

Child Protection: A Remodeling Approach

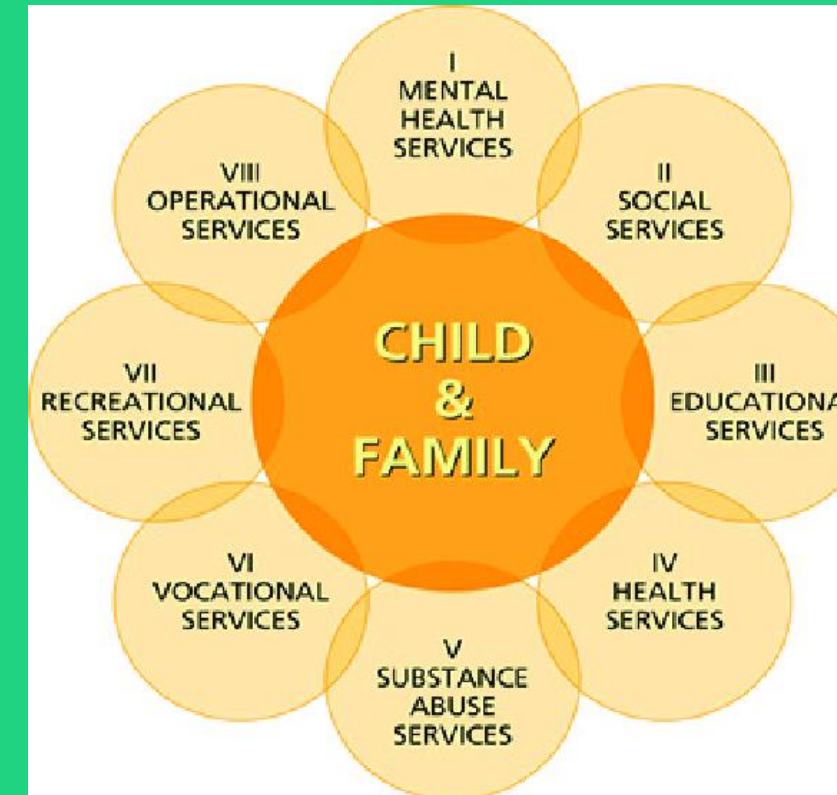
NEESHA PERSAD,
COLLEGE OF LAW CLASS
OF 2024, UNIVERSITY OF
SASKATCHEWAN

OVERVIEW:

Law has undergone considerable development today in the area of Child Protection. Many provinces and courts have developed specialized courts and counsel structures to be able to adapt and ensure proper mechanisms are in place to properly support and represent children. However, there still remains considerable issues in the sustainability of this programming, and the resulting issues around access to justice. This paper serves to develop a deeper understanding into some of the major issues surrounding child protection law and put forward key recommendations surrounding the Child Protection system. One of the key recommendations is focused on the adaption of the Opikinawasowin (Opik) structure used in Indigenous communities, and specifically in being adapted to be integrated into the educational systems within cities and provinces.

INTRODUCTION

- Supportive schools can be a game changer.
- As a child gets older, prevalence of the following increases: mental health issues, substance abuse, acting out in physical violence, and other associated affects.
- There is an increased need for a structured support system of intervention.
- This should include collaborative and child-centered processes.



Source by Susan Rodger, et al.

CURRENT ISSUES

- Difficulties exist around social relations and interactions, including loneliness and isolation.
- Supportive school environments are increasingly important to ensure the success and support for the child.
- Most school systems in Canada do not have the infrastructure to holistically support students.
- Disproportionately impacts remote and Indigenous communities across Canada.



