

Youth centres are public institutions operating in every region of Québec which are responsible for intervening with young people under 18 living in situations that threaten their safety and development. These youths may be victims of negligence, abandonment, or physical or sexual abuse. They may also need help as a result of their own behaviour, for example, if they have committed a crime, have attempted suicide, have run away or are abusing drugs. The parents and family members of these youths, and others around them are important client groups for youth centres. Young mothers having difficulty coping, people looking for their biological antecedents and adoptive parents can also count on their support.

Every year, youth centres help over 100,000 young people and their families.

### THE QUÉBEC OMBUDSMAN ENSURES RULES ARE FOLLOWED

The Québec Ombudsman has second instance jurisdiction over youth centres, that is, it intervenes when a user is dissatisfied with the decision of a local commissioner. However, it can also act as a first instance for any report brought to its attention. It can intervene quickly in the violation of rights and correct situations in which a child—or his or her parents—is not receiving quality and appropriate services and care. It cannot question a decision made by the Director of Youth Protection regarding a child's situation or review its validity. The decision to investigate a report is one of the exclusive responsibilities of the Director under *A Youth Protection Act*. However, the Québec Ombudsman can study the work of those who intervene to ensure that rules and processes generally applied in similar cases are respected.

### SOME PROBLEMS INTENSIFYING WHILE OTHERS EMERGE

Over the last year, the Ombudsperson met the management of the Association des centres jeunesse du Québec and directors of youth centres in the region of Québec City, the Lower St. Lawrence and the Montérégie. She visited rehabilitation centres, a day centre for dropouts and different sites for youth in protection. During these visits and interviews with the directors of centres, she noted that problems are getting worse, and the number of clients is increasing; youth centres have to work very hard to deal with the situation.

The prevalence of mental health problems among an ever increasing proportion of children in need of protection has been observed in a number of the centres visited. But dealing with youths who suffer from mental health problems, often very serious ones, requires more intensive, specialized medical and social services that are appropriate to this reality.

Furthermore, stakeholders told the Ombudsperson that the health and social services reform has made partners less available for the joint action necessary to deliver services. They hope soon to be able to devote their time to updating clinical projects for youths in difficulty. Over the next year, studies and further visits will provide the Québec Ombudsman with a clearer picture of the situation.

Stakeholders reported to the Québec Ombudsman that street gangs and the recruiting of youths have an impact on their client groups. Working committees have been created, with representatives from the Youth Court, police services, CLSC workers and streetworkers, to improve interventions in this area.

### COMPLAINTS REVIEWED BY THE QUÉBEC OMBUDSMAN

In 2006-2007, the Québec Ombudsman studied 37 complaints regarding youth centres. There were 77 grounds for complaint.

The following table shows the breakdown of grounds for complaint reviewed by category and the number of corrective measures developed for each.

### Results of the Review of Grounds for Complaint

Complaint Grounds	Number of Grounds*	Unsubstantiated Grounds	Substantiated Grounds	Number of Corrective Measures
Access to care and services	10	10	–	–
Clinical and professional aspects of care and services	43	34	9	20
Individual rights	15	10	5	6
Financial aspects	2	2	–	–
Interpersonal relations	5	4	1	1
Physical environment and resources	2	1	1	1
<b>Total</b>	<b>77</b>	<b>61</b>	<b>16</b>	<b>28</b>

\* Excluding grounds whose processing was interrupted

Clinical and professional aspects of care and services generate the most complaints.

Of the 77 grounds for complaint examined, slightly over a dozen involved a child's circumstances. These mainly had to do with the availability and quality of services offered by a foster family, and isolation and support measures for youths. The other complaints related to the parents' situation.

### COMPLAINTS FROM YOUTHS

The Québec Ombudsman receives few complaints from youths in protection, in spite of the fact that youth centres devote a significant proportion of services and interventions directly to young people. This year, only two youths complained directly to the Québec Ombudsman. Almost all complaints are made by parents, even when they concern the youth's situation. This is nothing new; for several years, statistics from the Health and Social Services Ombudsman have shown the same problem. Furthermore, youth often complain to the local service quality and complaints commissioner about the institution's services or to the Commission des droits de la personne et des droits de la jeunesse.

Do youths understand their rights as users of health and social services? The Québec Ombudsman wonders about this and has studied the situation, paying particular attention to the conditions in which rights are exercised and the quality of services to one of the most vulnerable client groups.

