

Children, Seniors and Social Development

May 15, 2018

New Children, Youth and Families Act Protects Children and Youth and Supports Families

New legislation to promote the safety and well-being of children and youth will begin second reading in the House of Assembly today. The new Children, Youth and Families Act will replace the Children and Youth Care and Protection Act. The new act builds on the principles of the previous act and is child and youth-centred, family-focused and culturally responsive.

The proposed bill contains significant updates aimed at:

- Improving information sharing;
- Enhancing the focus on preserving the family unit;
- Expanding permanency options for children and youth in foster care;
- Strengthening service delivery to Indigenous children, youth and their families;
- Identifying and supporting youth in need of protection; and
- Developing a licensing regime for out of home placements.

Further details can be found in the backgrounder below.

The new legislation follows extensive consultations undertaken as a result of a statutory review process contained in the Children and Youth Care and Protection Act. Consultations took place in 2016 with over 30 organizations, including those representing Indigenous organizations and governments, through either in-person or virtual dialogue sessions, focus groups or written submissions. Over 170 surveys were received from young people and families as well as Children, Seniors and Social Development staff.

The department also completed a full jurisdictional scan of child welfare legislation across Canada and reviewed child welfare literature to gather information on best practices.

The Children, Youth and Families Act will officially come into effect 12 months from Royal Assent to allow for the development of new policies, clinical practice procedures and regulations. This will also allow time to implement training for staff.

Actions to improve child protection services deliver on commitments in The Way Forward to deliver better services and better outcomes for residents. The Way Forward outlines all actions the Provincial Government is taking to achieve a strong, diversified province with a high standard of living, and can be viewed at thewayforward.gov.nl.ca.

Quote

“The protection and care of vulnerable children and youth is a core value of our government, and the new Children, Youth and Families Act is key to helping ensure this protection. This progressive legislation enhances the focus on maintaining children and youth with families where it is safe to do

so, as well as improving service delivery to Indigenous children, youth and their families. This is a significant step forward for the protection of the children, youth and families in our province.”

Honourable Lisa Dempster

Minister of Children, Seniors and Social Development

Learn more

The Way Forward – thewayforward.gov.nl.ca

Children, Seniors and Social Development - www.cssd.gov.nl.ca/

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BACKGROUND

Highlights of the new Children, Youth and Families Act include:

- An enhanced focus on maintaining children and youth in their family homes by recognizing the role of family in promoting the safety and well-being of children and youth;
- Identifying and supporting youth in need of protection by increasing the scope of the duty to report to include youth, and by removing restrictions so that all youth under a youth services agreement can receive services until they reach the age of 21
- Expanding permanency options for children and youth by establishing a process so that children and youth who are declared in need of protective intervention by a judge can be placed in the permanent custody of a person, such as a relative or other person significant to the child or youth;
- Improving information sharing to assist in the protection of children and youth;
- Establishing a licensing and regulatory framework for agencies, family-based placement providers and residential placement providers to increase accountability and provide options to increase the number of foster homes;
- Strengthening service delivery to Indigenous children, youth and their families by:
 - requiring that a cultural connection plan for an Indigenous child or Indigenous youth who is removed from his or her family be included in the plan that is filed with the court for the Indigenous child or Indigenous youth;

- o establishing the ability for Indigenous representatives of prescribed Indigenous governments or organizations to be heard in court;
- o requiring specific placement considerations for Indigenous children and Indigenous youth who are in the care or custody of a manager;
- o requiring that notice of hearings relating to the supervision and custody of an Indigenous child or Indigenous youth be served to Indigenous representatives; and
- o providing authority to delegate functions and services under the act to an Indigenous government or organization.

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