



The Manitoba Advocate for Children and Youth's  
Submission to  
Manitoba's Homelessness Strategy

February 17, 2022

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## Introduction

The Manitoba Advocate for Children and Youth (MACY) is pleased to make this submission to the Department of Families with the purpose of informing Manitoba's Homelessness Strategy.

This submission falls under MACY's legal responsibility to advise ministers responsible for the provision of designated services about any matter relating to that service, as per section 13 of *The Advocate for Children and Youth Act*. While this submission is not a complete nor comprehensive review of family or youth homelessness in Manitoba, it is intended to provide useful guidance to the Minister and the department as it embarks on the development of the strategy.

### Homelessness is a children's rights issue

This submission and the work of MACY as a whole are guided by human rights instruments including the *United Nations Convention on the Rights of the Child* (UNCRC). The UNCRC is an international treaty that articulates the civil, political, economic, social, and cultural rights of all children, defined as any person under the age of 18. Canada ratified the UNCRC in 1991, and, in so doing, committed to protecting the human rights of all Canadian children.

Homelessness is a human rights and children's rights issue. Individuals experiencing homelessness, including young people, are rights-holders entitled to safe, affordable, and adequate housing. Experiencing homelessness as a child, youth, or young person is associated with a violation of a number of other human rights, including, but not limited to:

- **The right to health** (Article 24, UNCRC). Experiencing homelessness is associated with impairments in access to health. Youth homelessness is associated with poor health outcomes, including psychological distress and suicide attempts.<sup>1</sup>
- **The right to life, survival, and development** (Article 6, UNCRC). Youth homelessness is associated with preventable deaths, including increased risk of death by suicide.<sup>2</sup>
- **The right to be protected from exploitation** (Article 23, UNCRC). Youth homelessness is also associated with child sexual abuse and sexual exploitation.<sup>3</sup>
- **The right to an education** (Article 28, UNCRC). While the dropout rate in Canada is below 9%, as reported by the national youth homelessness survey, approximately 53%

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<sup>1</sup> Kidd, S. A., Gaetz, S., & O'Grady, B. (2017). The 2015 national Canadian homeless youth survey: Mental health and addiction findings. *The Canadian Journal of Psychiatry*, 62(7), 493-500. <https://doi.org/10.1177/0706743717702076>

<sup>2</sup> Flach, Y., & Razza, T. S. (2021). Suicidality in homeless children and adolescents: A systematic review. *Aggression and Violent Behavior*, 101575. <https://doi.org/10.1016/j.avb.2021.101575>

<sup>3</sup> Saewyc, E. M., Shankar, S., Pearce, L. A., & Smith, A. (2021). Challenging the stereotypes: Unexpected features of sexual exploitation among homeless and street-involved boys in western Canada. *International Journal of Environmental Research and Public Health*, 18(11), 5898. <https://doi.org/10.3390/ijerph18115898>

of youth experiencing homelessness dropped out of school and 74% of those youth would like to return to school.<sup>4</sup>

- **The right to non-discrimination** (Article 2, UNCRC). Indigenous and 2SLGBTQ+ young people, as well as young people with disabilities, are overrepresented in the homeless population.<sup>5</sup>

To apply the UNCRC and address homelessness in Manitoba it is essential to use a children's rights approach. That means that children and youth are respected as rights holders and governments are duty bearers with responsibilities to those experiencing homelessness. This approach runs contrary to welfare approaches that seek to "rescue" children and "repressive" approaches which seek to criminalize their circumstances. Of note, "claiming that welfare and repressive approaches are in the best interest of the child does not make them rights based."<sup>6</sup>

### What is a child rights approach?

A child rights approach:

- (1) Furthers the realization of child rights as articulated in the UNCRC and other international human rights instruments.
- (2) Utilizes the principles of the UNCRC to guide behaviour, actions, policies, and decisions. These include: non-discrimination, best interest of the child, the right to life, survival, and development, the right to be heard, and the child's right to be guided in the exercise of their rights by caregivers, in line with the child's evolving capacities.
- (3) Empowers and builds capacity among young people to claim their rights and the capacity of duty bearers (government, caregivers) to fulfill their obligations.

