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The Broken System: Why Is Child and Youth Reform Falling Short?

Abstract

Year after year, the various provincial governments have examined why services for children and youth at risk fall short, writing hundreds of reports. Despite this, the results have barely changed.

This discussion paper reviews public records from across the country: auditor general reports, budgets and estimates, and the reports of child and youth advocates, to see if the explanation put forward by New Brunswick's Child, Youth, and Seniors' Advocate applies nationally. It asks what other issues exist, and how the insights from the national review can be used to guide the design of Nova Scotia's new Office for Children and Youth.

About the MacEachen Institute

The MacEachen Institute for Public Policy and Governance is a nationally focused, non-partisan, interdisciplinary centre that supports progressive public policy and citizen engagement.

Authors

Paul W. Bennett, Macdonald-Laurier Institute
Elizabeth Lance, Edgewood University

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Contact

For more information on this research, contact mipp.papers@dal.ca

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"The system is broken" is a phrase heard all too often in public policy circles. In March 2024, Kelly Lamrock, New Brunswick's Child, Youth and Seniors' Advocate, released a devastating diagnosis in his report *How It All Broke*: the issue is not a program here or a department there, but the entire process through which governments design, finance, and oversee social programs for children and youth. The report addressed New Brunswick, but our review determined the same five governance flaws exist across Canada—as well as a few more.

Canadian governments design, fund, and oversee services for children and youth with experience in the child welfare system in a way that reliably produces three things—reports, recommendations, and spending—and only rarely produces a fourth: better outcomes for the children. The pattern holds in jurisdictions that differ in almost every other respect, in size, wealth, party in power, and the design of their oversight offices.

Why do reforms for Canada's children and youth with experience in the child welfare system falter, fail, or fall by the wayside? Importantly, what does this mean for Nova Scotia, which is about to open its first independent office for children and youth? We outline the crisis, the flaws, the best practices—and suggest how the insights from the national review can be used to help inform the design of the proposed Nova Scotia Office for Children and Youth.

The Hidden Crisis: Children and Youth in the Child Welfare System in Canada

An estimated 61,104 children were in out-of-home care in Canada as of March 2022, the figure the Senate's human rights committee used in its 2025 report (Senate of Canada 2025, 21). That is roughly the enrolment of one moderate urban school board in Ontario. Fewer than half of children and youth with experience in the child welfare system complete high school, and even fewer attend or complete post-secondary education (Gahagan et al. 2026). In 2020, UNICEF ranked Canada 30th of 38 wealthy countries on child and youth well-being (UNICEF Office of Research—Innocenti 2020), a result Saskatchewan's Advocate for Children and Youth, Dr. Lisa Broda, called "stunning" for a country of Canada's wealth and stability (Canadian Council of Child and Youth Advocates 2021).

The Framework: Five Governance Flaws

In *How It All Broke*, Lamrock argued that the failure lay not in any one program or department but in the whole process by which government plans, budgets, delivers, and evaluates services for children and youth (NBCYSA 2024, iii; Poitras 2024). He named five flaws: the lack of effective human resource planning; the curious detachment of the budgeting process from reality; following rules instead of getting results; little data, less analysis, no follow-up; and funding the crisis, starving the solutions (NBCYSA 2024, iii).

We sought to determine whether this framework was unique to New Brunswick, or a more universal truth via existing reports created by the current oversight systems across all 13 provinces and territories.

The Current System of Oversight: Advocates, Auditors, and Special Reports

Eleven of Canada's thirteen provinces and territories have a dedicated child and youth advocacy office of some kind. The Northwest Territories has none. Nova Scotia passed an *Office for Children and Youth Act* in 2024, but the office had not yet opened when the 2026-27 budget set aside $300,000 to establish it (Government of Nova Scotia 2026a). Most of the existing offices are independent officers of the legislature, not ministries or agencies answerable to a minister, charged by statute with speaking for children and young people when they come up against government. They handle individual complaints, step into particular cases, examine systemic failures, review child deaths and serious injuries, and report to the legislature.

