

17-YEAR-OLD DONOVAN

An Investigative Review



OCTOBER 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 17-year-old young man of Indigenous heritage who was, at the time, receiving services from the Government of Alberta.

This is a public report that contains detailed information about children and families. Although my office has taken great care to protect the privacy of the young person 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*, Investigative Reviews must be non-identifying. Therefore, the names used in this report are pseudonyms (false names). Finding an appropriate pseudonym can be difficult, however, it is a requirement that my office takes seriously and respectfully. When possible, we ask those close to the young person to choose a name that is meaningful. His mother has chosen the name “Donovan.”

We spoke with Donovan’s family and service providers who helped us understand his circumstances. When Donovan was 15 years old, he came to live with his mother in Alberta and became involved with Child Intervention Services and the youth justice system. Prior to his move, Donovan had extensive involvement with the child welfare system in another province. Interprovincial protocols exist regarding information sharing when children with child welfare involvement move between provinces. In Donovan’s circumstance, there was no information provided to Children’s Services in Alberta. The Ministry must make demands on other provinces when they are made aware of circumstances such as Donovan’s.

This review highlights the importance of coordination and communication between government services and the significance of supporting attachments to family and/or a relationship with a positive individual for vulnerable 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 receiving designated services.¹

Donovan (not his real name)² was 17 years old when he died by suicide while in a community-based open custody group home.³ At the time, Child Intervention Services was involved with Donovan through a Custody Agreement with Youth.⁴ He was a member of a First Nation in another province.

The Investigative Review examined two systemic issues.

1. Service Delivery Coordination and Communication

Youth with complex needs frequently have contact with multiple service delivery systems. However, these services are likely to be delivered independently.

Donovan had significant involvement with youth justice and child intervention in Alberta. There was little evidence of coordinated efforts between these systems. Staff had limited involvement with each other, relying on their own services and resources, with little awareness of what was available from the other.

There must be improved communication, cooperation and collaboration between systems dealing with the difficult challenges facing youth like Donovan. Sharing information about what young people experience in each system and raising awareness of existing protocols, legislation and information sharing initiatives, will lead to improved services for young people.

1 Designated service: a service under the *Child, Youth and Family Enhancement Act*, other than an adoption service under Part 2 of the Act, a service under the *Protection of Sexually Exploited Children Act*, or a service provided to children in the youth criminal justice system.

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

3 Operated by an agency contracted to Alberta Correctional Services.

4 A voluntary agreement with a youth between the ages of 16 and 18 where the Director assumes custody of the youth. The Director does not have guardianship.

Recommendation 1

The Ministry of Children's Services and the Ministry of Justice and Solicitor General should make certain that all frontline staff are aware of and use the existing protocols involving youth who have involvement with both Ministries.

The Ministries must provide information that demonstrates how this is implemented consistently across the province.

2. Loss of Connection with Family

In *Toward a Better Tomorrow: Addressing the Challenge of Aboriginal Youth Suicide*, the Advocate identified the importance of a young person having a significant relationship with at least one person. Secure attachment between a youth and a caring adult is essential to healthy development, builds resiliency and provides a sense of belonging. The Advocate also noted that when a young person experiences social isolation and does not have a relationship with a positive individual, they are at a higher risk of suicide.⁵

Donovan had not been in his mother's care since infancy. When he was 15 years old, he came to Alberta looking forward to a new start and a relationship with his mother. He planned to attend school and find employment. By making this move, Donovan was cut off from family members and supports previously available to him in his home province. Donovan's sole source of family support in Alberta was his mother. Their relationship was conflictual and as their home situation deteriorated, Donovan became involved in a high-risk lifestyle.

Although Donovan and his mother had a relationship that was difficult at times, they loved each other and were concerned about each other's well-being. Donovan was able to call his mother when he was in closed custody; however, their contact was temporarily interrupted when he was moved to the group home because of different approval processes. There is a need for child-serving agencies to work together to ensure youth like Donovan are able to maintain contact with significant family members.

⁵ Office of the Child and Youth Advocate – Alberta (2016).

Recommendation 2

The Ministry of Children’s Services and the Ministry of Justice and Solicitor General should work together so that contact and relationships for youth are maintained with family—particularly for youth in custody outside their home community.

The Ministries must provide information that demonstrates how this is implemented consistently across the province.

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/recommendations/15896.html>

The Office of the Child and Youth Advocate

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)*.⁶

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*⁷ (*Enhancement Act*), the *Protection of Sexually Exploited Children Act*⁸ (*PSECA*), or from the youth justice system.