**In order to centre the rights of children, youth, and families, MACY encourages the Government of Manitoba to:**

- 1. Ensure that the strategy is guided by a human rights framework, including instruments such as the *United Nations Convention on the Rights of the Child* and the *United Nations Declaration on the Rights of Indigenous Peoples*.**
- 2. Conduct a Child Rights Impact Assessment (CRIA)<sup>7</sup> to assess the impact of the strategy on children, youth, and families in Manitoba.**

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<sup>4</sup> Gaetz et al., *Without a Home: The National Youth Homelessness Survey*, 2016, <http://proxy.library.carleton.ca/loginurl=https://www.deslibris.ca/ID/10065874>.

<sup>5</sup> Gaetz et al.

<sup>6</sup> Committee on the Rights of the Child, "General Comment No.21 (2017) on Children in Street Situations," CRC/C/GC/21 § (2017).

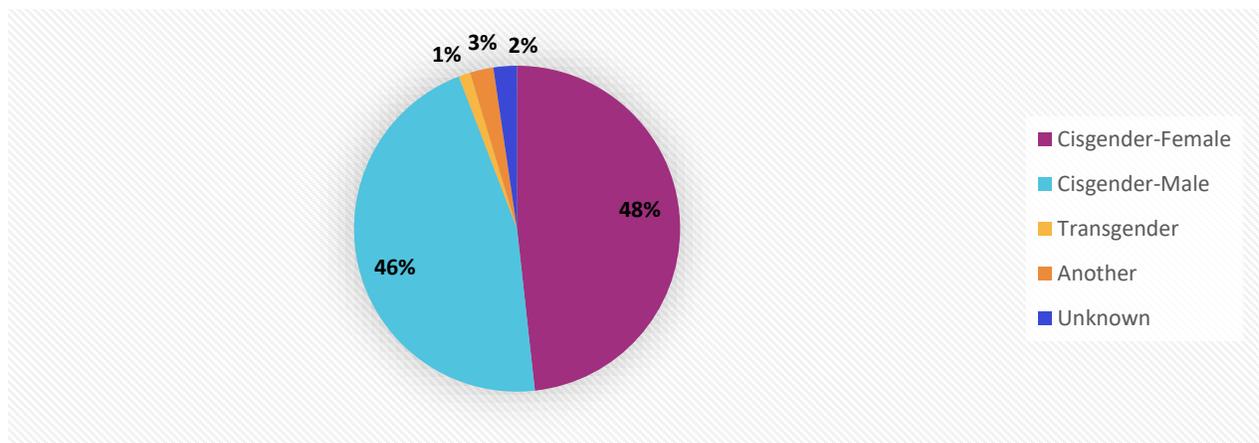
<sup>7</sup> "Child Rights Impact Assessment," UNICEF Canada : For Every Child, accessed February 16, 2022, <https://www.unicef.ca/en/child-rights-impact-assessment>.

- As experts in their own lives, and consistent with Article 12 of the UNCRC (the right to be heard), provide young people with experiences of homelessness with opportunities for meaningful participation in the development and implementation of this strategy.

