



## Welcome

Welcome to the second edition of the New Brunswick Child and Youth Advocate News Bulletin. The purpose of this bulletin is to provide news and resources regarding local and international child and youth initiatives and to keep you up-to-date on our office's work in promoting the rights and interests of children and youth.

## Christian Whalen Appointed Acting Child and Youth Advocate

On March 31<sup>st</sup>, 2011, Bernard Richard retired as New Brunswick's Ombudsman and Child and Youth Advocate. Following Mr. Richard's advice and recommendation, two appointments were made to replace him and to separate the important and distinct mandates of the Ombudsman and Child and Youth Advocate. Christian Whalen was appointed Acting Child and Youth Advocate for an indefinite term effective April 1, 2011.

Mr. Whalen is a native of Fredericton and holds degrees in political science and philosophy as well as a bachelor of law degree and a graduate degree in international law from l'Université de Strasbourg, where he studied as a French Government Scholar and Council of Europe Human Rights Fellow.

Mr. Whalen was admitted as a member of the bar in Ontario and New Brunswick and worked as a lawyer in private practice and as legal counsel to the New Brunswick Human Rights Commission.

Mr. Whalen joined the Office of the Ombudsman in 2005 as legal counsel. He has been responsible for systemic investigations and acted as lead investigator on several reports of the Office of Ombudsman and Child and Youth Advocate, including *Connecting the Dots*, *Hand-in-Hand* and *Staying Connected*. He was also the project lead on the Office of the Child and Youth Advocate's annual *State of our Children and Youth* reports.

Mr. Francois Levert, a lawyer and senior investigator at the Office of the Ombudsman and Child and Youth Advocate, was appointed Acting Ombudsman. The appointments of the Acting Ombudsman and Acting Child and Youth Advocate were announced by Premier David Alward on April 5<sup>th</sup> as interim appointments pending completion of a review of the roles and responsibilities of the various legislative officers reporting to the Legislature, as well as those of agencies whose mandates might better be placed under the auspices of the Legislative Assembly, such as the Human Rights Commission. Bernard Richard was appointed to lead this review.

## Retirement of Bernard Richard and Launch of the First Nation's Children's Future Fund

On March 30<sup>th</sup>, 2011, over 350 guests attended a memorable tribute evening to celebrate the retirement of Bernard Richard, who became New Brunswick's sixth Ombudsman in 2004 and the province's first Child and Youth Advocate in 2006. Following his retirement, Mr. Richard will continue his volunteer work as Chairman of the Board of Directors of Plan Canada, one of Canada's major NGOs, which supports children in Third World countries.

The event also marked the launch of the First Nations Children's Future Fund. The mission of the Fund is to develop and support opportunities for recreation, culture and language among First Nations children in New Brunswick. It was created in response to recommendations made by Ombudsman and Child and Youth Advocate Bernard Richard in his report, *Hand-in-Hand: A Review of First Nations Child Welfare in New Brunswick*.

"During my investigation for the *Hand-in-Hand* report, I visited all 15 First Nations in our province, and found that these communities are woefully lacking in recreational opportunities and safe play spaces," said Mr. Richard. "The children themselves recognize that their peers turn to drugs and engage in other destructive behaviors because they have nothing to do. There is virtually no involvement of the non-profit sector in these communities. The Fund will seek to address this gap and to provide recreational activities for children, placing particular emphasis on First Nations culture and languages."

The Fund will be incorporated under Partners Foundation Inc and led by a Board of Directors. It is currently in its initial stages and is looking for support from individuals, the business and non-profit sectors, and First Nations communities.



Photo: Mr. Richard poses with the Esgenoopetitj Wegatusgk Dancers, who performed at his retirement celebration.



## A Message from the Acting Child and Youth Advocate

In October 2010, our Office hosted *Petits d'hommes*, an international conference on children's rights attended by delegates from all over the Francophone world. During the event, I heard for the first time of the work of Janusz Korczak (July 22, 1878 – August 1942), a Polish physician, author and commentator whom many consider the father of children's rights. Korczak wrote at a time when children were still considered chattel and had no rights. He was among the first to denounce the inequity of our paternalist past. It was his experience as a military doctor who witnessed the ravaging effects of war on children that made him into a powerful advocate for the smallest and most vulnerable among us. He operated two important orphanages in Warsaw up until the Second World War. In these schools he established a children's court and a children's parliament where the youth themselves participated in the running of the orphanage. In his children's novels, essays and weekly radio broadcasts, he challenged society and those around him to consider children in a new light, as equal partners in our collective search for a better tomorrow.