Investigative Reviews

Section 9(2)(d) of 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 a designated service at the time of 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 assign legal responsibilities, 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.

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

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

8 *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, and making recommendations that result in systemic improvements for young people, when acted upon.

ABOUT THIS REVIEW

In 2015, the Advocate received a report that 17-year-old Donovan (not his real name)⁹ died by suicide while in a community-based open custody group home. At the time, he was receiving Child Intervention Services through a Custody Agreement with Youth. Donovan went to his bedroom after being denied a phone call to his mother. Shortly after, he was discovered unresponsive and taken to hospital. He was placed on life supports and passed away a few days later.

Donovan's child intervention and youth justice records were thoroughly reviewed by investigative staff from the Office of the Child and Youth Advocate (the "OCYA"). The Advocate determined that an Investigative Review was warranted and the Ministry of Children's Services and Ministry of Justice and Solicitor General were 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 Donovan's circumstances through a review of relevant documentation, interviews with service providers and research. The team also spoke with members of Donovan's family and reviewed the child welfare records from outside Alberta.

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 an Elder and experts in the field of youth justice, child welfare best practice and information and privacy.

About Donovan and His Family

Donovan was a tall, heavily built young man of Indigenous heritage. His father (Darryl) is a member of a First Nation in another province and his mother (Mary) self-identifies as Métis. Donovan was the youngest of the couple's three children. They lived in a northern community outside of Alberta. Child welfare had significant involvement because Darryl and Mary struggled with addictions and domestic violence. The couple separated when Donovan was a toddler.

Donovan was quiet and good natured; however, he could be impulsive and aggressive. He had poor comprehension of the consequences of his actions, particularly while under the influence of drugs or alcohol. While in Alberta, Donovan had significant involvement with the youth justice system.

⁹ All names throughout this report are pseudonyms to ensure the privacy of the child and family.

SUMMARY OF INVOLVEMENT WITH CHILD INTERVENTION SERVICES

Child Welfare Involvement Outside of Alberta

Donovan from Birth to 15 Years Old

Donovan was first taken into care when he was 18 months old because of his parents' substance abuse and neglect. Over the following two years, he and his siblings were removed from their parents' care and returned a number of times. When Donovan was three years old, he was taken into care permanently. A Permanent Order¹⁰ was obtained just prior to his fifth birthday.

Donovan lived with relatives who were foster parents until he was 11 years old. He struggled emotionally and behaviourally at home, at daycare and in school. It was reported that he was the victim of sexual and physical maltreatment.¹¹ From an early age, Donovan threatened to hurt himself and was linked to mental health services. Donovan's struggles resulted in the breakdown of placements and between 11 and 15 years old, he was moved a number of times between foster homes, respite workers and group care.

When Donovan was 15 years old, his mother (Mary) asked to have him returned to her. She was worried about his well-being and lack of a stable placement in his home province. Arrangements were made for Donovan to visit her in Alberta. During their visit, there was an altercation that resulted in police involvement and Donovan spent a few days at a youth shelter.

Later that year, the Permanent Order was terminated¹² and 15-year-old Donovan remained with his mother. Child Intervention Services in Alberta was not contacted as per the provincial/territorial protocol.¹³ Subsequent information requests provided limited history of Donovan's child welfare involvement in the other province.

10 The guardianship rights of the child's parents have been terminated and the child is under the permanent guardianship of a child and family services agency.

11 The details of the maltreatment are not included to protect the privacy of Donovan and his family.

12 The Permanent Order was terminated by Donovan's home province.

13 The protocol outlines the roles and responsibilities of statutory child welfare organizations working together to provide child welfare services to children and families moving between provinces and territories.

Child Intervention Services Involvement in Alberta

Donovan at 15 Years Old

Child Intervention Services' involvement began shortly after Donovan's Permanent Order was terminated. He was removed from his mother's home by police because she was unable to manage his behaviours. Donovan and Mary subsequently reconciled and child intervention involvement ended.

Donovan at 16 Years Old

Two months later, concerns were received after 16-year-old Donovan was arrested for damaging his mother's home and threatening a neighbour. He was released with a bail condition that did not allow him to live with Mary. Arrangements were made for him to stay at a youth shelter, but he left and stayed with a friend. Mary agreed to remove the "no-contact conditions" and Donovan returned home.

Approximately one month later, Donovan was charged after stealing two vehicles. He was released into Mary's care, but two weeks later was arrested for breaching his release conditions. Donovan was remanded to a youth justice facility for ten days before being released and returning to live with Mary.