The defining feature of these offices is also their central weakness. They cannot make a government do anything. The tool they have is the published recommendation, and whatever political price a government may pay for ignoring it. As Bernard Richard, then New Brunswick's Ombudsman and Child and Youth Advocate, wrote in 2008, "I have only a power of recommendation" (Office of the Ombudsman and Child and Youth Advocate (New Brunswick) 2008, 4).

Table 1 summarizes the models in use.

Table 1: Models of child and youth oversight in Canada's provinces and territories, 2026

Governance model	Jurisdictions	Defining feature
Independent child-specific advocate	BC, AB, SK, MB, PEI, NL, YT, NU	An officer of the legislature whose only constituency is children and youth
Multi-mandate combined office	NB	Children and youth, seniors, and, since 2024, vulnerable adults aged 19 to 64 in one office
Ombudsman-embedded unit	ON (since 2019)	A children and youth unit inside a general ombudsman's office
Commission and commissioner	QC	A human rights and youth rights commission that reports on the youth protection law every five years and, under a 2024 law, a commissioner for children's well-being and rights appointed by the National Assembly
Office created by statute, not yet open	NS	A commissioner appointed by cabinet on the Attorney General's recommendation; powers and duties left to regulation
No office	NWT	Oversight performed within the department being overseen

Source: Enabling legislation and published office mandates, as of July 2026; compiled by the authors.

Advocates are often the only institutions able to see across departmental silos, hear directly from children, and expose recurring failure; unfortunately, their influence rests entirely on reach, credibility, persistence, and the willingness of the government of the day to listen. Other oversight groups such as Auditor General offices help provide additional insight. Combined, these organizations provide a robust dataset of hundreds of reports and thousands of recommendations.

What We Reviewed, and What We Learned

We reviewed the public accountability record of all thirteen provinces and territories between 1975 and 2026, 865 documents in all, with 92% of them from 2015 or later. More than half are the reports of the advocate, representative, and ombudsman offices themselves. The rest are government reports, budgets and responses, auditor general reports, and the statutes that created the offices.

We then tested what the documents showed against the experience of ten subject matter experts who have run, regulated, studied, legislated for, or grown up inside these systems, interviewed on the record between May and August 2026. We asked why the patterns persist, what the record leaves out, and what a new office should learn from the old ones. Their answers appear throughout the sections that follow.

We found that the "Five Governance Flaws" framework applied to all provinces and territories across Canada. In some cases, the same flaws were described in depth by multiple oversight groups, over multiple years.

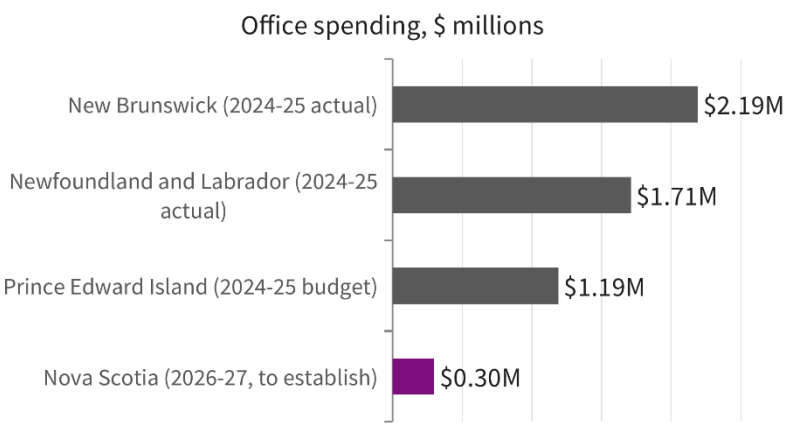
1. The lack of effective human resource planning

Only 62% of Yukon's social worker and supervisor positions were filled as of March 2025 (OAG Canada 2026a, iv, 18). In Newfoundland and Labrador, the average vacancy in the child welfare department lasted 19 months (Ernst & Young LLP 2022, 8, 16).

2. The curious detachment of the budgeting process from reality

After Alberta expanded its advocate's mandate in 2014, effectively doubling the number of child death reviews required each year, the Alberta government ordered the advocate to cut $275,000 from the office's budget (CBC News 2015). In Ontario, two years after the Auditor General recommended standard caseload benchmarks for children's aid societies, neither the ministry nor the societies' association had acted on that recommendation (Office of the Auditor General of Ontario 2017, 28, 35).