Korczak's work had considerable influence on his peers and in his lifetime, the League of Nations adopted an early declaration of children's rights. But Korczak insisted that this declaration was merely aspirational and did not go far enough. Before children's rights could be fully recognized, an elderly Korczak met a martyr's death, as he accompanied 200 orphans in his charge out of the Warsaw ghetto to the trains that brought them to their deaths at the Treblinka gas chambers. Years later, the UN adopted the 1959 Declaration of Children's Rights which was inspired in significant ways by Korczak's commitment to work towards a Convention enshrining these rights in law. In 1979, UNESCO declared the International Year of Korczak as a tribute to him in advance of the first International Year of Youth. This year, the United Nations have declared a second International Year of Youth, dedicated to youth engagement. The UN website launching the event states:

Youth organizations, Governments, and civil society are encouraged to celebrate the Year by holding activities to showcase youth contributions to development, promote mutual understanding, and highlight the benefits and significance of youth participation in all aspects of society. The Year aims to generate much needed attention for youth development and to provide an impetus among youth organizations to form partnerships and foster dedication to achieve the internationally agreed development goals, including the Millennium Development Goals.

I am very pleased to have been given the opportunity to carry forward the work of Child and Youth Advocate in New Brunswick over the next few months. In this interim transition, the focus will of course be on continuity and follow through on the work initiated by Mr. Richard on several fronts. Advocating for a new Centre of Excellence for Youth with Complex Needs, calling for swifter implementation of the Integrated Service Delivery Framework for children and youth, and inviting governments and communities to step up to the challenge of Community Youth Justice processes under the YCJA will continue to be the focus of our efforts.

It is clear to me, however, that governments alone cannot achieve the social transformation required for New Brunswick to meet its own Millennium Development Goals. Many community partners, individual New Brunswickers and youth especially are required to achieve this end. I am pleased to note that so many volunteers and engaged community leaders are already involved in this work. I look forward to improving and strengthening this network of children's voices and youth advocates in the next few months and I would encourage all New Brunswickers to become forceful advocates for the children and youth in their communities.



Sincerely,  
Christian Whalen  
Acting Child and Youth Advocate



## Follow-up to First Nations Child Welfare Review Released

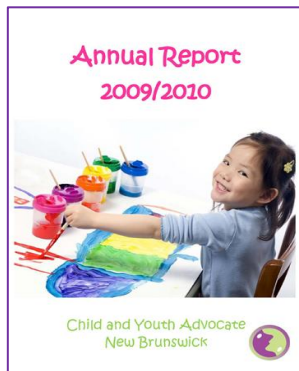
In March 2011, the Child and Youth Advocate released a follow-up to the 2010 report, *Hand-in-Hand: A Review of First Nations Child Welfare in New Brunswick*. The follow-up report summarizes the work that has been done in response to the 93 recommendations contained in *Hand-in-Hand*, which are aimed at addressing the over-representation of First Nations children in New Brunswick's child welfare system.



Copies of the follow-up report are available online at:  
<http://www.gnb.ca/0073/Review/PDF/HandHandOneYearLater-e.pdf>

## Child and Youth Advocate Publishes First Annual Report

In March 2011, the Office of the Child and Youth Advocate published its first Annual Report as a separate publication from the Ombudsman's Annual Report. The 2009-2010 report provides an overview of services provided by the Child and Youth Advocate's Office and summarizes some of the individual successes the Advocate's delegates have had in resolving advocacy requests made to our office.



Copies of the report are available on line at  
<http://www.gnb.ca/0073/Child-YouthAdvocate/index-e.asp> or in hard copy by request to [Advocate-Défenseur@gnb.ca](mailto:Advocate-Défenseur@gnb.ca).

## Useful Links

The Link Program New Brunswick:

<http://www.programmelemaillon.com/fr/intro.php>

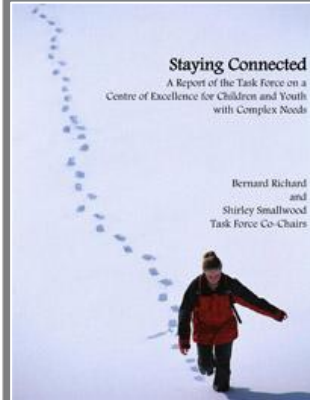
Canadian voters feel children's rights are important:

<http://www.unicef.ca/portal/Applications/Core/sbNews/sbNews.aspx?NewsID=1021&am=5483&rp=1266>

Mental Health Week:

<http://www.cmha.ca/bins/index.asp?lang=1>

## Staying Connected: A Report of the Task Force on a Centre of Excellence for Youth with Complex Needs



On March 17, 2011, the Task Force on a Centre of Excellence for Youth with Complex Needs tabled its report and recommendations with the Province of New Brunswick. The Task Force was co-chaired by Bernard Richard, Ombudsman and Child and Youth Advocate, and Shirley Smallwood, the parent of a child with special needs.