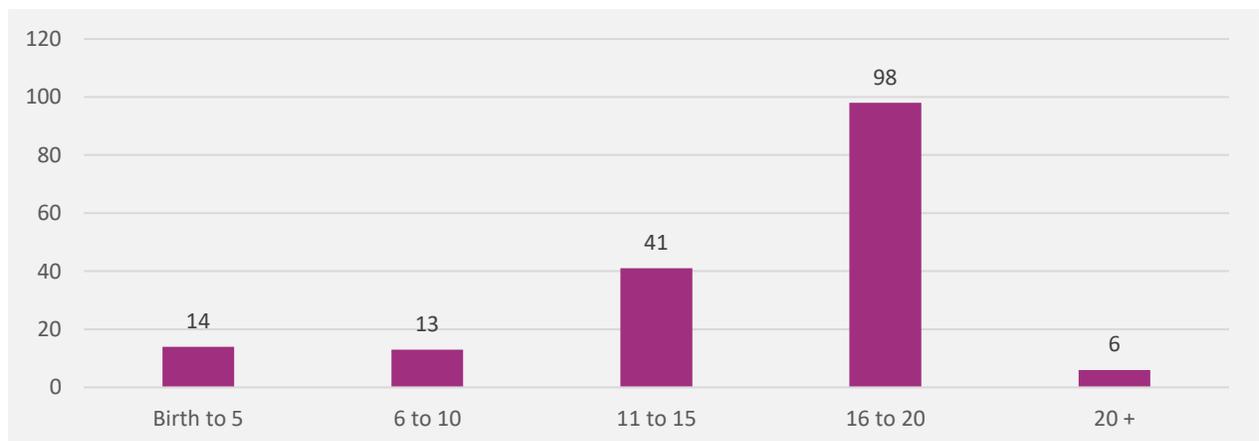
## Data from the Manitoba Advocate for Children and Youth

Since its inception, MACY has been providing services and advocating for children, youth, young adults, and families experiencing homelessness in Manitoba. This section describes the population of 172 young people served from 2018 to 2021, where homelessness was a primary advocacy concern addressed.

