NBASW ATTSNB

Review of the *Family Services Act* in New Brunswick

Recommendations from the New Brunswick Association of Social Workers

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The New Brunswick Association of Social Workers (NBASW) regulates the profession of social work in New Brunswick, protects the public, and promotes excellence in social work practice. The NBASW represents over 2,000 members province-wide and strives to be a professional organization that reflects the values of social work, provides ethical leadership, and instills public confidence.

Executive Summary

The NBASW commends the Government of New Brunswick for working to update the *Family Services Act* and develop new child welfare legislation to ensure the safety of New Brunswick's children. While the NBASW recognizes that the existing legislation is outdated, it provides an important outline from which to protect the safety of New Brunswick's children. It is important that the new child welfare legislation is rooted in the principle of best interest of the child, supports social workers in providing children and families with wrap-around services and care, and is broad in determining what harmful circumstances and situations warrant child protection involvement.

1. a) What do you think is working well in the Family Services Act as it relates to child and youth welfare?

It provides an important framework from which to protect some of the most vulnerable citizens of New Brunswick.

1. b) What changes should be made to the Family Services Act in relation to child and youth welfare?

Legislation should continue to support families and prevent harm, while clearly stating that social workers are the professionals responsible for the delivery of child protection services through the Department of Social Development. Acknowledging the important work social workers do on a daily basis and emphasizing the importance of having registered social workers, a title that requires specific education and standards and comes with a high degree of professional accountability, working with the most vulnerable families and children in New Brunswick is critical to the safety and wellbeing of New Brunswickers.

The child welfare legislation must use up to date, gender-neutral language throughout the legislation, and should adopt progressive, child-centered terminology. Examples of this are seen in the *Divorce Act*, which uses the terms parenting time, decision-making responsibility, and contact with regards to parenting orders with children (Government of Canada, 2019a).

While the new legislation has so far been labelled *child protection* legislation, the NBASW feels it is important to re-name it as *child welfare* legislation, to ensure it supports the wellbeing of families and of New Brunswick's children. Child *welfare* provides a greater readiness to intervene, is assessment driven, provides a broad definition of best interests which includes well-being with family preservations, and makes available more resources to support families and prevent harm (Khoo, Hyvönen & Nygren, 2002). It is critical that those who may not currently be considered high risk are able to access services that help restore functioning and mitigate further risk.

Indigenous child welfare concepts should also be looked into and implemented within updated legislation, as they may be beneficial to all children and families in New Brunswick, while also making the legislation more culturally sensitive. It is important that all approaches are considered and that decisions are made in the best interest of children.

1. c) What values and principles should serve as the foundation of the new legislation?

The best interest of the child should always serve as the principle foundation in the new legislation, with everything included in the legislation being based around ensuring that the best interests of New Brunswick children are met. It is imperative that each section of the legislation be evaluated through a child impact assessment tool that ensures the legislation is in line with the *United Nations Convention on the Right of the Child* (1990) and the *United Nations Declaration on the Rights of Indigenous Peoples* (2007), which gives Indigenous children an additional set of rights that must be considered.

2. a) How should the "best interests of the child" criteria be updated?

Point (b) states "the views of preferences of the child, where such views and preferences can be reasonably ascertained". The inclusion of the term *reasonably ascertained* in this provision is ambiguous and must be changed. It is critical that the views and preferences of the child are considered in each case, giving due weight to the child's age, maturity, development, and abilities, unless they cannot be ascertained.

The translation of point (c) lacks clarity and should be rephrased to ensure the point portrays the same meaning in both official languages.

Point (f) is a key point regarding the best interest of the child criteria, for this reason, it should be one of the first points in the list and should not be at the bottom of the list. With that being said, the statement of "the need to provide a secure environment that would permit the child to become a useful and productive member of society" is problematic, as what is considered a useful and productive member of society is open to interpretation and may differ between individuals. This section should highlight the importance to focus on the child's physical, emotional, and psychological safety and well-being so they have the opportunity to realize their full potential as a member of society.

Point (g) should be expanded to address the child's need to be raised in an environment that is respectful of the child's sexual identity, gender identity and expression, cultural and racial identity, and spiritual, ethnic, and linguistic heritage.

2. b) How can the "best interests of the child" criteria be updated to focus on the safety of the child as paramount?

