



The following is distributed on behalf of the Office of the Child and Youth Advocate/PEI

Press Release

March 18, 2026

For Immediate Release

The Office of the Child and Youth Advocate and the Department of Social Development and Seniors: Collaboration for Meaningful Change

In its February 19, 2026 response to Commissioner Jenkins' report *Student Safety in Island Schools: Handling of Complaints and Incidents of Staff Sexual Misconduct* released by the Department of Education and Early Years, the Office of the Child and Youth Advocate (OCYA) raised a number of concerns with the report's narrow terms of reference and broad conclusions.

Significantly, the Office of the Child and Youth Advocate voiced concern about the Jenkins Report's failure to recognize 1) the expertise and important role of PEI Child Protection Services in ensuring a timely, coordinated response to harm; 2) the fact that the duty to report remains a critical element of the Island's child-safety system; 3) that the participation of Child Protection Services in investigations of allegations of harm inflicted or permitted by non-parents takes place in other Canadian jurisdictions; and 4) that the bigger concern in PEI is not the over-reporting of child protection concerns, but their under-reporting.

"I take issue with the message in the Jenkins Report that 'there is an issue of mandate creep with Child Protection Services' and that the duty to report should be limited to the police when there is harm inflicted or permitted by a person who is not a parent. To this end, the Jenkins Report serves to add to the confusion about the duty to report child protection concerns, doing a disservice to children, youth, families and educators," said Child and Youth Advocate Marvin Bernstein. The Advocate [forwarded an immediate recommendation](#) to the Department of Social Development and Seniors calling for an immediate amendment to the *Child, Youth and Family Services Act* in the Spring session of the PEI Legislature.

The Office of the Child and Youth Advocate acknowledges with gratitude [the swift and positive response](#) from the Minister of Social Development and Seniors wherein she provides assurance that her department "shares [my Office's] commitment to strengthening

the child protection framework and removing any uncertainty that may exist surrounding reporting obligations.”

The Office of the Child and Youth Advocate commends the commitment of the Department of Social Development and Seniors, as stated in the Minister’s response, “to work with the Office of the Child and Youth Advocate and to proceed with urgency and diligence in support of introducing possible amendments to the *Child, Youth and Family Services Act*... [and] to explore complementary measures aimed at reinforcing clarity – such as possible updates to policy, protocols, additional training sessions, and additional public communications related to Duty to Report requirements.”

“I appreciate the response from the Department of Social Development and Seniors, which reinforces that targeted, informed and evidence-based recommendations made by my Office should be taken seriously and are not simply suggestions that can be easily disregarded. These recommendations are made with the goal and intent of closing gaps to strengthen safeguards for children and youth in our province,” said Bernstein.

“The commitment from the Department to work with my Office toward our shared goals of safeguarding children and youth, upholding children’s rights, and supporting the well-being of children and youth is a shining example of how collaboration between the Office of the Child and Youth Advocate and child-serving government departments can foster real and meaningful changes that directly uphold the right of all children and youth to safety and protection from all forms of harm,” commented Bernstein.

MEDIA CONTACT

Penny Woodgate, Executive Assistant/Office Manager

902-368-5630

voiceforchildren@ocyapei.ca