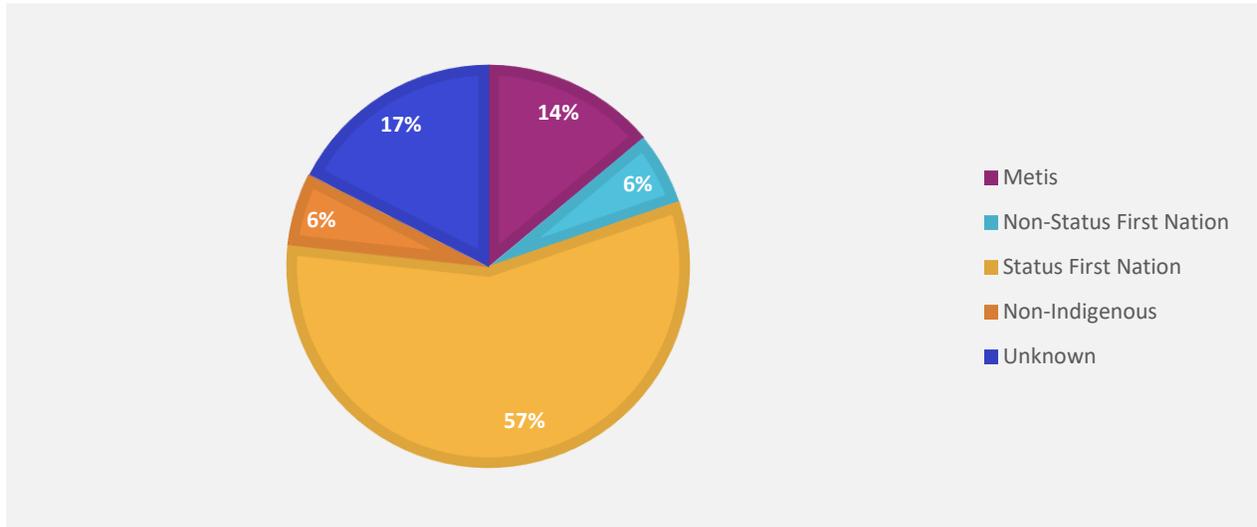
**FIGURE 1. GENDER OF YOUNG PEOPLE EXPERIENCING HOMELESSNESS AT MACY**



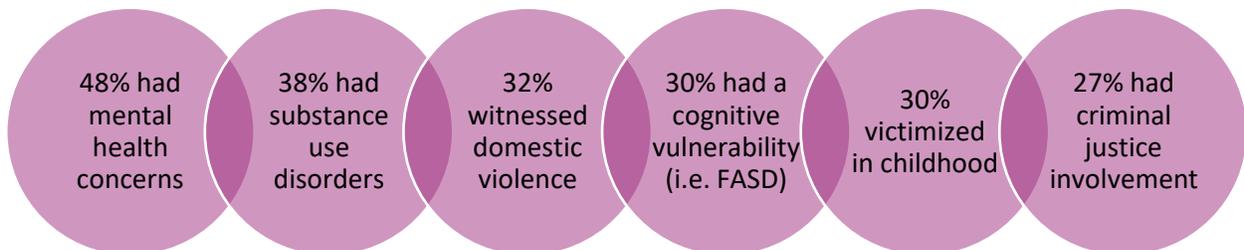
**FIGURE 2. AGES OF YOUNG PEOPLE EXPERIENCING HOMELESSNESS AT MACY**



**FIGURE 3. INDIGENOUS ANCESTRY OF YOUNG PEOPLE EXPERIENCING HOMELESSNESS AT MACY**



**FIGURE 4. CO-OCCURRING ISSUES FOR CHILDREN AND YOUTH EXPERIENCING HOMELESSNESS AT MACY**



Data from the Advocacy Services Program at the Manitoba Advocate for Children and Youth supports prioritizing:

- Indigenous-led organizations and programs (63% of young people were First Nations and 14% Metis);
- Focusing on the transition to adulthood (57% of those experiencing homelessness were between 16-20 with an average age of 18 years old); and,
- Increasing cross-system collaboration to address the complex needs of young people at risk or experiencing homelessness in Manitoba.

## Themes of concern

This section describes the primary issues addressed by the Advocacy Services Program associated with family and youth homelessness in Manitoba. Advocacy cases where homelessness was identified were reviewed and analyzed thematically.

### Theme 1: Family homelessness and entry into child welfare

The Advocacy Services Program supported young people and families with young children where homelessness was a factor for child welfare involvement. The majority of these cases involved a caregiver, typically the biological mother, experiencing substance use disorder and intimate partner violence. Whether as a result of eviction or entry into domestic violence shelters, caregivers and their children experienced housing loss. Children and youth in these circumstances frequently entered the child welfare system through apprehensions because they were deemed to be in need of protection or voluntary placement agreements (VPA).

In most cases, family homelessness consisted of couchsurfing (also referred to as hidden homelessness) with friends or family members or entry into a domestic violence shelter. These transitions led some children to have inconsistent attendance at school.

FIGURE 5. FAMILY HOMELESSNESS



Sometimes the apprehension of children leads to a loss of child-related EIA and Canada Child Benefit income support for the caregiver, which, in turn, puts them at a disadvantage when attempting to secure housing.<sup>8</sup> This is a vicious cycle, as stable housing is a condition for reunification. Once children are in care, caregiver homelessness is not only a barrier to reunification but also can impair the relationship between parents and their children (see Case Examples below).

#### **Advocacy Services Program Case Examples**

- Child in care contacted MACY because they were not able to have family visits with their parent who was experiencing homelessness. Family visits could not be scheduled because the parent could not be contacted. The child missed their parent and wanted support in advocating for more visits.
- Caregiver experiencing homelessness with a child in care needed supports to access housing and reunify with their child.
- Caregiver experiencing homelessness called MACY with concerns about the services their children were receiving in agency care.

In short, prevention efforts need to focus on enhancing supports to families at risk of losing their housing and, in turn, their children, due to substance use disorder and/or intimate partner violence. Supporting caregivers, particularly mothers, is essential for addressing child and family homelessness and preventing entry into child welfare.