The updated *Divorce Act* is to include section 16(2) which states, "When considering the factors referred to in subsection (3), the court shall give primary consideration to the child's physical, emotional and psychological safety, security and well-being". New Brunswick's child welfare legislation should include a similar clause, putting the best interest of the child as the central focus in any decision that is made.

2. c) If Part VII of the Act becomes a stand-alone piece of legislation, should the "best interests" criteria be the same under our child welfare legislation and the Divorce Act?

As stated in the NBASW brief for the *Family Law Reform Discussion Paper* consultation, the changes to the *Divorce Act* that take into consideration only the best interests of the child in making parenting or contact order and that give primary consideration to the child's physical, emotional and psychological safety, security and well-being is strongly endorsed by family-violence experts across the country (Neilson, 2019). The additions to the best interest of the child criteria seen in the *Divorce Act* would strengthen the best interest of the child criteria in other legislation and would include history of care of the child, the child's cultural, linguistic, religious and spiritual

upbringing and heritage, plans for child's care, and so on. The NBASW believes the best interest of the child criteria in provincial legislation, such as child welfare legislation, should be updated to reflect the language and cultural factors in the amended *Divorce Act.*

It is important that the same criteria be used to determine the best interest of the child under all related pieces of legislation, including child welfare legislation. The same best interest of the child definition must be applicable to children going through the child welfare and family court systems, to ensure all children are given the same consideration and treatment by the courts. The definition used to determine the best interest of the child should be person-centered, comprehensive, and applicable to all children, regardless of the systems they are navigating.

2. d) What is the potential impact if the "best interests of the child" criteria are not the same under our child welfare legislation and the *Divorce Act*?

If the criteria for best interest of the child is inconsistent across provincial and federal legislation, the decision as to what constitutes the best interest of the child will vary depending on what systems they are a part of. Often, these are not mutually exclusive, and families can find themselves simultaneously navigating multiple systems (Laing, Heward-Belle & Toivonen, 2018). It is critical that legislations are cohesive and are all aimed at ensuring child well-being. Should the systems base decisions on differing criteria, there is the risk that children will be part of systems for extended periods of time and children may slip through the cracks. Having multiple pieces of legislation that differ in their understanding of best interest of the child, is not in the best interest of children in New Brunswick.

3. a) Do the circumstances outlined in section 31(1) of the *Family Services Act* adequately describe when a child or youth may need protection?

Yes, the NBASW believes the circumstances outlined in section 31(1) of the Act adequately describe when a child or youth may need protection. One area that would benefit from additional clarity is point (b), which states "the child is living in unfit or improper circumstances". Providing a further description of what is considered *unfit* or *improper* would be useful here, as it is currently left up to individual interpretation.

3. b) What circumstances in subsection 31(1) of the Act should be added or deleted? Explain:

A criterion of "there is ongoing involvement with the child or there is a history of significant concerns regarding the physical, emotional, or psychological safety or wellbeing of the child" should be added, as it would address cases of ongoing harm.

3. c) How can these circumstances recognize the cumulative impact of abuse and neglect over time on the child?

It is important to acknowledge and consider the age of children, particularly as it pertains to neglect. While older children can voice their experiences more clearly and better take care of themselves, young children are not able to protect themselves or voice their experiences in the same capacity.

We know that the accumulation of trauma can have very serious repercussions on child development and a child's capacity to remain at an emotional and psychological equilibrium. It's important for the system to be trauma-informed in its response and remove children from invalidating and traumatizing environments. As Sheehan (2019) states, "Where formal legal responses are sought, to protect a child from ongoing harm that is not being achieved by voluntary or community measures, the forensically driven legal system can lack the necessary mechanisms to offer assured protection. Attention to case history, to repeated reports of child protection

concern, to identifying patterns of behavior and maltreatment, and predicting the likelihood of future harm, are very often secondary considerations in a legal context that looks for clear and confirmed evidence of maltreatment" (p. 444).

The best interest of the child criteria should be expanded to recognize cumulative harm. Cumulative harm is important to acknowledge, as it has significant negative developmental consequences, particularly for young children. While an event may be minor when considered in isolation, recognizing the pervasive and ongoing harm a child is experiencing is key to developing interventions that adequately protect them and minimize the detrimental effects of cumulative harm. In order for true changes to occur, it is key that the courts recognize and consider cumulative harm in their decisions.

3. d) Please outline your concerns if the government's authority to intervene to protect children was limited to the actions or omissions of the child's parent or guardian.