Figure 1: What an advocate office costs in Atlantic Canada



Three small offices, one empty line.

New Brunswick's office covers children and youth, seniors and, since 2024, vulnerable adults; its 2026-27 estimate is $2.67 million.

Newfoundland and Labrador runs on 13 permanent staff.

Nova Scotia's $300,000 is an establishment allocation, not an operating budget. The question is what comes next.

Sources: New Brunswick Child, Youth and Seniors' Advocate, Annual Report 2024–25, 46; New Brunswick Main Estimates 2026–27, 89; Newfoundland and Labrador Child and Youth Advocate, Annual Report 2024–25, 32; Prince Edward Island Estimates of Revenue and Expenditure 2025–26; Government of Nova Scotia 2026b.

3. Following rules instead of getting results

One Northwest Territories child was moved between foster homes more than 20 times. Every move was documented; every move was procedurally compliant (OAG Canada 2018, para. 41)—and any reasonable person would be able to infer that this lack of stability was detrimental to the child. New Brunswick's "economic unit" rule clawed back social assistance from recipients who shared housing, yet the department tracked only whether staff applied the rule, not whether anyone left assistance for work (NBCYSA 2024, 25–26).

Dr. Ken Barter, who spent three decades in public child welfare in Newfoundland and Labrador before teaching it at Memorial University, has a test for this phenomenon: "If you walk into an

office and you see a lot of policy manuals, you're walking into an office that's not necessarily operating from professional principles of practice" (Barter 2026). Andrea Mrozek, a family policy researcher at Cardus, made the same point from outside the sector: "In the private sector, someone [would have said] override the rule" (Mrozek 2026).

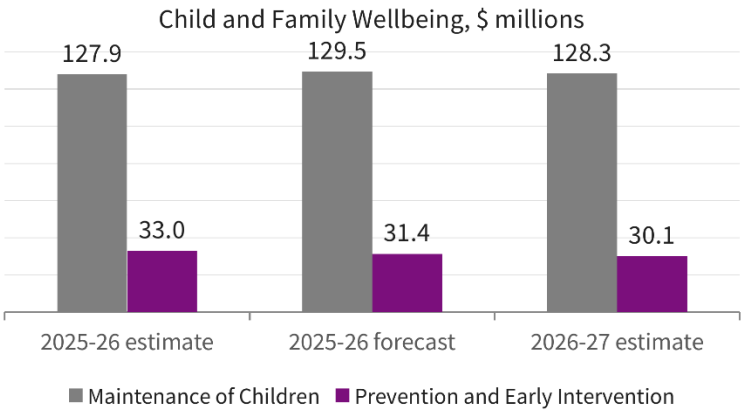
4. Little data, less analysis, no follow-up

A 2023 federal audit issued no new recommendations for Nunavut, because those from 2011 and 2014 remained unimplemented (OAG Canada 2023). In Alberta, which has the strongest statutory response requirement in the country, 21 of 117 advocate recommendations were closed over the course of a decade without being met; effectively, they were no longer tracked, despite not being accepted or implemented (OCYA Alberta 2023, 9, 26). The Northwest Territories agreed to eleven recommendations in 2014 and eleven more in 2018, and a third audit in 2026 found several of the same problems unresolved (OAG Canada 2014, 32–36; OAG Canada 2018, para. 14; OAG Canada 2026b, iii). The gap is national as well as provincial: the Senate's human rights committee, in *Nothing to Celebrate,* found that Canada lacks consistent national data on children and youth in care and those leaving it, and made a national database one of its key recommendations (Senate of Canada 2025).

5. Funding the crisis, starving the solutions

In 2023-24, Alberta spent over $80 million on early support and prevention and $838 million on child intervention—a 1:10 ratio (Office of the Auditor General of Alberta 2025, 2). Nova Scotia's spending on temporary emergency arrangements for children rose 506% in five years, from $4.6 million to $27.9 million. Average stays in care exceeded eight months, in arrangements intended to last no more than four days, over the same period in which the government in power cut funding for prevention and early intervention (Office of the Auditor General of Nova Scotia 2024, para. 1.12, 7, 20–22; Government of Nova Scotia 2026b, 20.6).