### COMPLAINTS FROM PARENTS

The most common grounds for complaints from parents are the respect of visitation rights and the management of supervised contact. The professional skills and attitudes of those who intervene are also a source of dissatisfaction. Parents criticize the lack of information, help, advice and assistance when the Director of Youth Protection is involved.

Given that people are often unhappy with the decisions of the Director of Youth Protection or a judge's order, the Québec Ombudsman is not satisfied merely explaining the limits of its ability to intervene. All complaints are carefully considered, even if a corrective measure does not result. The Québec Ombudsman reviews the situation, ensures that everything is in compliance and takes the time necessary to inform the person of the reasons for the Director of Youth Protection's decision or to explain the grounds for the judgment.

### ACCESS TO SERVICES

Some parents' situations deteriorate because they do not receive the services they need in time, which can affect whether they retain or regain custody of their child. While access to care and services was not the largest area of complaint, the Québec Ombudsman is concerned about these parents' situations. By virtue of the new provisions of *A Youth Protection Act*, children in need of protection can be adopted more quickly. As such, if parents do not have timely access to the services they need, their ability to improve their parenting skills within a certain time frame can be compromised. Planning and regular follow-up on the intervention plan are essential in such situations.

In December 2005, the Québec Ombudsman presented a memorandum before a parliamentary commission as part of the study of Bill 125, *An Act to amend A Youth Protection Act and other legislative provisions*. In it, it recommended that Youth Court be able to order certain care and services for a child's parents, with the parents' consent. The recommendation was not included in the bill.

## THE IMPACT OF THE QUÉBEC OMBUDSMAN'S RECOMMENDATIONS

The recommendations of the Québec Ombudsman to youth centres can affect an individual, for example, when it recommends the assessment of a foster family or the appropriateness of changing a case worker. In most cases, its recommendations have a more general impact, and are intended to improve services for all children and their parents.

### A case worker's bias has a negative effect

A woman reported having communication problems with a case worker from the Director of Youth Protection. She asked for a new case worker, because she no longer trusted the current one, claiming that the worker was close to the child's father.

The Québec Ombudsman reviewed the complaint. The facts revealed that professional distance had not been respected and that there was the appearance of bias for the father. It asked that there be a reminder issued regarding the code of ethics for such matters.

It also criticized the fact that the case worker did not develop a working relationship with the mother in over one year. No strategy was put in place to resolve the impasse, which delayed the woman's commitment to improving her parenting skills. As a result, the Québec Ombudsman recommended that the centre consider changing the case worker so that the woman's case could be handled more appropriately. Its recommendation was followed.

### A mother reassured by the quality of her son's foster family

A woman whose son was placed in a family-type setting until he reaches the age of majority, in accordance with a judgment of the Youth Division, reported being dissatisfied with the services he was receiving. The mother wanted him to be transferred to another resource, alleging that the foster family was not responding to his needs and did not provide him with adequate services. Her criticisms had to do with health care, clothes, domestic tasks and lack of consideration for him.

The Québec Ombudsman helped clarify the grounds for the complaint. At the end of this exercise, the youth centre reassessed the foster family and found that it met the obligations and responsibilities set out in its contract. The review of the complaint showed that the child enjoyed a significant place within the foster family and that he received the attention he needed. This intervention also reassured the mother about her role in her son's life.

### A RELATIONSHIP BASED ON PERSONALIZED AND ACCESSIBLE INFORMATION

The dissemination of information in a personalized, accessible manner is central to the relationship between services provided by the Director of Youth Protection and one of its client groups, namely, parents. Those responsible for a child and those who make decisions about the child under *A Youth Protection Act* must ensure that parents understand information and explanations. They must also allow the child and parents to express their points of view and concerns, and to be heard at the appropriate moment.

#### **A case worker is reminded of her responsibility regarding information**

A woman complained to the Québec Ombudsman that she had not received explanations that would have allowed her to better understand the meaning of an intervention under *A Youth Protection Act*. A review of the complaint showed that the mother did not have all the information to which she was entitled, or the explanations to properly understand the evaluation process and the direction a case was taking. Notes in the child's file do not indicate whether the case worker informed the mother of the procedure in the event of disagreements with the decisions of staff from the Director of Youth Protection. As well, the representative did not ensure that the woman properly understood the information provided when the report was assessed. She did not advise her of her right to consult a lawyer. She did not take the time to go over her questions and concerns.

The Québec Ombudsman recommended that the youth centre remind the case worker of her responsibility toward the parent in this matter. The department manager of the youth centre reminded the case worker involved.