Donovan entered into an Enhancement Agreement with Youth.¹⁴ He began working with a youth worker and was connected to community resources and supports. He registered in a special school program and was placed into a transitional program that linked youth with different trades.

Three weeks later, Donovan was arrested and remanded to a youth justice facility on a number of charges. That same month, Donovan was sentenced to four months in Secure Custody¹⁵ followed by two months of Community Supervision¹⁶ and an 18-month Probation Order.¹⁷ Child intervention involvement ended because Donovan was in custody. He was instructed to contact Child Intervention Services one week prior to his release if he required assistance.

14 A voluntary agreement with a youth between the ages of 16 and 18 who is living independently of their guardian to provide supports and financial assistance.

15 The *Youth Criminal Justice Act* requires the province to have at least two levels of custody. In Alberta, the two levels are called open and secure. Open custody facilities have a lesser degree of restraint than secure custody facilities.

16 A Custody and Community Supervision Order is a custodial sentencing option under the *Youth Criminal Justice Act*. The first two-thirds of the sentence is served in secure custody and the final third is served in the community under supervision. The maximum length of a Custody and Supervision Order is two years.

17 Probation supervision involves both the enforcement of court imposed conditions and interventions. It allows young offenders to reside in the community and continue to utilize community-based resources.

When Donovan was released, he returned to his mother's care in accordance with the conditions of his Community Supervision Order. Donovan contacted Child Intervention Services as instructed; however, a meeting with his caseworker did not occur for about six weeks.

Concerns were received that the relationship between Donovan and his mother was unstable. She was abusing prescription medication and had been charged with a number of offences. Donovan was attending school and making some positive changes; however, conflict with his mother was having a negative influence on his mental health and behaviour. Donovan had been taken to hospital due to suicidal ideation.

A short time later, after an argument with his mother, Donovan was arrested for not following the conditions of his Probation Order. He was remanded and released within the week.

Donovan signed an Enhancement Agreement with Youth and moved into a Supported Independent Living (SIL) placement.¹⁸ He worked with his youth worker and attended a specialized school program.

Several weeks later, Donovan was arrested and released with conditions and returned to his SIL placement. Within a month, Donovan was arrested for not following his release conditions. He was confined under the *Mental Health Act* and taken to the hospital for assessment after expressing suicidal thoughts. By the end of the month, Donovan was found with drugs and alcohol in his room and was subsequently evicted from his placement.

Donovan at 17 Years Old

Donovan spent the next month living in a youth shelter. His behaviour stabilized and he was allowed to move back into his SIL placement.

Two months later, Donovan was evicted again after continuing to break the rules at his placement. He returned to the youth shelter and signed another Enhancement Agreement. He stayed at the shelter for approximately one month before going AWOL.¹⁹

Approximately two months later, Donovan was arrested for stealing from vehicles, uttering threats and failing to follow the conditions of his probation. When admitted to a youth justice facility, Donovan said that he had cut himself in the past, but was not suicidal. Five days later, new cuts were observed on his arm. Donovan said that he had contemplated suicide seven months earlier. He said that he was homesick but denied that he was feeling suicidal. He was remanded to a youth justice facility for

¹⁸ Supports are provided to young people to assist them in transitioning to adulthood. May include residing in their own residence with various levels of supports.

¹⁹ The term used when a young person is absent from a placement without permission.

seven weeks. Donovan was subsequently sentenced to 180 days in Secure Custody²⁰ to be followed by a 90-day Community Supervision Order. While in custody, he signed another Enhancement Agreement. Donovan said that when released, he wanted to live with his mother, get a job and finish school.²¹

Child intervention involvement ended because Donovan was in custody. He was advised that he could contact his caseworker before his release if he wanted assistance.

Four months later, Donovan was released to serve the remainder of his sentence through community supervision. He contacted Child Intervention Services prior to his release, asking for help to find a residence because his mother was homeless. Arrangements were made for Donovan to stay temporarily at the youth shelter. He was registered in an employment program and attending classes in a specialized high school program.

Donovan's placement at the shelter was "day-to-day" and dependent on bed availability.²² After approximately one week, Donovan needed a new placement because there were no open beds at the shelter. He signed a Custody Agreement with Youth to facilitate a temporary foster care placement until a bed at the shelter became available. Three days later, Donovan went AWOL. He was arrested and returned to a secure facility. He told his court worker that he felt uncomfortable and awkward in the foster home so he stayed with a friend.