Figure 2: Nova Scotia's 2026-27 budget—crisis funded, prevention trimmed



$300,000

to establish the Office for Children and Youth, legislated in 2024.

$6.5 million

a year: the operating budget the NS College of Social Workers recommends.

Sources: Government of Nova Scotia 2026b; 2026c, 20.6; Office for Children and Youth Act (Nova Scotia); Council of Parties 2019, 527; Nova Scotia College of Social Workers 2026.

What Compounds the Five Flaws

Beyond Lamrock's five flaws, we identified four common factors that apply across all provincial and territorial jurisdictions: drift away from the core mandate of serving the child, the over-representation of Indigenous children, a broken chain between recommendation and implementation, and constraints on the autonomy of the watchdogs themselves.

1. Core Mandate Drift—Whom Does the System Serve?

Behind each statistic is a child or youth with experience in the child welfare system; however, the focus seemed to drift from the end-users, with the system—when it did implement measures—measuring only itself. When the number of placements becomes the indicator of success, the system rewards activity rather than outcomes for children. Dr. Jacqueline Gahagan, who studies young people who age out of care, put it plainly: "if placements are the indicator of success, then we have a very broken system" (Gahagan 2026). A child in care who is still in high school, they noted, may be moved "half a dozen times" in one academic year; "we are wholesale failing them" (Gahagan 2026).

The record also says a great deal about children and very little from them: reports rarely describe what children were asked, if they were consulted at all. Barter said the same of parents: "I don't ever remember the system in any way asking parents for their opinion" (Barter 2026). Dr. Daniella Bendo, who has studied the advocate offices across the country, recalled one advocate's definition of the job: "advocacy is actually all about listening to children. It's not speaking for someone who maybe hasn't asked you to speak for them" (Bendo 2026). That definition is the test a system that counts placements and closes investigations fails.

2. Indigenous Over-representation

Indigenous children are vastly over-represented in these numbers. In 2021, Indigenous children were about 7.7% of all children under 15 in Canada and 53.8% of all children in care (Senate of Canada 2025, 22). The national figure understates what the provinces and territories report about themselves. In British Columbia, Indigenous children are less than 10% of the child population and more than 67% of children in care, and an Indigenous child is 18 times more likely to come into government care than a non-Indigenous child (RCY BC 2024b, 4). In Saskatchewan, "at least 81%" of children in care are Indigenous (Saskatchewan Advocate for Children and Youth 2024, 8). In Alberta, the Auditor General reported in 2016 that 69% of children and youth in care were Indigenous, in a province where one child in ten is Indigenous (Office of the Auditor General of Alberta 2016, 2). In Manitoba, the advocate's office put the share at "roughly 90%" that same year (Office of the Children's Advocate (Manitoba) 2016, 17).

3. Implementation and Visibility Gap

Prince Edward Island's advocate, Marvin Bernstein, whose office publishes the status of every recommendation it makes, aptly stated: "there is a chasm between acceptance and implementation" (Bernstein 2026). According to the most recent status reports from the jurisdictions that do publish the status of recommendations, the share that governments have fully or substantially implemented ranges from none in Prince Edward Island to about a quarter

in British Columbia, a third in Manitoba, and 87% in Newfoundland and Labrador (OCYA PEI 2025a, 5; 2025b, 5; RCY BC 2024a, 6; MACY 2024, 15; OCYA NL 2025, 2).

Bernard Richard, New Brunswick's first Child and Youth Advocate, wrote in his 2008 report *Connecting the Dots* that "children don't fit in neat little boxes" (Office of the Ombudsman and Child and Youth Advocate (New Brunswick) 2008); not much has changed since, he told us: "18 years later, I keep pointing to the same kind of core recommendations" (Richard 2026). He also explained why prevention loses to crisis in every budget cycle. Prevention pays off ten or fifteen years out, beyond any government's four-year horizon, and "governments like to cut ribbons and make announcements" (Richard 2026).

