



YOUR CHILD'S SITUATION HAS BEEN REPORTED TO THE DYP

What do you need to know now?

This brochure was created under the supervision of the Direction des jeunes et des familles of the ministère de la Santé et des Services sociaux.

The Ministère wishes to thank the following for their valuable contribution :

- Association des centres jeunesse du Québec
- Éducaloi
- User's committee of Centre jeunesse de Québec - Institut universitaire

* These partners participated in the elaboration of this brochure before coming into force of the Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies.

The content of this brochure reflects amendments to the Youth Protection Act in force as of July 9, 2007.

PRODUCED BY

La Direction des communications du ministère de la Santé et des Services sociaux

This document is available online and can be ordered at:

msss.gouv.qc.ca by clicking **Publications**.

It may also be ordered at diffusion@msss.gouv.qc.ca or by mail at:

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Masculine pronouns are used generically in this document.

Legal deposit

Bibliothèque et Archives nationales du Québec, 2016

Library and Archives Canada, 2016

ISBN : 978-2-550-76216-4 (print version)

ISBN : 978-2-550-76217-1 (PDF)

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You may have questions or concerns regarding the Director of Youth Protection's (DYP) involvement with your family. This is completely normal.

This brochure goes over each step in the DYP intervention process and discusses your rights and those of your child.

The DYP and his representatives are there to guide you and answer your questions.

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As parents, you have the primary responsibility for ensuring your child's protection.

WHO IS THE DIRECTOR OF YOUTH PROTECTION (DYP)?

The Director of Youth Protection, or “DYP”, is responsible for applying the Youth Protection Act. There is a DYP in each region of Québec.

The DYP:

- receives all reports regarding children who may need protection;
- is assisted by a team of workers who help assess the situation of children and help decide on how to protect them;
- makes decisions in the best interest of the child and in accordance with the child’s rights;
- works in an integrated centre* offering protection services and rehabilitation (previously youth centre), in collaboration with all resources in the region.

IN WHAT SITUATIONS CAN THE DYP INTERVENE?

The DYP must intervene in certain situations in order to protect a child, such as when the child’s security or development is compromised. These situations are called “compromising situations.”

/ 1

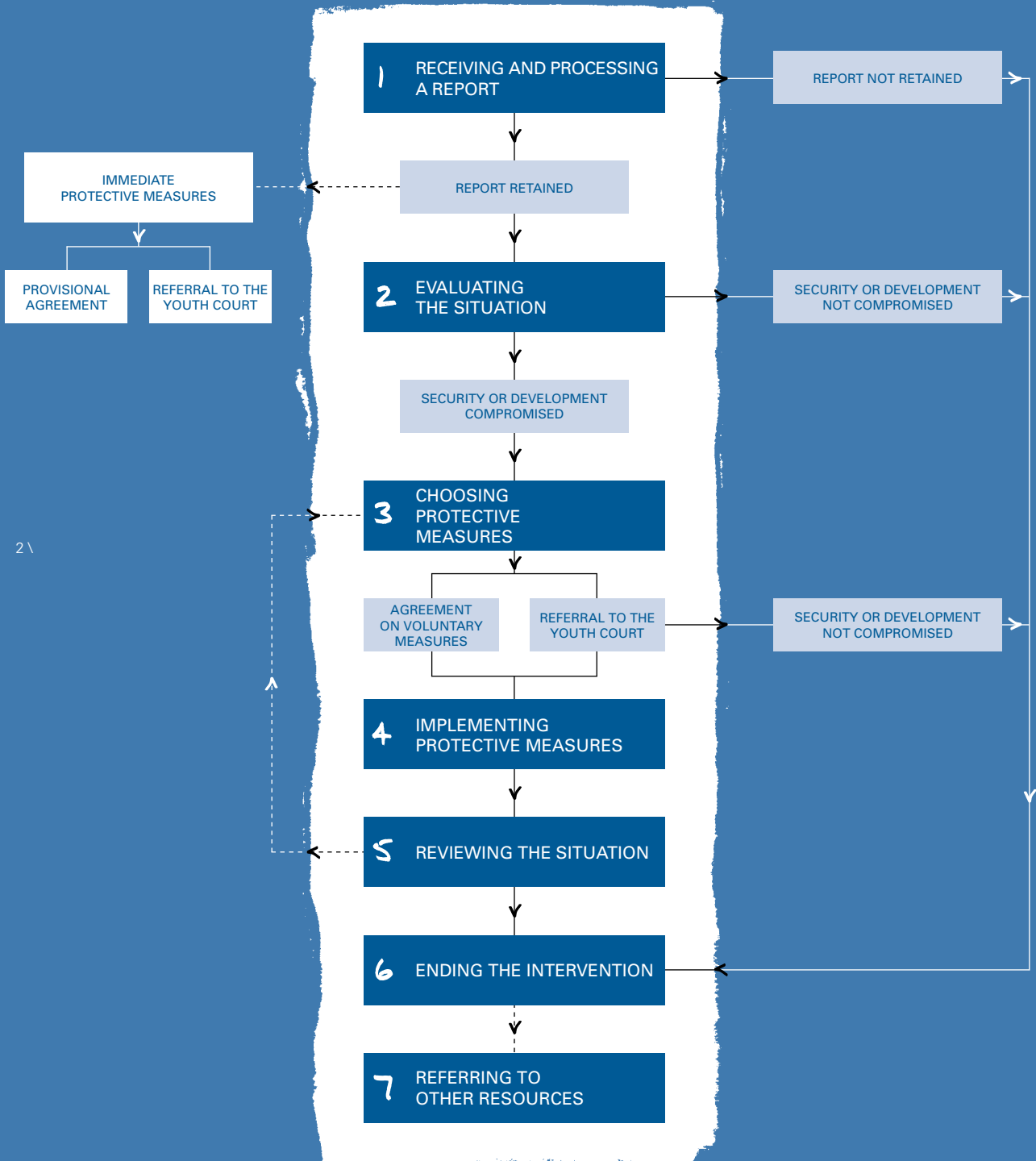
The term “child” designates a person under the age of 18. Teenagers are therefore also covered by the Youth Protection Act.