Donovan's Community Supervision Order was changed to 30 days Open Custody, followed by 40 days Community Supervision.²³

Before he was moved to an open custody group home, Donovan cut his wrists. He was placed under observation and assessed by a psychologist. Donovan denied any suicidal ideation. He told his child intervention caseworker that he was feeling stressed and frustrated and cut himself to get attention. Three days later, Donovan was moved into an open custody group home.

20 With 53 days pre-trial credit.

21 While in secure custody, Donovan asked to be transferred to a mental health facility for treatment.

22 The shelter could only accommodate six youth between the ages of 12-17 years old who required emergency housing and supports.

23 Donovan requested a transfer to a program at a medical facility so he could get "proper help."

Circumstances Surrounding Donovan's Death

Ten days later, Donovan asked to call his mother. His request was denied because Mary was not on an approved contact list. Soon after, Donovan was discovered unresponsive in his bedroom. He was transported to hospital and placed on life supports. Donovan passed away a few days later.

The Terms of Reference for this review identified three systemic issues: child intervention service delivery for young people in custody; coordination and communication between Child Intervention Services and Alberta Justice; and, loss of connection with family. Through the review process these have been incorporated into the following:

- Service Delivery Coordination and Communication
- Loss of Connection with Family

Service Delivery Coordination and Communication

Young people with complex needs usually have contact with multiple service delivery systems; however, these services are often delivered independently. Research has shown that children involved with child welfare have disproportionate health, mental health, special education needs and greater involvement in the youth justice system.²⁴ A report released in British Columbia indicated that one in six youth in care had been in custody.²⁵ In Alberta, youth receiving child intervention services are over-represented in the justice and correctional systems.²⁶

Donovan had significant involvement with both the youth justice and child intervention systems in Alberta. There was little evidence that coordinated efforts were made between the two. Staff had limited involvement with each other, relying on their own services and resources, with little awareness of what was available from the other.

The *Youth Criminal Justice Protocol* (the “protocol”) between Alberta Justice and Solicitor General and Human Services (November 2013) identifies the importance of case conferencing, at key intervals, when youth under child intervention status receive a custody sentence. Release planning is to be discussed at an intake conference and at each subsequent conference while the youth is in custody. As noted in the protocol, “*child intervention services does not usually cease because the youth receives a sentence of open or secure custody. Child intervention status generally extends beyond the full custody expiry date to ensure planned reunification with the family.*”

24 Corrado, Freedman, Blatier (2011).

25 British Columbia Representative for Children and Youth and Office of the Provincial Health Officer (2009).

26 Child and Youth Data Laboratory (2012).

The practice of ending involvement and putting the onus on Donovan to contact child intervention when he was released is contradictory to the protocol. Although child intervention involvement ended, Donovan's need for child intervention supports did not end when he was sentenced.

The protocol is intended to provide guidance to child intervention and justice staff. It emphasizes the need for child intervention to remain involved in case planning while a young person is in custody. However, staff may not be familiar with their responsibilities under this protocol. There are also gaps related to how young people should be supported, particularly when they are serving longer custodial sentences. Responsibilities such as how to support family connections should be clarified and reinforced.

Many young people have talked with staff from the Office of the Child and Youth Advocate (the "OCYA") about their difficulties in getting assistance from child intervention in planning for their release from custody. There has been increased involvement with young people in custody either on remand or sentenced under the *Youth Criminal Justice Act*.²⁷

Through the Investigative Review process, investigators heard concerns about the challenges of information-sharing related to planning for Donovan and other young people involved with both youth justice and child intervention. There are existing initiatives such as the *Information Sharing Strategy* (the "ISS")²⁸ and legislation such as the *Children's First Act* that provide the structures to facilitate information sharing.

There must be improved communication, cooperation and collaboration between systems dealing with the challenges facing youth like Donovan. Sharing information about what young people experience in custody and raising awareness of the *Youth Criminal Justice Protocol*, existing legislation and information-sharing initiatives will lead to improved service for young people.

Recommendation 1

The Ministry of Children's Services and the Ministry of Justice and Solicitor General should make certain that all frontline staff are aware of and use the existing protocol involving youth who have involvement with both Ministries.

The Ministries must provide information that demonstrates how this is implemented consistently across the province.

²⁷ Office of the Child and Youth Advocate – Alberta (2015).