4. The Autonomy of Watchdogs Is Threatened or Constrained

Many reforms get lost when the watchdogs are switched off or rendered impotent. Ontario abolished its independent advocate in 2019. Irwin Elman, who led that office from 2008 until it closed, described what the closure did to his counterparts across the country: "When Ontario closed the advocate's office, I think there was a chill… For child advocates, it's dangerous to speak up too loudly, to speak up very publicly, to be pointed to ensure that youth themselves are heard. It's dangerous" (Elman 2026). And yet, he added, "there's no need to close the institution" (Elman 2026). Bernstein added that formal independence does not protect an office the public cannot see: "If you're too passive and the public doesn't really know what you're doing and doesn't see the value, it's easier for government to set some limits on the office" (Bernstein 2026).

Alec Stratford, former executive director and registrar of the Nova Scotia College of Social Workers, is concerned with where the 2024 Act's powers sit: "regulations are controlled by cabinets who have political agendas. Whereas again, if those powers, like every other advocate, were established in legislation, a cabinet wouldn't be able to simply change the mandate behind closed doors" (Stratford 2026). Bendo's research adds a caution against the ombudsman-embedded model that Ontario adopted in 2019 and that Nova Scotia has relied on in the absence of an advocate. Where one office serves both children and adults, "adults are always prioritized" (Bendo 2026).

The system also has a short memory. Reviews follow tragedies, and the next audit rediscovers the last one's findings. Barter described a system that "really comes alive when something happens… and it doesn't come alive to build on when good things happen" (Barter 2026). In the Northwest Territories, the department agreed to all 11 of the federal Auditor General's recommendations in 2014, all 11 again in 2018, and in May 2026 a third audit found that several of the problems identified in 2014 and 2018 remained unresolved (OAG Canada 2014, 32–36; 2018, 38–43; 2026b, iii). Whether that is reform or repackaging is a question legislators should be asking.

Best Practices

There are positive insights that were also evident nationally. New Brunswick proclaimed a new *Child and Youth Well-Being Act* in January 2024 (Government of New Brunswick 2024). Quebec requires its human rights and youth rights commission to report on the implementation of its

youth protection law every five years (CDPDJ 2025, 1). Alberta requires a department to respond publicly, within 75 days, to recommendations the advocate makes after a mandatory review of a child's death (*Child and Youth Advocate Act* (Alberta), s. 15.5). The advocates in Newfoundland and Labrador, British Columbia, and Manitoba publish the results of each recommendation they make. Nova Scotia passed an *Office for Children and Youth Act* in 2024 and, in its 2026-27 budget, set aside money to establish the office and added $7.8 million for children in the Minister's care, including the Path program, which supports young people for up to six years after they leave care (Government of Nova Scotia 2026a; 2026b). At the national level, the Standing Senate Committee on Human Rights, in its December 2025 report *Nothing to Celebrate: The Crisis of Youth Aging Out of Care,* recommended a national children and youth commissioner, a national database, a national summit and action plan, and wraparound supports for youth leaving care (Senate of Canada 2025).

System Design Consideration: Local and National

Nova Scotia is in an unusual position to use these lessons. Its *Office for Children and Youth Act* is short and leaves most of the design to regulation, and the office has not yet opened. The province can still decide what its office measures, how its recommendations are tracked, and how its independence is secured, with the experience of twelve other jurisdictions to draw on.

The experts converged on three design points that no statute in Table 2 fully captures. The first is the appointee. Richard would hire someone with nothing left to protect: "It should be someone near the end of their career. So they're not looking to have another government job somewhere after to protect their pension and benefits" (Richard 2026).

The second is to whom the office answers. Barter would put a community board between the advocate and the government: "we need to be accountable not to government, but we need to be accountable to the community and the parents and the youth that we're here to serve" (Barter 2026).

The third is the habit of mind Elman warned against: bureaucrats "are always trying to solve human problems with institutional solutions and it doesn't work" (Elman 2026). Above all, the province can choose to measure what matters to a child—the indicators set out in the first row of Table 2—and to hear regularly from care-experienced youth, parents, and kin and foster carers, and publish their responses and recommendations.

Not every expert accepted the premise that better oversight is the answer. Mrozek argued that the children arriving in care are produced upstream, by family breakdown and generations of parents without resources of their own, and that "if we don't have civil society agencies coming in, the government is not going to be able to fix it for us" (Mrozek 2026). The panel may not share her view; it is worth hearing, because it names the one partner the advocate reports rarely mention. Any province could benefit from considering strategic system design modification, without the addition of a new federal layer of potential bureaucracy.