The DYP intervenes mainly in situations where a child:

- is abandoned;
- is neglected;
- is psychologically abused;
- is sexually abused;
- is physically abused;
- presents serious behavioral problems;
- is at severe risk of being neglected or sexually or physically abused.

* The term “integrated centres” includes both integrated health and social services centres (CISSS) and integrated university health and social services centres (CIUSSS).

A STEP-BY-STEP GUIDE TO HOW THE DYP INTERVENES



YOU AND YOUR CHILD:

- Must be consulted at each step;
- Have the right to express your opinion and take an active role in decisions that concern you.

Children **14 or over** may accept or reject measures that concern them, and the DYP must take this into consideration.

Children **13 or under** are consulted regarding measures that concern them, but it is you as parents who must make decisions for your child.

It is important to encourage your child to take part in decisions concerning him.

RECEIVING AND PROCESSING A REPORT

Your child's situation was reported to the DYP by a person who has reasons to believe your child's security or development is compromised. Most of the time, the DYP receives reports by telephone. Without a report, the DYP cannot conduct an investigation.

As soon as the DYP receives a report, he makes a brief assessment of the situation. Based on the information available at that time, the DYP decides whether to accept or reject the report.

REPORT NOT RETAINED FOR EVALUATION

The DYP may consider from the start that there is no reason to retain a report for investigation; such as when the DYP cannot intervene with respect to the events reported. Yet you or your child may still need help.

Need help?
See page 11
regarding what
the DYP must
do for you.

REPORT RETAINED FOR EVALUATION

If the report regarding your child is retained, the DYP conducts a more in-depth **evaluation** of the situation. Sometimes, **immediate protective measures** are necessary, in which case the DYP takes immediate action.

The identity of the person who filed the report with the DYP is confidential and may not be disclosed.

WHAT HAPPENS WHEN IMMEDIATE PROTECTIVE MEASURES ARE NECESSARY?

Your child may need urgent protection. If this is the case, the DYP must take immediate protective measures for a **maximum period of 48 hours**.

Depending on the situation, the DYP may decide, for example:

- to remove your child from his family environment;
- to place your child with a member of your family, a foster family, or a rehabilitation centre;
- to limit your child's contact with you or others.

If immediate protective measures are still necessary at the end of the 48-hour period, the DYP may suggest extending them and work with you to reach a **provisional agreement** covering a **maximum of 30 days**, without referring the matter to the Youth court.

When you or your child (if he is 14 or over) **do not agree** with the proposed provisional agreement, the DYP must submit the matter to the **Youth court**. The Youth court will then decide if it is necessary to extend the immediate protective measures.

If necessary, immediate protective measures may be applied at any time during the DYP's intervention.

2 EVALUATING THE CHILD'S SITUATION

The DYP's evaluation takes into account:

- the nature, gravity, persistence, and frequency of the reported events;
- the age and personal characteristics of your child;
- your ability and will to remedy the situation;
- the resources in your community that can help you.

After going over this information, the DYP determines whether or not your child's security or development is compromised.

SECURITY OR DEVELOPMENT NOT COMPROMISED

The DYP may decide that your child's security or development is not compromised. In this case, the intervention ends. However, you or your child may still need help.

SECURITY OR DEVELOPMENT COMPROMISED

The DYP may decide that your child's security or development is compromised. He must then intervene to ensure your child's protection.

Need help?
See page 11
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do for you.