It is important that child welfare legislation consider abuse and neglect by the parent. If there is no threat of harm to the child and the parent or guardian takes the necessary steps to keep the child safe, there is no need for government involvement. However, in certain cases, a parent or guardian may reach out to child welfare services to ask for help in dealing with or supporting their child or youth. If voluntarily requested, government services should be provided to support families experiencing distress to help restore functioning and prevent harm. These general services must be provided without labelling the families accessing services as abusive or neglectful and must not show up in Social Development checks or child protection registry.

3. e) Please outline your concerns if New Brunswick removed the failure to attend school as a reason for child protection involvement.

While still recognizing the importance of education, a child not attending school is only a child welfare issue in cases where there are concerns of child abuse or neglect, and therefore should be removed as a reason for child welfare involvement. If failure to attend school is the only concern regarding a child, the *Education Act* has the means of dealing with this and the act in isolation is not enough to warrant child welfare involvement.

4. a) What types of in-home and community-based services and supports should be provided by government and be available to children and families to help restore their functioning?

The government should provide services in order to support children and restore family functioning or support the independence of youth. The needs of families will differ on a case-by-case basis. It is up to the social worker involved with the family to develop a case plan in collaboration with other professionals and agencies that is in the best interest of the child and provides families with the means necessary to ensure the wellbeing of all involved. The social worker should be supported in providing families and children with comprehensive services tailored to their individual situation and needs.

Services and supports may include, but are not limited to, supervised access, parent training, individual or family therapy, substance abuse treatment, mental or behavioral health treatment, job training, child care, transportation, budgeting, food, clothing, furniture, or housing (Children's Bureau, 2014).

Social workers should spend time in the family home to better understand the situation and develop a case plan that is tailored to the family's unique needs and situation. To provide the best support and services for families, family support workers should be employed as part of child welfare units and work under the supervision of social

workers, as was recommended in the *Review of the Effectiveness of New Brunswick's Child Protection System* (Savoury, 2018). The government should employ as many support workers as are necessary to ensure they can spend adequate time with the family and develop trusting relationships with their clients. This change would be positive in the retention of support workers and would ensure they have the proper skills, training, and experience necessary to be effective for the families they work with.

4. b) How long should services and supports be provided to children and families by government?

Each case and each family are different and, as such, services and supports will have to be provided for varying lengths of time. Services and supports should be provided to children, youth, and families for as long as necessary to ensure the security and protection of children/youth, while also recognizing their need for long term stability. The termination of services should be done through a collaborative discussion involving the social worker, other service providers, the family, and the child/youth.

In addition to being more costly, taking children/youth into care and removing them from their families is "disruptive and traumatic and can have long-lasting, negative effects" (Children's Bureau, 2014). In order to ensure quality services and supports are being received, there should be active involvement from social workers and family support agencies.

4. c) Under what circumstances should someone (child, youth, or parent) who is legally competent have a right to refuse services?

At this time, youth 16 years of age and older have the right to refuse services, as do parents who are deemed protective parents and who commit to safeguarding their children from harm. Competent youth 16 years of age and older should be able to refuse services, however, the government should continue to have programs such as Youth Engagement Services that helps support youth who cannot live at home and programs that assist in youth transitioning out of care and living well independently. It should also be an option for youth who have opted out of child welfare services to access these same services again, should they wish.

4. d) Should the court have the authority to order a child or youth to attend a secure treatment facility against their will for a specified period to address mental health, addictions or other identified issues?

The court should have the authority to require a child or youth to attend a secure treatment facility to address mental health, addictions, or other issues, regardless of whether the youth agrees or not. This should only happen in cases where there is significant concern from professionals regarding individual safety or wellbeing of the child/youth and multiple professionals, including professionals from the recommended facility, believe that treatment in a secured facility would be the most beneficial option and is in the best interest of the child/ youth. Decisions to place children or youth in secure treatment facilities should not be taken lightly and should include a collaborative discussion with children/youth and their families and should involve a joint recommendation by professionals.

5. a) How can child and youth welfare services be provided in a manner that respects cultural diversity while ensuring basic standards of child safety and healthy development?

There are key principles that must be followed in order to provide culturally competent services to those involved with the child welfare system. All professionals involved with the child and family must take the time to educate

themselves and get to know their clients, their culture, and what it means to them. There should be an open and respecting relationship between workers and clients.