²⁸ The ISS ensures government and service partners can share information to make the best decisions for Albertans' health, education and safety available at: <http://www.humanservices.alberta.ca/departments/information-sharing-strategy.html>

Loss of Connection with Family

Donovan was a vulnerable youth with complex needs. He had extensive involvement with child welfare services and was a permanent ward in his home province. As he got older, his mother became concerned about his lack of stability and asked that he be returned to her. The Permanent Order was terminated and Donovan stayed in Alberta.

Donovan was looking forward to living with Mary. He planned to attend school and work part-time. However, by moving to Alberta, Donovan was cut off from family members and supports previously available to him. His sole source of family support in Alberta was his mother. As their home situation deteriorated, he became involved with the justice system and accumulated a number of charges over a short time. This resulted in both open and secure custody sentences. Each of Donovan's custodial sentences resulted in commitment and action on his part to make positive changes by securing employment and attending school. Unfortunately, although Donovan made changes while in custody, each subsequent release resulted in his return to an unchanged environment at home.

Child Intervention Services was involved with Donovan and Mary because there were concerns about the conflict between them, abandonment, parental substance abuse, neglect, homelessness and criminal involvement. Donovan and Mary required a range of supports to help them develop a healthy relationship.

Although Donovan and his mother had a relationship that was difficult and conflictual at times, they loved each other and were concerned about each other's well-being. While in custody, Donovan said that he needed to be in regular contact with his mother because he was worried about her. Similarly, when he was upset, it was his mother whom he wanted to talk with. Even though she was sometimes difficult to locate, Donovan was allowed to call Mary when he was in closed custody. However, when he was moved to the open custody group home, his connection with his mother was interrupted because the placement had different processes for approving contact with family members.

The current *Youth Criminal Justice Protocol* notes the importance of family connections with reference to involving parents, extended family, community, and social or other agencies in the young person's rehabilitation and reintegration. It also indicates that parents should be provided information and encouraged to support their children as they address their offending behaviour. Despite the protocol, the Advocate has identified that young people in custody are reporting their loss of connection with family whether by distance or by limited or no telephone access.²⁹

In *Toward a Better Tomorrow: Addressing the Challenge of Aboriginal Youth Suicide*, the Advocate identified the importance of a young person having a relationship with at least one person. Secure attachment between a youth and a caring adult is essential to

²⁹ Office of the Child and Youth Advocate – Alberta (2015).

healthy development, builds resiliency and provides a sense of belonging. The Advocate also noted that when a young person experiences social isolation and does not have a relationship with a positive individual, they are at a higher risk of suicide.³⁰

Donovan was a vulnerable youth who was disconnected from his family and supports in his home province. He had intermittent support from his mother in his new community. Donovan would have benefitted from an intentional plan that maintained his connections to family.

Recommendation 2

The Ministry of Children’s Services and the Ministry of Justice and Solicitor General should work together so that contact and relationships for youth are maintained with family—particularly for youth in custody outside their home community.

The Ministries must provide information that demonstrates how this is implemented consistently across the province.

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/recommendations/15896.html>

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

CLOSING REMARKS FROM THE ADVOCATE

Donovan's death had a significant impact on his family, friends and community. I want to thank all of those who spoke with us, especially Donovan's family. There is nothing more difficult than losing a child. By sharing their insights about Donovan and his experiences, we were better able to understand the challenges he faced.

Donovan's death was tragic and highlights the importance of coordination and communication between government services and the significance of supporting attachments to family for vulnerable youth with complex needs.

Donovan's circumstances underline the importance that relationships have for youth in custody and the requirements for child serving agencies to ensure that contact with family is maintained. This is particularly significant for those young people in custody outside their home community.

[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 investigate systemic issues arising from the death of a child who was receiving a designated service at the time of death if, in the opinion of the Advocate, the investigation is warranted or in the public interest.

Incident Description

Donovan was 17 years old when he died by suicide while placed in an open custody group home.

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

Objectives of the Investigative Review

To review and examine the supports and services provided to Donovan and his family specifically related to:

- Child intervention service delivery for young people in custody
- Coordination and communication between Child Intervention Services and Alberta Justice and Solicitor General
- Loss of connection with family

To comment upon relevant protocols, policies and procedures, standards and legislation.

To prepare and submit a report which includes findings and recommendations arising from the Investigative Review.