Table 2: Design choices for an oversight office, with examples

Design choice	Example	What it does
Measure what matters	Recommended; no common standard yet	A short, common set of outcome indicators—placement stability, time to permanency, re-entry into care, school progress, and outcomes at the transition to adulthood—with baselines, multi-year targets, and annual public reporting
Follow the child, not the ministry ("one child, one file")	Prince Edward Island	Advocate mandates cover the services children actually use, including schools, rather than the ministry that delivers them. In PEI, the advocate's authority covers any government-funded service to a child, including child protection, child care, and schools (*Child and Youth Advocate Act* (PEI), s. 1)
Statutory response deadline	Alberta	A department must respond publicly within 75 days to recommendations from a mandatory child death review (*Child and Youth Advocate Act* (Alberta), s. 15.5)
Public recommendation register	British Columbia, Manitoba, Newfoundland and Labrador	Recommendation-by-recommendation status reports, published by the office (RCY BC 2024a; MACY 2024; OCYA NL 2025)
Periodic review of the law	Quebec	The human rights and youth rights commission reports on the implementation of the *Youth Protection Act* every five years (CDPDJ 2025, 1)
Appointment by the legislature	Quebec	The National Assembly appoints the commissioner for children's well-being and rights by a two-thirds vote (*Loi sur le commissaire au bien-être et aux droits des enfants*, s. 1)
Mandate and budget written into the Act itself	No clear example; the lesson of Ontario and Alberta	An office that a government can close, or whose budget it can order cut, is not independent in practice (CBC News 2015; Ombudsman of Ontario 2019)
Combined mandate with adults	New Brunswick; Ontario since 2019 (a caution)	One office serves children alongside seniors or adult complainants, so children's matters share staff and attention (see Table 1)

Source: Compiled by the authors from the documents cited in each row.

Conclusion: Putting the Child Back at the Centre

Why is child and youth reform falling short? Across thirteen jurisdictions, the public record shows the five governance flaws New Brunswick's Advocate named in 2024, plus four common factors behind them: governments measure activity rather than outcomes and rarely ask children what

they think; Indigenous children bear the heaviest share of the harm; governments accept recommendations they do not implement; and they leave their oversight offices exposed to the government of the day.

A pattern that holds across provinces and territories this different is structural, and so the remedy must be structural too. Nova Scotia, with its office still to open, can build in the best practices from the outset and keep the child in focus from the first report to the last follow-up. Its success should be judged by what really matters to a child: a stable home, a completed education, and a trusted adult. As stated by Dr. Gahagan, “The recommendations are right there for the plucking. It's not a whole lot of work on the part of policy decision makers other than read the reports, read the recommendations, look at the evidence, and make a decision” (Gahagan 2026).

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Conflicts of Interest and Relationships

Paul W. Bennett is a Senior Fellow at the Macdonald-Laurier Institute and director of Schoolhouse Institute. Both authors are co-authors of the forthcoming MLI commentary on the same subject, which MLI commissioned.

Use of Generative AI

The authors used Claude, a generative AI model developed by Anthropic, to help locate and read public documents, draft and revise text, build the tables and slides, and check citations, figures, and word counts against the source documents. Figures and quotations were checked against the cited sources. The authors directed the work and are responsible for its content.

About the Authors

Paul W. Bennett, EdD, is a Senior Fellow at the Macdonald-Laurier Institute and director of Schoolhouse Institute, where he writes on K-12 education and social policy. He founded researchED Canada and has served as Adjunct Professor of Education at Saint Mary's University. He is the author of eleven books and dozens of policy papers on Canadian education and social policy, and co-author of the forthcoming MLI commentary *The Broken System*.

Elizabeth Lance, MASc, is an Ontario policy researcher completing a Doctor of Education at Edgewood University, where her research applies large language models to audit public-sector governance. Through her website, School Board Research, she provides critical commentary on school board governance and accountability in Ontario. Separately, she writes extensively about innovation funding policy in Canada. She is co-author of the forthcoming MLI commentary *The Broken System*.

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