault with specific individuals, but to identify and advocate for system improvements that will enhance the overall safety and well-being of children who are receiving designated services.

## Methodology

The investigative process will include:

- Examination of critical issues
- Review of documentation and reports
- Review of Enhancement Policy and casework practice
- Personal interviews
- Consultation with experts
- Other factors that may arise for consideration

## Investigative Review Committee

The membership of the committee will be determined by the Advocate and the OCYA Director of Investigations. The purpose of convening this committee is to review the preliminary Investigative Review report and to provide advice regarding findings and recommendations.

Chair: Del Graff, Child and Youth Advocate

Members: To be determined but may include:

- An Elder
- An expert in the area of addictions and family violence and their impact on children
- An expert in homelessness
- A specialist in child rights

## Reporting Requirement

The Child and Youth Advocate will release a report when the Investigative Review is complete.

## APPENDIX 2: COMMITTEE MEMBERSHIP

### Del Graff, MSW, RSW (Committee Chair)

Mr. Graff is the Child and Youth Advocate for the Province of Alberta. He has worked in a variety of social work, supervisory and management capacities in communities in British Columbia and Alberta. He brings experience in residential care, family support, child welfare, youth and family services, community development, addictions treatment and prevention services. He has demonstrated leadership in moving forward organizational development initiatives to improve service results for children, youth and families.

### Elder Marie Adam

Elder Marie Adam, of the Athabasca Chipewyan First Nation, grew up on her father's trap line in Fond du Lac Denesuline First Nation, Saskatchewan, a Treaty 8 territory. She proudly embraces her rich cultural heritage and passes on her Dene traditions to her 5 children, 8 grandchildren and 10 great grandchildren. Elder Adam has also mothered and supported many girls over the years. She has worked as a community health representative in Fort Chipewyan, she sits as a member of the Treaty 8 Elders Advisory board and serves as an Elder to the public school board in her community. Elder Adam is passionate about passing on her culture, language and traditions to the next generations and does this through sharing and storytelling in schools.

### Jean Anderson, MSW, RSW

Ms. Anderson is the Director of Quality and Risk Management with Child, Adolescent and Family Mental Health (CASA). She has worked with First Nation communities and service providers in Northern Alberta to identify needs and resources that enhance local capacity in child and family mental health. Her current work includes the development of services for First Nations communities through partnerships between four First Nations communities and CASA in the Edmonton Region. Ms. Anderson's experience includes the development of a treatment model for children who have witnessed domestic violence.

### Melissa Luhtanen, J.D.

Ms. Luhtanen is a lawyer and has practiced for 18 years in the field of Human Rights. Ms. Luhtanen is proficient in working with youth communities on Human Rights and Children's Rights. She is a skilled educator and speaker, who has worked with all sectors, including educators, judiciary, police, and government, to interpret human rights laws. Ms. Luhtanen has been on numerous boards and committees, including Youthsafe, the Peter Lougheed Centre Ethics Committee, Calgary Outlink, and the Alberta Hate Crimes Committee.

## Dr. Jeannette Waegemakers Schiff

Dr. Waegemakers Schiff is an associate professor in the Faculty of Social Work, University of Calgary. She has been involved in research on program outcomes and service delivery models for persons with mental illnesses and homeless people for over 30 years. Her work on homelessness has examined housing needs and housing first programs, rural family homelessness and rural aboriginal homelessness, both locally and nationally. Her recently published book, *“Working With Homeless and Vulnerable People: Basic Skills and Practices”* (Lyceum Press/Oxford University Press) addresses training and learning needs of frontline services staff. She is a member of the Canadian Observatory on Homelessness and the Canadian Homeless Research Network.

## APPENDIX 3: SUMMARY OF SIGNIFICANT EVENTS

<b>Birth to 5 years old</b>	<p><b>2 months old</b> - First child intervention involvement (Screening)</p> <p><b>18 months old</b> - Support Agreement No involvement for about one year</p> <p><b>3 to 5 years old</b> - Concerns reported regarding parental addictions and family violence</p>
<b>6 to 10 years old</b>	<p><b>6 years old</b> - Supervision Order (8 months) Concerns regarding mother's addictions, poor mental health Levi taken into care (8 months)</p> <p><b>7 years old</b> - Levi returned to mother's care Supervision Order (2 months) Levi temporarily placed with grandmother</p> <p><b>8 years old</b> - Levi taken into care (10 months)</p> <p><b>9 years old</b> - Levi returned to mother's care Supervision Order (6 months)</p> <p><b>10 years old</b> - Concerns reported about mother's drinking</p>
<b>11 to 15 years old</b>	<p><b>11 years old</b> - Concerns about homelessness and abandonment</p> <p><b>12 years old</b> - Levi was staying in a tent (last child intervention involvement)</p> <p>No Child Intervention Services' contact with Levi for over two years</p> <p><b>15 years old</b> - Levi taken to hospital twice within 24 hours - drinking and depression Levi died by suicide</p>



## APPENDIX 4: PREVIOUS INVESTIGATIVE REVIEW RECOMMENDATIONS RELEVANT TO LEVI<sup>27</sup>

### *Remembering Brian: Investigative Review (June 2013)*

#### **Recommendation 1:**

Child Intervention Services should engage in comprehensive assessments to ensure a balance is struck between child-focused and family-centered approaches. It is vital that intervention services not only address the presenting issues in a family, but also fully examine and address the impacts those issues have had on children in the family.

**The Ministry's response indicates that children are a focus in their assessments. The Advocate is looking for an indication that the Ministry knows this is happening (e.g. through their audit or file review processes).**

#### **Recommendation 2:**

Develop guidelines that will aid caseworkers in assessing the impacts of family violence and parental addictions on children, and which provide direction for supporting children who have been exposed to these circumstances.

**This recommendation has been met.**

### *16-Year-Old Sam: Serious Injury, Investigative Review (March 2015)*

#### **Recommendation 1:**

The Ministry of Human Services needs greater early intentional focus on assessment and intervention that includes an equal emphasis on children, siblings and parents.

**There has been further progress on this recommendation with the practice file reviews. Once there is an indication that the results have been reviewed and action considered by the Ministry, this recommendation will be met.**

### *Toward A Better Tomorrow – Addressing the Challenge of Aboriginal Youth Suicide: Investigative Review (April 2016)*

#### **Recommendation 4:**

Alberta Human Services should review child intervention case practice to ensure that intervention is focused on the child's needs. The impact on a child exposed to domestic violence, parental substance abuse and other forms of child maltreatment must be addressed early in conjunction with their caregivers' treatment plans.

**Progress on this recommendation has not been assessed as of September 30, 2016.**

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<sup>27</sup> Recommendations and Ministry of Children's Services responses can be found on the Office of the Child and Youth Advocates website at: [http://www.ocya.alberta.ca/wp-content/uploads/2015/04/Recomm\\_HS\\_At2016Sep30.pdf](http://www.ocya.alberta.ca/wp-content/uploads/2015/04/Recomm_HS_At2016Sep30.pdf)

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**15-YEAR-OLD LEVI**  
AN INVESTIGATIVE REVIEW



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