

Child Welfare

On March 1, 2017, the Liberal government in Nova Scotia amended the Children and Family Services Act (the “2017 amendments”). The changes included an expanded definition of a child in need of protective services, the addition of youth 16-19 years of age under voluntary services, limited the capacity of the judiciary to make decisions, prohibited a judge from making an order for access in a permanent care order, limited the opportunity for extending care for youth over 19 and tightened court timelines. The former Minister of Community Services Joanne Bernard stated that the transformation of the Children and Family Services Act (the “Act,” or “CFSA”) was needed to keep Nova Scotian children in their homes and to provide support before a family is in crisis.

Social workers and community organizations repeatedly reported their concerns with the 2017 amendments prior to implementation. They were concerned with limited new funding and resources to the system, increased caseloads and workloads due to the complexity of family needs, the readiness of staff and community organizations to implement the changes, and the ability of families to make necessary changes given the tighten court timelines.

The 2017 amendments have had an especially adverse effect on the principles of Interconnectedness, Social Inclusion and Decolonization in Nova Scotia, counter to the best interests of vulnerable children and families. As well, the practical impact of the amendments on social workers – counter to the principle of Decent Work and Wellbeing – has been to increase workloads and responsibility on social workers without adequate supports. This has led to an increase in stress, and a crisis in recruitment and retention, which in turn has had a negative effect on the system overall.