**In order to address family homelessness, MACY encourages the Government of Manitoba to:**

- 4. Acknowledge the gendered nature of family homelessness and its connection to intimate partner violence and caregiver substance use disorders by supporting home-based, family centred, and culturally safe interventions, when it is safe to do so (see recommendation 1 in *Finding the Way Back*<sup>9</sup>).**
- 5. Reduce barriers to access financial supports, including EIA, to parents experiencing homelessness and seeking reunification, and prioritize parents seeking reunification in Manitoba Housing applications (see recommendation 5.3 in *Connecting the Circle*<sup>10</sup>).**

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<sup>8</sup> West Central Women's Resource Centre (2019) *Connecting the circle: A gender-based strategy to end homelessness in Winnipeg*. Final Report (Winnipeg, 2019).

<sup>9</sup> Manitoba Advocate for Children and Youth, "Finding the Way Back: An Aggregate Investigation of 45 Boys Who Died by Suicide or Homicide in Manitoba" (Winnipeg: Manitoba Advocate for Children and Youth, 2021), <https://manitobaadvocate.ca/wp-content/uploads/MACY-Special-Report-Finding-the-Way-Back.pdf>.

<sup>10</sup> West Central Women's Resource Centre (2019) *Connecting the circle: A gender-based strategy to end homelessness in Winnipeg*. Final Report (Winnipeg, 2019).

## Theme 2: Exiting systems into homelessness

The vast majority of MACY's Advocacy Services Program cases related to homelessness involve young people transitioning from public systems. Young people often call MACY feeling unprepared for independent living and fearful of becoming homeless. Difficulties with transitions can be varied and complex, and sometimes include a lack of transition planning and lack of life skills, no connection to income supports, or not having the necessary identification to apply for housing.

### Theme 2.1: Transitions from CFS to CLdS

One of the main challenges for children in care as they reach the age of majority is ensuring a planned transition to Community Living disABILITY Services (CLdS). Many children in care have a disability. The first challenge is receiving a timely assessment. Sometimes delays in the application or the assessment process lead to gaps between the two systems that place young and vulnerable people at risk of homelessness. The vast majority of cases where MACY was involved required coordination between CLdS and CFS.

#### **Advocacy Services Program Case Examples**

- A young person called MACY afraid of being homeless and unsure about their transition from CFS to CLdS. They wanted to know if they could stay at their CFS placement that they liked while in CLdS.
- A young adult currently under an Agreement with a Young Adult (AYA) with child welfare is suspected of having significantly impaired intellectual functioning and impaired adaptive functioning, was homeless, and sexually exploited. The young person required intensive supports but was unable to access CLdS because a formal assessment is required prior to age 18 and this was not completed.
- A young adult with severe impairments in intellectual and adaptive functioning was at imminent risk of homelessness while on an AYA. MACY was contacted because child welfare was unable to find suitable housing and CLdS will not assume care until the young person is 21 years of age.

## Theme 2.2: Transitions from Justice

Youth transitioning from Manitoba youth custody facilities are frequently involved with multiple systems including child welfare, mental health, addictions, and disability services. Coordinating their transition from custody requires coordination between these systems.

### Advocacy Services Program Case Examples

- A young person aged out of child welfare care while in custody and was at risk of homelessness following release from the custody facility. This young person was exiting custody without CFS supports and CLdS had rejected their application. The source of referral requested support from MACY in advocating for an AYA extension until the CLdS application could be reassessed. Following advocacy and a reassessment, an AYA was provided temporarily and CLdS accepted the young person into the program.
- A young person with a criminal record and in care had an order of residency (a condition of their probation) at the Salvation Army but was couchsurfing instead. As a result, the young person was breached.