3 CHOOSING PROTECTIVE MEASURES

When the DYP decides that your child’s security or development is compromised, he must determine the measures to be taken to ensure your child’s protection and help you remedy the situation.

At this step, two options are possible: an **agreement on voluntary measures** or **referral to the Youth court**.

AGREEMENT ON VOLUNTARY MEASURES

The DYP can provide the help you need to ensure your child’s protection **without referring the matter to the Youth court**. You can reach an **agreement on voluntary measures** when you and your child (if he is 14 or over) agree with:

- the DYP’s decision that your child’s security or development is compromised;
- the DYP’s proposed measures to remedy the situation.

This agreement contains:

- a written commitment by the parents, the DYP and the child (if he is 14 or over);
- a description of the situation;
- a commitment to work together;
- the necessary measures to remedy the situation.

The agreement on voluntary measures can last up to **12 months**. At the end of the agreement, the DYP reviews the situation. In certain cases, the agreement may be renewed or amended.

If the parents, the DYP and the child respect the agreement, the Youth court’s involvement is not necessary.

REFERRAL TO THE YOUTH COURT

Your child’s situation must be submitted to the Youth court:

- when the DYP concludes that an agreement on voluntary measures is not appropriate;
- when you or your child (if he is 14 or over) does not agree with the DYP’s decision.

For example:

- you believe your child’s security or development is not compromised;
- you do not agree on the proposed measures to remedy the situation.

In these cases, the Youth court decides whether or not your child’s security or development is compromised after hearing all concerned parties.

If the Youth court believes that the security or development of your child is compromised, it must also:

- decide which measures are needed to remedy your child’s situation;
- determine the duration of these measures.

This decision is called a “**court order**.”

4 IMPLEMENTING PROTECTIVE MEASURES

Once there is an agreement on voluntary measures or following the court order, you will meet regularly with a worker, who will help you put in place the protective measures needed to remedy the situation.

INTERVENTION PLAN

To put in place the protective measures, your worker will develop an **intervention plan (IP)** with you. This plan sets out:

- your needs and those of your child;
- the objectives to be attained;
- the methods to be used;
- the duration of services that the integrated centre offering protection services and rehabilitation must provide.

INDIVIDUALIZED SERVICE PLAN

In addition to the IP, an **individualized service plan (ISP)** may also be drawn up if the collaboration of other resources, such as your child's school, is needed.

In preparing the ISP, the necessary resources will work with you and your child to identify the objectives and services required.

As parents:

You have the primary responsibility for your child, even if his situation is being monitored by the DYP.

Your opinion is important in determining the measures necessary to remedy the situation, and your involvement is crucial..

You must be given a copy of the IP and the ISP, if there is an ISP.

WHAT HAPPENS WHEN YOUR CHILD IS PLACED?

CHOICE OF PLACEMENT

When the DYP or Youth court decides to apply protective measures, the primary aim is to keep your child in his family environment.

However, the DYP or the Youth court may decide it is necessary for your child to temporarily live in another environment. In this case, the DYP or Youth court examines the feasibility of placing your child with **people** who are **significant** in his life such as grandparents or other family members. The will and ability of these people to care for your child will be evaluated.

If it is impossible or inappropriate to place your child with a significant person, another placement is chosen based on your child's needs.

FINANCIAL CONTRIBUTION FOR PLACEMENT

When your child is placed with a foster family or in a rehabilitation centre for over 30 days, a financial contribution based on your income is required.

MAXIMUM PLACEMENT PERIOD

When your child is placed, the decision of whether or not to return him to his family environment must be made within a certain time limit called the "maximum placement period".

This period is set in order to meet your child's need for stability and differs according to age:

	CHILD'S AGE		
	Under 2 years	2 to 5 years	6 years or over
MAXIMUM PLACEMENT PERIOD	12 months	18 months	24 months

During your child's placement, you must receive the help you need to remedy the situation within the maximum placement period.

When the maximum placement period has **expired** and your child's security or development is still compromised, the Youth court must decide on measures to ensure your child's long-term stability. The Youth court may then decide that your child will not return to his family environment.

The Youth court may extend the maximum placement period for the following reasons:

- your child's return to the family environment is anticipated in the short term;
- it is in your child's best interest;
- for serious reasons, for example the services set out in the intervention plan were not provided.

In certain cases, before the end of the maximum placement period, the Youth court may decide it is not possible to return your child to his family environment.

When your child is placed, the primary aim is to return him to his family environment.

5 REVIEWING THE SITUATION

Whether or not your child is placed, the DYP must periodically review your child's situation. Depending on what the DYP finds, he may decide to:

- end its intervention if your child's security or development is no longer compromised;
- propose a new agreement on voluntary measures or submit the matter to the Youth court;
- reconsider the protective measures chosen.