The report, entitled *Staying Connected*, outlined several recommendations as to how the province could best establish a Centre of Excellence for Youth with Complex Needs in our province.

The report recommends the establishment of a Centre with improved residential capacity for step-up interventions for families experiencing crises in managing the behaviours of youth with complex needs. The report further recommends a clinical approach that emphasizes clinical supports and step-down interventions that will ensure that youth receive services in family, community and foster parent settings as much as possible to normalize the interventions and reduce any risk of institutionalization. The report proposes a research-based Centre of Excellence established in partnership with university research centres in Moncton and Fredericton in order to monitor existing best practices world-wide in the area of treatment services for youth with complex needs and to provide training and clinical supports to service providers across the province to ensure that New Brunswick youth with complex needs benefit at all times from the most advanced intervention therapies and treatments. The report also addresses a variety of issues including the Centre's governance model, its location and the type of services that could be provided through its head office or satellite services in communities throughout the province.

Hard copies of the report are available from the Office of the Child and Youth Advocate upon request to [Advocate-Défenseur@gnb.ca](mailto:Advocate-Défenseur@gnb.ca) and electronic copies are available for download on our website at:

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



April 2011

## How to be an Advocate: New Brunswick Hosts National Conference of Canadian Child and Youth Advocates

In September 2011, the New Brunswick Child and Youth Advocate's Office will host the Biennial Conference of the Canadian Council of Provincial and Territorial Child and Youth Advocates in Fredericton. The overall theme for the conference will be "How to Be an Advocate." The conference provides the best professional development opportunity for staff working in Child and Youth Advocates Offices across the country. This year's conference will focus on the "nuts and bolts" issues involved in working as an advocate for a child or a youth in need. The conference will be open to registration in May for delegates interested in attending the public conferences and sessions outside of the Council's meetings.

A national pre-conference for Youth in Care is also being planned for September 18<sup>th</sup> and 19<sup>th</sup> in partnership with Partners for Youth and the Federation des Jeunes Francophones du Nouveau-Brunswick. More information regarding these events will be posted shortly on a Conference website to be linked in to the Child and Youth Advocate's website at: <http://www.gnb.ca/0073/Child-YouthAdvocate/index-e.asp>.

## Calendar of Events

April 26-29: National Conference of Family Resource Programs, Montreal, QC [www.frp.ca/ConferenceMontreal](http://www.frp.ca/ConferenceMontreal)

May 8-14: Canadian Foster Family Association's National Conference, Charlottetown, PEI  
<http://www.canadianfosterfamilyassociation.ca/archives/category/conference>

July 10 -15: International Foster Care Organization 16<sup>th</sup> World Conference, Victoria, BC <http://www.ifco2011.com/>

September 20-22 National Conference of Canadian Child and Youth Advocates, Fredericton, NB

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## State of Our Children and Youth Address

In November 2010, Bernard Richard delivered the third annual State of our Children and Youth Address in Miramichi. The event was attended by students from James M. Hill Memorial High School, École Carrefour Beausoleil and Miramichi Valley High School, who also participated in various workshops prior to the address.



Photo: Students learning how to make dream catchers at a workshop prior to the 2010 State of our Children and Youth Address.

The Office of the Child and Youth Advocate also released an accompanying report, *The Right to Identity, Culture and Language: A Child's Path to Development (A Statistical Background Report to the Child and Youth Advocate's 3rd Annual State of our Children and Youth Address)*. The report provides insight into the well-being of the province's children and youth, particularly with regard to key indicators such as health, education and social conditions. The 2010 edition was structured around some of the rights guaranteed under the United Nations Convention on the Rights of the Child, especially the right to be heard and the right to identity, culture and language. The report paid particular attention to the well-being of First Nations children and youth who often face greater disadvantages than their peers.

## The Last Word

### Two quotes from Janusz Korczak:

"The child is honest when he does not answer, he answers. He doesn't want to lie, and he is too frightened to tell the truth. To my surprise I have stumbled upon a new thought. Silence is sometimes the highest expression of honesty."

"I exist not to be loved and admired, but to love and act. It is not the duty of those around me to love me, but it is my duty to look after the world, and the people in it."