**In order to address system exits into homelessness, MACY encourages the Government of Manitoba:**

- 6. Develop and enforce an interdepartmental “Zero Discharge into Homelessness” strategy, starting with a coordinated provincial policy direction, that supports youth transitioning from any type of provincial government or government-funded care, as per objective 2.4 of *Here and Now*.<sup>11</sup>**
- 7. Prioritize the establishment of a coordinated planning process between child welfare, youth justice (custody and probations), and CLdS to ensure timely assessments and seamless planning for young people with suspected impairments to their intellectual and/or adaptive functioning.**
  - a. Consider dual licensing for young people transitioning from CFS to CLdS that are currently living in supportive placements. This would ensure a reduction in unnecessary disruptions that may lead to placement breakdowns and place young people at risk of homelessness.**
  - b. Evaluate the impact of the CFS/CLDS transition on young people with a high level of needs.**

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<sup>11</sup> Maes-Nino, C. & Godoy, M. (2016). *Here and now: The Winnipeg plan to end youth homelessness* (Winnipeg, 2016). [https://www.homelesshub.ca/sites/default/files/attachments/28239\\_here\\_now\\_plan\\_report\\_FIN\\_WEB.pdf](https://www.homelesshub.ca/sites/default/files/attachments/28239_here_now_plan_report_FIN_WEB.pdf)

8. Allow for CLdS's requirement for a clinical assessment by a qualified clinician to be completed past 18 years old.
9. Review and engage with the recommendations in the *Here and Now: Plan to End Youth Homelessness in Winnipeg*.<sup>12</sup> Despite the plan being developed and launched in 2016, recommendations remain relevant and outstanding.

### Theme 3: Implementation of Agreements with Young Adults (AYA)

#### Advocacy Services Program Case Examples

- A young person that recently exited CFS after having refused an AYA called MACY because they were experiencing homelessness. They were requesting advocacy supports to get an AYA and secure housing.
- A young person in care and pregnant did not have a permanent order but wanted to continue supports through an AYA. Their biological mother was willing to sign guardianship in order for the young person to access AYA supports.
- A young person with FASD had an AYA that was being discontinued because the young person was not attending school and was homeless. CFS was unable to find suitable housing and the young person did not have skills to live independently. MACY advocated for a continuation of the AYA until the young person could transition to the PASS program.

There are a number of issues with AYAs that can lead to housing instability and place young people at risk of homelessness. In fact, MACY is aware of cases where young people are homeless while under an AYA. The first issue is eligibility for an AYA which can sometimes mean that young people that might need the most care, yet might be unable to comply with conditions of an AYA, are unable to access this support.

**In order to address homelessness while on an AYA, MACY encourages the Government of Manitoba to:**

10. Offer Agreements with Young Adults to young people regardless of legal status, as per objective 2.4 of *Here and Now*.<sup>13</sup>
11. Provide access to an AYA to young people who have exited the child welfare system upon age of majority up to age 25, even if they previously rejected an AYA, per objective 2.4 of *Here and Now*.<sup>14</sup>

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<sup>12</sup> Ibid.

<sup>13</sup> Ibid.

<sup>14</sup> Ibid.

- 12. Evaluate the implementation of AYAs, particularly eligibility, compliance, and consistency of practices with the goal of ensuring fairness for young people and creating further guidance for child welfare agencies.**

#### Theme 4: Mental health care and youth homelessness

Gaps in the mental health and substance use treatment services in Manitoba are also associated with experiences of homelessness for young people. This is not only in the transition from services but also while waiting for treatment and services. This is particularly the case with respect to waitlists for residential treatment.

##### Advocacy Services Program Case Examples

- A young adult previously in care and vulnerable to sexual exploitation was discharged from the Selkirk Mental Health Centre to a shelter (Salvation Army) due to lack of an appropriate and specialized mental health placement.
- A young person not in care but with severe mental health issues was homeless and experiencing a mental health crisis in rural Manitoba. Family and the young person did not have access to services when the young person was in an acute crisis due to their residence in a rural area. The young person is on a waitlist for services including residential treatment.
- A young person with complex mental health issues and who was previously in care was placed with their mother. The mother, however, was unable to cope with the behaviours related to their mental health and was evicted her from her home. As a result, the young person was homeless.
- A young person with substance use disorder and experiencing sexual exploitation was homeless while on waitlists for residential addiction treatment. All temporary placements and shelters evicted them and they were unable to access any emergency placements.