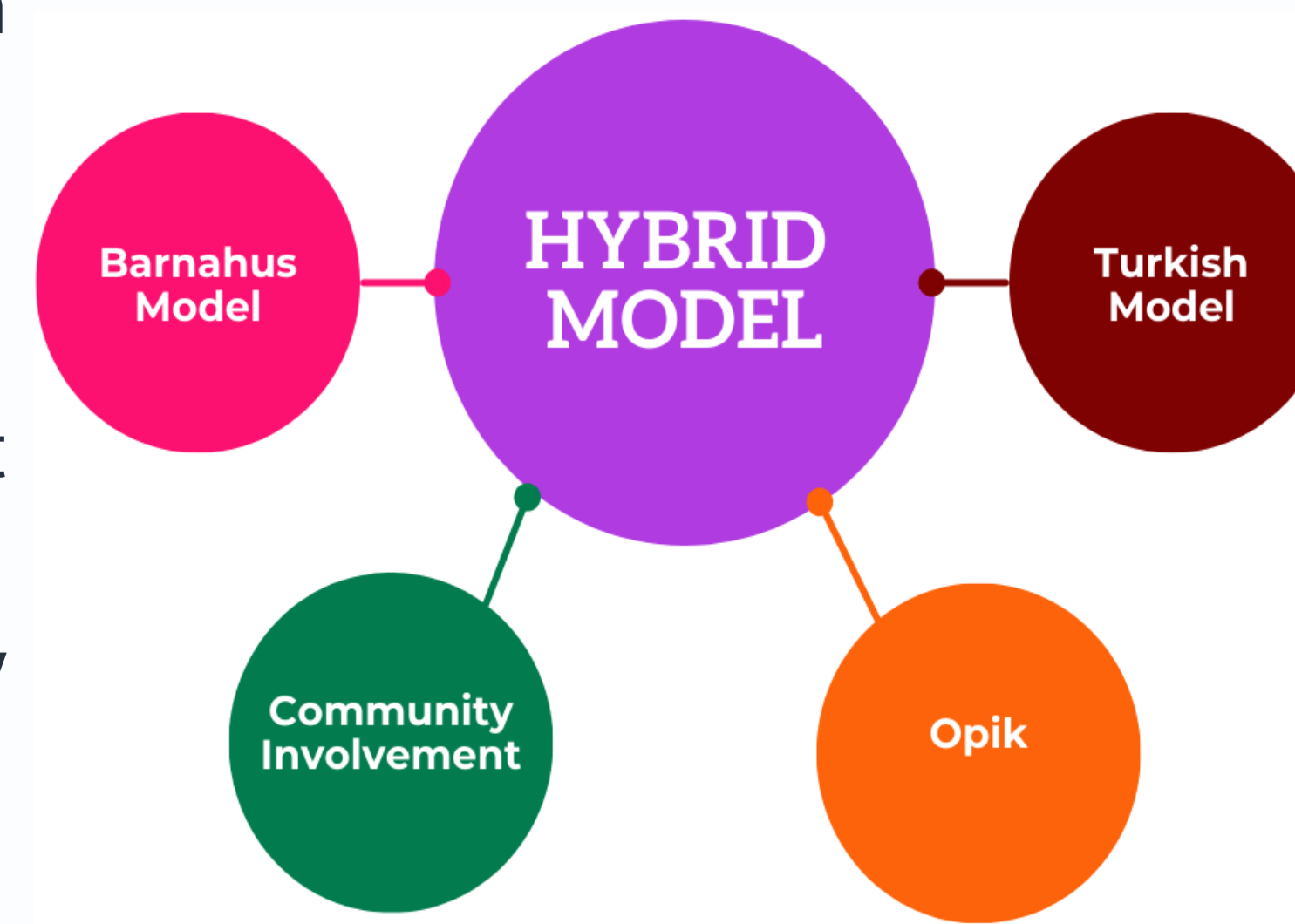
CURRENT SOLUTIONS

- (1) Counsel for Children Program**
- One appointed lawyer designated to represent and advocate for children and youth.
 - These counsel are only requested or appointed when necessary.
 - The main objective is to ensure that every child is able to get the representation that they deserve.
- (2) Special Courts**
- Provincial Court oversees child protection matters.
 - Specifically presides over hearings that take place outside of Regina, Saskatoon, and Prince Albert.
 - Specialized in handling these matters: child's quality of life and lend to the complexities and uniqueness of each and every child protection case.



RECOMMENDATIONS

- Adoption of the Opikinawasowin (Opik) Structure.
- Adoption of International Models.
 - **The Nordic Barnahus Model**
 - The "One-Door" Policy.
 - Child Participation without Attending Court.
 - **Turkish Interdisciplinary Approach**
 - Interdisciplinary.
 - Collaborative Approach.
 - Cultural Competence Training.



FUTURE CONSIDERATIONS

- Uprooting a child from their homes is not easy for either the child or the parents, nor the advocates of either party.
- No decision is the correct decision unless the child's voice is properly heard and it is in the best interest of that specific child.
- Consultation with the Articles in the United Nations Declaration on the Rights of the Child is important.
- Future models need to focus on breaking the cycle of trauma, neglect, and abuse, and remain community-centered.



Challenges

1. Budgetary Constraints and Limitations
2. Children not appearing before the courts
3. Community pushbacks



CONCLUSION

- The proposed model takes key components of several child protection models used across the world, all of which focus on the child being at the center of the solution and interventional approach.
- Further exploration needs to be taken in order to determine the efficacy of the model; however this cannot be done without consultation with the various stakeholders involved in child protection cases.

HYBRID APPROACH

