



Child and Youth Advocate

Community Update

September 2011



Child & Youth
Advocate
Défenseur
des enfants et de la jeunesse

CANADIAN COUNCIL OF
Child and Youth
ADVOCATES

CONSEIL CANADIEN DES DÉFENSEURS
des enfants
et de la jeunesse



“How to be an Advocate”

New Brunswick Child and Youth Advocate to host National Conference

The New Brunswick Office of the Child and Youth Advocate will host the National Conference of the Canadian Council of Child and Youth Advocates (CCCYA) at the Delta Hotel in Fredericton, September 20th to 22nd.

Advocates and their staff will be joined by experts who work at the forefront of child welfare in Canada and around the world. The conference will focus on the nuts and bolts issues that are of concern to professionals who defend the rights and interests of Canadian children, particularly those most vulnerable in society.

Conference workshops and seminars will highlight the rights of the child. Participants will be invited to learn from each other, and gain insight into the approaches used successfully by our peers in other parts of the world. We will also look back on the history of children's rights; take stock of the progress we have made, and size up the challenges that lie ahead.

Please join us for the opening gala. This is an event that you will not want to miss.

Check out our
CCCYA
conference
website

<http://www.gnb.ca/0073/Child-YouthAdvocate/CCCYA-Conference/index-e.asp>

Look who's coming!

Marv Bernstien

Chief Advisor, Advocacy,
UNICEF Canada

Mike Doolan

Former Chief Social Worker for
the New Zealand Government

Dr. Charles Emmrys

Founder of the New Brunswick
Youth Treatment Program

Bernard Richard

Chairperson of the
Francophonie's Children's Rights
Working Group

...just to name a few

The Rights of New Brunswick Young Offenders must be respected

The following opinion article was written by Acting Child and Youth Advocate, Christian Whalen. It appeared in its entirety in the Telegraph Journal, August 19th.

It was with significant disappointment that I learned of the decision of the Department of Public Safety to move adult female offenders to the New Brunswick Youth Centre in Miramichi this fall.

My mandate, as the acting child and youth advocate for New Brunswick, is to ensure that the rights and interests of children and youth are protected in all matters of public policy.

Unfortunately, the proposed change at the New Brunswick Youth Centre does not offer any benefits to youth. Instead, it reinforces an untenable situation that has proven detrimental to the rehabilitation of young offenders. As such, I am compelled to raise questions, and I remain hopeful that the provincial government will allow time for more consultation to reconsider this decision before it is implemented.

Currently, youths at the New Brunswick Youth Centre are incarcerated alongside adult male offenders. This practice began as a "temporary" measure several years ago.

With the construction of two detention centres to house adult male inmates in our province, the provincial government is finally able to leave youth in the Miramichi with a centre of their own. Unfortunately, this new "interim solution" of placing adult female inmates at the New Brunswick Youth Centre appears to be on its way. Temporary or not, the arrangement brings to light several readily apparent concerns.

Department of Public Safety officials assure us that youth and adult offend-

ers never come in contact with one another. During my visits there, however, I have seen young inmates waiting to enter certain areas as adult inmates filed out. Also, youth can see the adults as they mow the lawn or perform other yard-work in the common area. The danger of incarcerated youth who wish to emulate the criminal behavior of fellow offenders is no secret. In fact, instances of incarcerated youth who view adult criminals as role models are well-documented.

Canadian criminal law dating to 1908 has maintained the principle that adult and youth offenders should be detained separately. The "temporary measures" that deny New Brunswick youth legal protections guaranteed to children the world over are simply not justifiable. Federal statutory law, international legal principles and constitutional law all argue against the practice of housing youth and adult inmates in common facilities.

In Canada, the *Youth Criminal Justice Act* states: "the criminal justice system for young persons must be separate from that of adults." This includes the specific provision that youth shall be held in custody separately from adult inmates. Furthermore, the act purposely acknowledges Canada's ratification of the *United Nations Convention on the Rights of the Child*. Adopted in 1989, this document protects the fundamental rights of all children and youth, including their right, if deprived of their liberty, to "be separated from adults unless it is considered in the child's best interest not to do so."

The *United Nations Convention on the Rights of the Child* clearly reflects principles of fundamental justice and security of the person that Canadians have made part of their supreme law

for more than a generation. Section 7 of the *Canadian Charter of Rights and Freedoms* affirms: "Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice."

Canadian courts have affirmed that the separate treatment and detention of adult and youth offenders is a principle of fundamental justice in Canadian law. How then can we in New Brunswick, as a just and democratic society, continue to treat our young offenders in this way?

New Brunswickers are all well aware that youth are in a stage of life characterized by rapid social, intellectual, neurological and psychological change. They are impressionable. We as a society have recognized our collective responsibility to "address the developmental challenges and the needs of young persons and to guide them into adulthood."

Youth-only detention facilities are uniquely designed to help rehabilitate young offenders during this time of rapid development. When we say as policy-makers and lawmakers that "children come first," we have to mean it and implement policies and actions consistent with these sentiments. This is particularly true with respect to vulnerable youth, including those who have run into some trouble with the law.

As an interim measure, until a permanent plan is established to meet the needs of the province's youth and adult offenders, why not respect the rights of our youth and operate the New Brunswick Youth Centre for the sole benefit of those for whom it was built?

Art for Autism celebrates creativity of Saint John Autism Community

The Saint John Community Autism Centre celebrated ability and creativity with its 3rd Annual *Art for Autism* showcase, August 18th.

The Community Autism Centre is a non-profit, community based centre that provides help and hope for persons and their families living with Autism Spectrum Disorder. Over 800 families access the services of the centre. *Art for Autism* is an event that showcases the artistic ability of youth with autism.