**In order to address homelessness for young people waiting for residential mental health supports, MACY encourages the Government of Manitoba to:**

- 13. Create better access to residential mental health and substance use treatment beds for young people in Manitoba to reduce wait times for mental health care, particularly in rural and remote communities, per recommendations 4.1 and 4.3 of the *Virgo Report*.<sup>15</sup>**

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<sup>15</sup> Virgo Planning and Evaluation Consultants Inc. "Improving Access and Coordination of Mental Health and Addiction Services: A Provincial Strategy for All Manitobans," n.d., 279.

## Conclusion

As the Government of Manitoba works towards addressing homelessness in our province, MACY offers the following summary of actions that could be taken by the government in the interest of protecting and advancing the rights of young Manitobans and their families:

1. Ensure that the strategy is guided by a human rights framework, including instruments such as *the United Nations Convention on the Rights of the Child* and *the United Nations Declaration on the Rights of Indigenous Peoples*.
2. Conduct a Child Rights Impact Assessment (CRIA)<sup>16</sup> to assess the impact of the strategy on children, youth, and families in Manitoba.
3. As experts in their own lives, and consistent with Article 12 of the UNCRC (the right to be heard), provide young people with experiences of homelessness with opportunities for meaningful participation in the development and implementation of this strategy.
4. Acknowledge the gendered nature of family homelessness and its connection to intimate partner violence and caregiver substance use disorders by supporting home-based, family centred, and culturally safe interventions, when it is safe to do so (see recommendation 1 in *Finding the Way Back*<sup>17</sup>).
5. Reduce barriers to access financial supports, including EIA, to parents experiencing homelessness and seeking reunification, and prioritize parents seeking reunification in Manitoba Housing applications (see recommendation 5.3 in *Connecting the Circle*<sup>18</sup>).
6. Develop and enforce an interdepartmental “Zero Discharge into Homelessness” strategy, starting with a coordinated provincial policy direction, that supports youth transitioning from any type of provincial government or government-funded care, as per objective 2.4 of *Here and Now*.<sup>19</sup>
7. Prioritize the establishment of a coordinated planning process between child welfare, youth justice (custody and probations), and CLdS to ensure timely assessments and seamless planning for young people with suspected impairments to their intellectual and/or adaptive functioning.
  - a. Consider dual licensing for young people transitioning from CFS to CLdS that are currently living in supportive placements. This would ensure a reduction in unnecessary disruptions that may lead to placement breakdowns and place young people at risk of homelessness.

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<sup>16</sup> “Child Rights Impact Assessment.”

<sup>17</sup> Manitoba Advocate for Children and Youth, “Finding the Way Back: An Aggregate Investigation of 45 Boys Who Died by Suicide or Homicide in Manitoba.”

<sup>18</sup> West Central Women’s Resource Centre (2019) *Connecting the circle: A gender-based strategy to end homelessness in Winnipeg*. Final Report (Winnipeg, 2019).

<sup>19</sup> Maes-Nino, C. & Godoy, M. (2016). *Here and now: The Winnipeg plan to end youth homelessness* (Winnipeg, 2016). [https://www.homelesshub.ca/sites/default/files/attachments/28239\\_here\\_now\\_plan\\_report\\_FIN\\_WEB.pdf](https://www.homelesshub.ca/sites/default/files/attachments/28239_here_now_plan_report_FIN_WEB.pdf)