Scope/Limitations

An Investigative Review does not assign legal responsibilities, 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 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 youth justice
- A specialist in working with hard to serve youth
- A specialist in the area of child intervention best practices

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 Dakota Eagle Woman

Elder Eagle Woman is of Ojibwa descent and worked in the provincial corrections system under Elder Services starting in 2009 in the Calgary Remand Centre and Youth Correctional Services. She has hosted healing circles with the Elizabeth Fry Society of Calgary. In 2013, she was awarded the YMCA Peace Medal for Community Individual in Calgary. She has been involved in the community assisting the women leaders with the female Sundancers for years and carries a pipe. She worked with the Canadian Indigenous Women's Resource Institute and was involved with the Calgary Urban Aboriginal Initiative on their Justice Committee for several years.

Pat Yuzwenko, B.A., LL.B

Ms. Yuzwenko has been practicing law since 1993. She has been employed with the Youth Criminal Defence Office since 1995 and is now Senior Counsel. She is responsible for managing offices in Edmonton and Calgary as well as being a member of the senior management team at Legal Aid Alberta. Ms. Yuzwenko has been involved with the National Youth in Care Network, Association for Youth in Care (Edmonton), and has been the legal advisor to youth oriented programs including "High Risk Youth Uncensored" with the University of Alberta. She has appeared at national and international conferences to speak to the issue of Fetal Alcohol Spectrum Disorder and the justice system, as well as best practices for representing youth in criminal courts. Ms. Yuzwenko has appeared at all levels of court in Alberta, in addition to the Supreme Court of Canada. She is a member of the Children's Law Committee of the Canadian Bar Association.

Lorne Bertrand, PhD

Dr. Bertrand obtained his B.A., (First Class Honours, M.A. (with Distinction) and Ph.D. degrees in Social Psychology from Carleton University in Ottawa. Prior to coming to the Canadian Research Institute for Law and the Family, he completed a three-year postdoctoral fellowship in the Psychology Department at the University of Calgary, followed by research positions at Calgary Health Services and the Alberta Lung Association.

Bruce MacLaurin, MSW, PhD (candidate)

Mr. MacLaurin is an Assistant Professor, Faculty of Social Work at the University of Calgary. He was the co-investigator on the three cycles of the Canadian Incidence Study of Reported Child Abuse and Neglect, as well as the Principal Investigator for provincial studies in Alberta, British Columbia, Saskatchewan and the North West Territories. His research and publishing has focused on child maltreatment, child welfare service delivery and outcomes, foster care, youth at risk and street-involved youth. He has more than 15 years of front-line and management experience in non-profit child and family services in Alberta and Ontario. Currently he instructs classes at the University of Calgary on Kinship Care.

Rachel Hayward, MPA, CIPP/C, CRISC, CIPM, FIP

Ms. Hayward has over 15 years' experience working in the privacy field. She has been in her current role as Senior Information and Privacy Manager with the Alberta Office of the Information and Privacy Commissioner for over 6 years. She leads high profile investigations, and offence investigations including the largest offence investigation in the history of the office which resulted in 38 charges under the *Health Information Act* and additional criminal charges. Ms. Hayward has a Master's degree in Public Administration, and is a Certified Privacy Professional (Canada) and Certified Information Privacy Manager and recently awarded the status of Fellow of Information Privacy by the International Association of Privacy Professionals. She is also certified in risk and information systems control.

APPENDIX 3: SUMMARY OF SIGNIFICANT EVENTS

Birth to 15 years old	<p>In government care under a Permanent Order in his home province, lived in family and group care placements.</p>
15 years old	<p>Permanent Order terminated.</p> <p>Signed successive Enhancement Agreements, living between his mother's home and youth shelter.</p> <p>Arrested and sentenced to Secure Custody.</p>
16 years old	<p>Arrested and sentenced to Secure Custody, child intervention involvement ended, advised to contact child intervention when released. Released into mother's care.</p> <p>Arrested for failing to follow his release conditions. Released into a youth shelter.</p> <p>Enhancement Agreement—Moved into a supported independent living placement, evicted for breaching rules, moved back into the youth shelter.</p>
17 years old	<p>Arrested and sentenced to Secure Custody, child intervention involvement ended. Advised to contact caseworker when released.</p> <p>Released on a Community Supervision Order into a youth shelter.</p> <p>Youth shelter unavailable, signed a Custody Agreement and placed in foster home—AWOL's.</p> <p>Arrested, Community Supervision Order changed to Open Custody. Moved into an open custody group home.</p> <p>Passed away 2 weeks later.</p>

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NORTH OFFICE

#600, 9925 109 Street NW
Edmonton AB T5K 2J8

SOUTH OFFICE

#2420, 801 6 Avenue SW
Calgary AB T2P 3W3

www.ocya.alberta.ca

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