In recognizing Canada's history of colonization, residential schools, sixties scoop, and ongoing prejudice and discrimination toward Indigenous peoples, as well as the disproportionate number of Indigenous children and youth in care, it is critical that services provided for clients who are Indigenous are culturally sensitive. Incorporating cultural elements into case plans and developing healing plans may help make the child welfare system more culturally sensitive. These case plans or healing plans should include community and elders in their development and recognize the powerful effects of cultural practices such as ceremonies by including them as part of the plans.

New child welfare legislation should adhere to Bill C-92, the *Act respecting First Nations, Inuit and Métis children, youth and families* (Government of Canada, 2019b) and include the placement of Indigenous children order of priority, as well as any other relevant provisions outlined in Bill C-92 to ensure consistency across legislations.

5. b) How can we ensure that children and youth who come into the care of the Minister continue to have the opportunity to participate in their cultural heritage, identity and traditions, if it is in their best interests?

Indigenous children continue to be hugely overrepresented in care in Canada. Census 2016 data found that, while Indigenous children under 14 years of age make up 8% of that age group in Canada, they make up 52% of foster children in that age group (Government of Canada, 2020). This overrepresentation is due to many complex, intersecting factors, but cannot be overlooked in the development of child welfare legislation.

Providing the placement of Indigenous children order of priority of the *Act respecting First Nations, Inuit and Métis children, youth and families* is followed, section 2.1 states "The placement of a child under subsection (1) must take into account the customs and traditions of Indigenous peoples such as with regards to customary adoption" (Government of Canada, 2019b, p. 10). Even if children are placed in placements outside of their community, ensuring that they are able to participate in their cultural traditions and stay connected to their communities is key. Community elders could be a good resource to offer specific ideas for youth engagement.

5. c) How can we ensure that historical and generational trauma from both Residential Schools and the Sixties Scoop is acknowledged and addressed when working with Aboriginal children, youth and families?

When working with Indigenous children, families, and communities it is key to learn about their culture, their experiences, and their strengths. Working together to develop solutions and enhance their abilities in a culturally relevant and safe way. Grounding practice in a trauma-informed approach, as well as the *United Nations Declaration on the Rights of Indigenous Peoples*, the Truth and Reconciliation Committee Calls to Action, the Missing and Murdered Indigenous Women and Girls reports and the Canadian Human Rights Tribunal rulings regarding the systematic oppression and discriminations of Indigenous peoples.

5. d) How can the court system better serve Aboriginal children, youth and families?

It is imperative that all judges and professionals working with families in the justice system are culturally competent and have the appropriate knowledge and training to provide culturally safe services. To truly provide Indigenous peoples in New Brunswick with a culturally sensitive legal system, New Brunswick should work toward a justice model grounded in Indigenous principles. For example, the Provincial Court of British Colombia has various specialized courts targeted toward providing Indigenous peoples with culturally safe and relevant services,

with Indigenous Courts and Aboriginal Family Healing Court Conferences being two of the models geared toward a culturally safe legal system (Provincial Court of British Colombia, n.d.).

The Aboriginal Family Healing Court Conference (AFHCC) provides families with support before, during and after the case conference, with the goals of reducing the over-representation of Indigenous children in care, improving the effectiveness of the court process by reducing the number of cases that proceed to trial, and improving the health, social, and justice outcomes for Indigenous children and families who are involved with the child welfare system. Key elements of AFHCC include parents and families working closely with Elders; cultural competency training provided to judges, lawyers, and social workers; parents and families work with Elders, the program coordinators, and other chosen professionals to develop a Cultural Safety Agreement; the program coordinator actively involving Indigenous communities in child welfare matters; and families working with Elders, the program coordinator, and any other chosen support people to develop a Cultural Family History Healing and Wellness Plan. A cultural ceremony is held for families when they achieve the goals set out in their Healing and Wellness Plan to honor their hard work and success (Provincial Court of British Colombia, 2018).

6. a) What provisions should be included in the new legislation to ensure that it is child and youth-centered?

To ensure the child welfare legislation is truly child and youth-centered, there should be a provision stating that the best interest of the child forms the foundation of the legislation and must be the principle consideration in each and every decision concerning the child.

6. b) What is the best way to meaningfully understand the child's wishes, and ensure that their voice is heard in all matters that impact them? How do we understand the wishes of very young children or those with complex needs who may not be able to express themselves or understand the choices available to them?