- b. Evaluate the impact of the CFS/CLDS transition on young people with a high level of needs.
8. Allow for CLDS's requirement for a clinical assessment by a qualified clinician to be completed past 18 years old.
9. Review and engage with the recommendations in the *Here and Now: Plan to End Youth Homelessness in Winnipeg*.<sup>20</sup> Despite the plan being developed and launched in 2016, recommendations remain relevant and outstanding.
10. Offer Agreements with Young Adults to young people regardless of legal status, as per objective 2.4 of *Here and Now*.<sup>21</sup>
11. Provide access to an AYA to young people who have exited the child welfare system upon age of majority up to age 25, even if they previously rejected an AYA, per objective 2.4 of *Here and Now*.<sup>22</sup>
12. Evaluate the implementation of AYAs, particularly eligibility, compliance, and consistency of practices with the goal of ensuring fairness for young people and creating further guidance for child welfare agencies.
13. Create better access to residential mental health and substance use treatment beds for young people in Manitoba to reduce wait times for mental health care, particularly in rural and remote communities, per recommendations 4.1 and 4.3 of the *Virgo Report*.<sup>23</sup>

These are made in support of Manitoba's Homelessness Strategy, in particular the pillar that focuses on prevention, including preventing family, youth, and Indigenous homelessness, and focusing on points of transition.

In addition to the aforementioned recommendations based on internal data and expertise, we would like to offer the following notes regarding the discussion paper and pillars:

- **Modernizing our Emergency Response Pillar** focuses on reducing barriers to access shelters. It is well documented that young people avoid accessing shelters and that emergency shelters can pose safety concerns for vulnerable young people in general. We advise focusing on shelter diversion strategies, that is, programs that divert young people from the shelter system and into short-term accommodations in private homes in their communities. This design has worked well in rural and remote areas. See the Youth Reconnect Program in Southern Ontario's Niagara Region<sup>24</sup> and the Host Homes program in Minnesota for 2SLGBTQ+ youth.<sup>25</sup>

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<sup>20</sup> Ibid.

<sup>21</sup> Ibid.

<sup>22</sup> Ibid.

<sup>23</sup> Virgo Planning and Evaluation Consultants Inc. "Improving Access and Coordination of Mental Health and Addiction Services: A Provincial Strategy for All Manitobans."

<sup>24</sup> Homeless Hub. (2021a). Respite accommodation and host homes. Accessed February 14, 2022. <https://www.homelesshub.ca/solutions/early-intervention/respite-accommodation-and-host-homes>.

<sup>25</sup> Homeless Hub. (2021b). Shelter diversion - respite housing. Accessed February 14, 2022. <https://www.homelesshub.ca/solutions/emergency-response/shelter-diversion-respite-housing>.

- **Modernizing our Emergency Response Pillar** focuses primarily on individuals accessing shelters but not on people living on the streets, many of whom are young Manitobans. Frequently overlooked emergency response models are street outreach services. Street outreach services are essential parts of the response to homelessness and ensuring harm is reduced for individuals living on the streets. It is crucial that there is sufficient investment in coordinated street outreach responses that can connect young people to immediate basic needs and long-term services. Street outreach teams build relationships with people who are unlikely to enter the emergency shelter system and can support them in developing trusted and warm referrals to services.
- **Ensuring Housing is Provided with Supports** focuses on identifying opportunities to increase housing supply. We suggest conducting a gap analysis of housing options including housing for 2SLGBTQ+ young people, housing for young people with complex mental health and addictions needs, housing for young people travelling to and from First Nations communities, and temporary housing for families experiencing homelessness (including families working towards reunification following child welfare apprehension). These are specific areas where there are observable gaps and a need for additional and specialized supports.

We commend the focus on Indigenous-led program responses and a whole-of-government approach given the overrepresentation of Indigenous youth experiencing homelessness and the complexity of the issue at hand.

We look forward to continuing our involvement through an advisory and consulting capacity for developing and implementing the provincial plan.

Respectfully submitted,



**Ainsley Krone, MA PC-IIC, RSW**  
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