6 ENDING THE INTERVENTION

The DYP's intervention ends when:

- the report is not retained for evaluation;
- your child's security or development is deemed not compromised or no longer compromised;
- your child turns 18.

7 REFERRING TO OTHER RESOURCES

When the DYP ends its intervention, you or your child may still need help. The DYP must:

- provide information on resources available in your region and explain how to obtain them. These may include a CLSC, a community organization, or any other service provider;
- with your consent, advise you and personally direct you to resources by making an initial contact;
- with your consent, transmit relevant information on the situation to the resource to which you are being referred.

Information in the child's record

Once the DYP's intervention has ended, the information obtained on your child's situation is kept for a period of **5 years** or until **your child turns 18**. The information is then destroyed unless an application is made to the Youth court.

The DYP keeps the information in the record for a period of **2 years** if the report is not retained for evaluation.

YOUR RIGHTS AS PARENTS AND THOSE OF YOUR CHILD

Throughout the DYP's intervention, you and your child have rights. Here are the main ones:

RIGHT TO BE CONSULTED:

You and your child have the right to be consulted at each step of the process and give your opinion on potential solutions.

RIGHT TO BE INFORMED:

You and your child have the right to be informed by the DYP of each step in the process and regarding the protective measures chosen to remedy the situation.

RIGHT TO BE HEARD:

You and your child have the right to present your point of view to the DYP and to the Youth court.

RIGHT TO THE SERVICES OF A LAWYER:

You and your child each have the right to consult a lawyer and be assisted and represented by him.

RIGHT OF REFUSAL:

You and your child have the right to refuse certain DYP decisions. In this case, the matter may be referred to the Youth court.

RIGHT TO ADEQUATE SERVICES:

You and your child have the right to adequate health and social services. Your child also has the right to adequate educational services.

RIGHT TO GUIDANCE:

You and your child have the right to guidance and assistance from a person of your choice when you wish to obtain information or meet with the DYP.

RIGHT OF ACCESS TO THE CHILD'S RECORD:

You and your child (if he is 14 or over) may consult your child's record, except in specific cases.

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For more information on your rights and to obtain advice:

You can contact the user's committee of your integrated centre at any time. Made up of young people and parents who receive services from the integrated centre offering protection services and rehabilitation, this committee seeks to defend, protect, and ensure compliance with user rights.

To file a complaint:

If you are not satisfied with the services provided, you can contact the **local service quality and complaints commissioner** of the integrated centre that treats your situation.

You can contact the **Commission des droits de la personne et des droits de la jeunesse** if you feel your rights or those of your child have not been respected.

DO YOU HAVE QUESTIONS?

Feel free to communicate with the workers in the integrated centre offering protection services and rehabilitation that treats your situation for additional information.

Name of worker conducting the evaluation: _____

Telephone: _____

Name of worker responsible for applying protective measures regarding your child: _____

Telephone: _____

Other workers: _____

Telephones: _____

User's committee: _____

Telephone: _____

Local complaints commissioner: _____

Telephone: _____

Notes: _____

FOR MORE INFORMATION:

Ministère de la Santé et des Services sociaux

msss.gouv.qc.ca

You and your child have the right to express your opinion and take an active role in decisions that concern you.

WHO DO YOU CALL?

PROTECTION SERVICES AND REHABILITATION FOR YOUTH IN TROUBLE OF ADAPTATION :

Bas-Saint-Laurent

1-800-463-9009
418-723-1255

Saguenay–Lac-Saint-Jean

1-800-463-9188
418-543-3006

Capitale-Nationale

1-800-463-4834
418-661-6951

Mauricie–Centre-du-Québec

1-800-567-8520
819-378-5481

Estrie

1-800-463-1029
819-566-4121

Montréal

english speaking
514-989-1885
514-935-6196

french speaking
514-896-3100

Outaouais

1-800-567-6810
819-771-6631

Abitibi-Témiscamingue

1-800-567-6405
819-825-0002

Côte-Nord

1-800-463-8547
418-589-9927

Nord-du-Québec

See *Abitibi-Témiscamingue*
or *Saguenay–Lac-Saint-Jean*

Gaspésie–Îles-de-la-Madeleine

1-800-463-4225 (day)
1-800-463-0629 (night)
418-368-1803

Chaudière-Appalaches

1-800-461-9331
418-837-9331

Laval

1-888-975-4884
450-975-4150
450-975-4000

Lanaudière

1-800-665-1414
450-756-4555

Laurentides

1-800-361-8665
450-431-6885

Montérégie

1-800-361-5310
514-721-1811

Nunavik

Baie d'Ungava
819-964-2905

Baie d'Hudson
819-988-2191 (day)
819-988-2957 (night)

Terres-Cries-de-la-Baie-James

Chisasibi
1-800-409-6884
819-855-2844 (day)

Waswanipi

1-800-409-6884
819-753-2324 (day)

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