Social workers need to take the necessary time to build rapport and develop a relationship with the child or youth, over the period of several meetings. It takes time to develop a good understanding of the child, their situation at home, and their relationship with their parents. There should be specific training for social workers in child welfare on how to work with very young children or those with complex needs in a way that allows social workers to gain an understanding of the situation and of the child's wishes.

As well, it is key that all judges and defense lawyers (especially those through Legal Aid) are well-trained in child protection matters and have a strong understanding of how concepts such as abuse, neglect, drug exposure, IPV exposure, and cumulative harm affect the safety, wellbeing, and healthy development of children and youth.

6. c) What provisions should be included in the new legislation to decrease formality and increase flexibility in court proceedings involving children and youth?

Holding court hearings informally in the judges' chamber around a table, rather than in a courtroom setting, is important in making the court system more family-friendly and decreasing formality surrounding the court process. This change would also encourage conversation and potentially result in more positive outcomes for children and families.

Another change that would increase flexibility in court would be to allow for court proceedings to continue and for judges to rule on a case in instances where parents, or the individuals in question, do not show up. While this would perhaps not occur on the first missed court date, having the option there would assist children and youth in gaining stability more rapidly.

Instead of requiring formal psychological evaluations be conducted routinely, the assessments of social workers and other health care professionals should be heard in court and considered in court decisions. It is possible for health professionals working with children, youth and families to have assessments and information that is very relevant to court proceedings. Children, youth and families would also benefit from the standardization of assessment tools across professions to ensure best practices are followed. Rather than contracting voice of the child services privately, social workers could be assigned to provide the voice of the child assessments in court.

It must be recognized social workers are knowledgeable, educated professionals who know the children and families they work with and have a grasp on what is happening with individuals and how it affects the family, and vice versa. In recognizing that certain evaluations will be complex and may require a higher level of expertise, certain evaluations can be done by Advance Practice Registered Social Workers, social workers with specialized clinical education and licensure who are able to diagnose mental health disorders using the DSM-5.

7. a) What benefits would you anticipate if there were speedier child protection proceedings and decisions?

Speedier child protection proceedings and decisions would minimize emotional and psychological trauma and would provide an opportunity for children to create a healthy attachment with an adoptive family at the youngest age possible.

7. b) What risks would you anticipate if there were speedier child protection proceedings and decisions?

The risk would be parents not having sufficient time to make the changes necessary to properly care for their children. However, parents' rights should never outweigh doing what is in the best interest of the child.

7. c) How long should a child or youth stay in temporary care? Should the same timeframes exist for all children and youth, regardless of their age?

In determining timelines for children and youth to remain in temporary care, the best interest of the child is of utmost importance, as it is with every part of child welfare legislation. In recognizing that stability and permanency are critical to the development of young children, it is critical that children remain in temporary care for the shortest period possible, while also giving parents adequate time to make the changes necessary to properly care for their children.

The current standard of having children 12 years and younger in temporary care for no longer than the cumulative period of 24 months within five years is a positive change compared to the previous consecutive standard. However, the NBASW believes that this amount of time is still far too long for very young children in care and inhibits their ability to form the lasting relationships and attachments that are key to healthy development.

In recognizing that the best interest of the child is top priority and that every situation is different, history of involvement with the family, parents engagement in their reunification plan, the child's wishes, and the safety and wellbeing of the child should inform when the Minister applies for permanent guardianship of a child, and whether the child should be able to stay in contact with their parents after the fact.

7. d) What factors should be considered in deciding whether a parent has had enough opportunities to demonstrate their capacity to appropriately parent?

The key factors that should be considered are history of involvement with the family, parents motivation and capacity to change, adherence to the reunification plan, showing up to visitations, working with their social

worker, following personal treatment plans, and recognizing and accepting that they did not always make the best decisions for their child and that they need to make changes.

7. e) Should there be a provision in the new legislation regarding post-guardianship access between the parent and child?

Once guardianship has been granted, there are times where the contact between biological parent and child should be maintained. Yes, there should be a provision that states when it is in the child's best interest there may be post-guardianship access between a biological parent and child.

7. f) If so, what factors should the court consider in granting post-guardianship access?

Consider what the child wants and what is in the best interest of the child first and foremost. Consider the age of the child, their capacity to communicate their wishes, and their experiences and weigh the risks and benefits of granting post-guardianship access. Lastly, consider that the safety of the child is of utmost importance, so plans must require adequate supervision to ensure the safety of children.