Deb McDonald, Executive Director of the Community Autism Centre Inc. paid special thanks to event organizer, Meghan MacDonald, a key part of her 'summer team', and explained that the night was truly an opportunity to celebrate the 'gift' that autism can bring.

"With a single focus and an eye for detail, these young artists give our community the opportunity to see the world through their eyes," said McDonald. "One of our young artists

said it best, "Come see what I do!" That was the real message for this year's event."

In addition to the celebration, a silent arts and craft auction was held, with contributions from many local Saint John artists.

"Disabilities no longer seem disabling when children are given the opportunity and are encouraged to express themselves freely and creatively"

Acting child and youth Advocate, Christian Whalen took the opportunity to reach out to the families and friends in attendance. He encouraged them to contact the Office of the Child and Youth Advocate if they have any concerns with services provided to their children who live with autism.



Whalen poses with Community Autism Centre Executive Director, Deb McDonald, John McDonald, *Art for Autism* coordinator, Meaghan MacDonald, and several of Saint John's youngest artists.

"We want to be more accessible and responsive our efforts to defend the interests and rights of all children and youth living with autism," said Whalen.

"Disabilities no longer seem disabling when children are given the opportunity and are encouraged to express themselves freely and creatively,"

Moncton Centre Provides Opportunities for Youth-at-Risk



Whalen and CYA delegate, Melanie Leblanc pose with staff and youth at Youth QUEST Central

Staff and youth of Youth QUEST Central in Moncton invited acting child and youth advocate, Christian Whalen, and CYA staff to Moncton to meet and chat on August 19th.

Youth QUEST Central is a multi-resource drop-in centre for youth aged

16-24 who are either homeless or at risk of becoming homeless.

Youth QUEST staff spoke of their concerns about government services, community programming, the youth justice system, as well as challenges that they face in their day-to-day dealings with youth-at-risk.

Youth who had dropped into the centre on that Friday afternoon were also invited to speak with Whalen. The youth were forthright as they expressed satisfaction with the level of care they receive from Youth QUEST staff.

"They [the staff] are always here to help you," said one young gentleman who had dropped-in to the centre for a bite to eat. "I really like it here."

A young lady at the centre expressed a similar feeling about Youth QUEST's youth friendly approach to life skills education.

"I've received counseling that has showed me how to be more assertive, but not aggressive, when dealing with people in the community. This will be extremely helpful in my work life."

Among its services, Youth QUEST provides laundry and shower facilities, computer and telecommunications, academic upgrading, job-readiness training, counseling and life skills development, as well as artistic and recreational programming for youth.

Sistema NB - Social Change Through Music

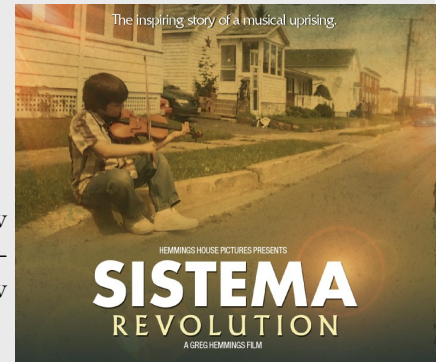
Sistema New Brunswick enters the 2011-12 school-year trumpeting big things for youth in the province.

This fall, the Sistema initiative will move beyond the doors of its prototype centre in Moncton and expand the program for Saint John school kids. The Saint John centre will invite an additional 55 children through its doors, allowing Sistema to reach 220 young New Brunswickers with its message of “social change through music”.

Sistema founder, Ken MacLeod says that it is an exciting time for the program, as the group is coming off a summer instrument drive which drummed-up a total donation of over 60 instruments. “The support we received from New Brunswickers was tremendous,” said MacLeod. “Their generosity will allow more youth to play more instruments as part of a full orchestra.”

Also set for release this fall is 'Sistema Revolution', the feature documentary from New Brunswick television production company Hemmings House. The film follows the inception, development and success of the Sistema program from its inception and roots in Venezuela and the El Sistema program. The documentary which aired on CBC this summer, and will soon be available on DVD.

Sistema NB, a community outreach program of the internationally acclaimed New Brunswick Youth Orchestra, is a free, not-for-profit, after-school orchestral music program that encourages co-operation, confidence and hope for hundreds of young New Brunswickers who might otherwise never have the opportunity.



Youth Matters is a network of young people in high school and university in New Brunswick who ensure the voice of youth is heard through Youth Engagement.

Over the past year, to celebrate the UN International Year of the Youth, the New Brunswick Child and Youth Advocate collaborated with Youth Matters to develop a Youth Engagement Framework for New Brunswick.

The framework document is set to launch at the CCCYA National Conference Opening Gala. It will offer New Brunswick government departments and community organizations with guiding principles of youth engagement, developed for youth...by youth.

We are YOUR Child and Youth Advocate. We want to hear from YOU.

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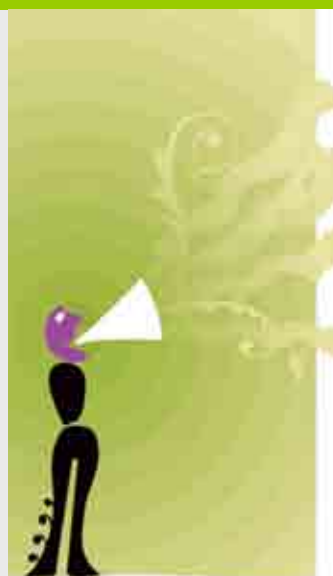
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Community Events

CCCYA National Conference
Fredericton—September 20-22

**State of New Brunswick
Children Address**
Fredericton—November 18

**Children's Rights
Awareness Week**
November 20-26

**Partners for Youth
Youth Engagement Summit**
Fredericton—November 4-5