8. a) What provisions should be included in the new legislation to protect children from IPV?

Research finds that children are greatly affected by intimate partner violence (IPV), even in cases where they themselves are not being physically abused. It has been found that the outcomes for children exposed to IPV are similar to those who experience childhood physical abuse (Kitzmann, Gaylord, Holt & Kenny, 2003) and that there are no significant differences in risk factors between cases where an adult victim was killed and those where the children were targeted as well (Hamilton, Jaffe & Campbell, 2013). Children are negatively affected by IPV, even in cases where they do not witness violence themselves, as they may overhear violent incidences, experience the aftermath, or live in chronic stress and fear which is detrimental to healthy development (Holden, 2003). All research findings point to the conclusion that when a parent is in danger, children are as well.

It is critical that criterion addressing the impact of family violence is included in child welfare legislation. Bill C-92 has a provision that considers "any family violence and its impact on the child, including whether the child is directly or indirectly exposed to the family violence as well as the physical, emotional and psychological harm or risk of harm to the child" (Government of Canada, 2019b, p.7) A similar provision should be included in child welfare legislation to ensure IPV is recognized as a child protection issue and to ensure these factors are considered when working with a family.

9. a) What provisions should be included in the new legislation to prevent a person from distributing, recording, videotaping, or otherwise disclosing confidential information about a child protection matter?

Every family involved with child welfare services has the right to confidentiality. This right should be addressed in legislation through a statement that breaching a family's right to confidentiality is a legal matter and will result in legal ramifications.

10. a) What provisions should be included in the new legislation to improve information sharing with community professionals to ensure appropriate services are provided in the best interests of the child while still protecting the child, youth and family's right to privacy?

While recognizing that the importance of confidentiality is paramount, there are instances in which the professional sharing of information is necessary to ensure the safety of children and provide them with wrap-

around supports and services. The legislation should include a statement specifying that the professional sharing of information may occur without the parent's consent only in instances where it is necessary for the safety or best interest of the child. The new child welfare legislation must clearly allow for the sharing of information among interdisciplinary teams, such as Integrated Service Delivery, as well as organizations such as Public Health and Pediatrics, as to ensure children are provided with wrap-around services and that the professionals involved with children are knowledgeable in what they are experiencing and how to best support them.

Under the *New Brunswick Association of Social Workers Act* (2019) social workers are health professionals and it is important that the Department of Social Development recognizes child welfare social workers as such. Recognizing child welfare social workers as health professionals and NB Families records as health records allow for greater protection and sharing of information. This change would also be in compliance with the *Personal Health Information Privacy Act* (Government of New Brunswick, 2009) which allows regulatory bodies of health care providers to gain access to client files when completing an investigation.

11. a) How often should child welfare legislation be reviewed? Should this timeframe be entrenched in the new legislation?

Following the release of new child welfare legislation, it is important that reviews are done relatively soon after to remedy any unintended consequences that may result from the new legislation. The NBASW recommends the legislation be reviewed every two years for the first four years. Following this, a review every ten years would prevent the legislation from getting outdated and would ensure it incorporates up to date best practices. Including a timeframe in legislation may be useful in ensuring this standard is adhered to.

11. b) How should the review be carried out? Who should be involved?

The legislation should be reviewed by those who work within whom it directly affects, namely frontline social workers, lawyers, judges, law enforcement, children and families. A consultation process may be a good way to get information from all the individuals who have experienced the legislation firsthand and who hold insight into what works and does not work in practice.

12. a) Please outline any other considerations or issues that should be included in new legislation

Additional items for consideration and inclusion include having courts consider child protection matters as top priority to ensure children are not waiting for months or years to receive permanency and stability; allowing Family Group Conferences to proceed, even when parents do not consent, when it is in the best interest of children; and allotting necessary resources to manage social workers' workload of developing affidavits for teachers, support workers, foster families, and so on. Allotting this task to the office of the crown is important so that social workers can spend more time working directly with children and families.

When children are no longer able to live safety with their parents, kinship care should always be explored as the first option and children should be placed with extended family whenever possible and in the best interest of the child. Children have a right to their families and this must be respected in placement decisions that are made concerning children and youth.

While this consultation period will provide a broad overview of the items that should be considered and included in the new legislation, there is further consultation that must happen before the legislation is finalized. The NBASW looks forward to being part of future discussions regarding this critically important piece of legislation.

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