

*Select Standing Committee on  
Children and Youth*

*Annual Report  
2012-13*



MAY 2014





May 2014

To the Honourable  
Legislative Assembly of the  
Province of British Columbia

Honourable Members:

I have the honour to present herewith the *Annual Report 2012-13* of the Select Standing Committee on Children and Youth.

The Report covers the work of this Committee from November 21, 2012, to December 9, 2013.

Respectfully submitted,

Jane Thornthwaite, MLA  
Chair



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## Composition of the Committee

### First Session, 40<sup>th</sup> Parliament (July 8, 2013 – February 11, 2014)

Jane Thornthwaite, MLA, Chair  
*North Vancouver–Seymour*

Donna Barnett, MLA  
*Cariboo–Chilcotin*

Doug Donaldson, MLA  
*Stikine*

John Martin, MLA  
*Chilliwack*

Jennifer Rice, MLA  
*North Coast*

Carole James, MLA, Deputy Chair  
*Victoria–Beacon Hill*

Mike Bernier  
*Peace River South*

Maurine Karagianis, MLA  
*Esquimalt–Royal Roads*

Darryl Plecas, MLA  
*Abbotsford South*

Dr. Moira Stilwell, MLA  
*Vancouver–Langara*

### Committee Staff

Kate Ryan-Lloyd, Deputy Clerk and Clerk of Committees

Byron Plant, Committee Research Analyst

Aaron Ellingsen, Committee Researcher

### Fourth Session, 39<sup>th</sup> Parliament (October 3, 2011 – February 12, 2013)

Joan McIntyre, MLA, Chair  
*West Vancouver–Sea to Sky*

Mable Elmore, MLA<sup>1</sup>  
*Vancouver–Kensington*

Randy Hawes, MLA<sup>2</sup>  
*Abbotsford–Mission*

Douglas Horne, MLA  
*Coquitlam–Burke Mountain*

Kevin Krueger, MLA  
*Kamloops–South Thompson*

Barry Penner, MLA<sup>3</sup>  
*Chilliwack–Hope*

Dr. Moira Stilwell, MLA<sup>4</sup>  
*Vancouver–Langara*

Claire Trevena, MLA, Deputy Chair  
*North Island*

Sue Hammell, MLA<sup>2</sup>  
*Surrey–Green Timbers*

Gordon Hogg, MLA  
*Surrey–White Rock*

Leonard Krog, MLA  
*Nanaimo*

Richard T. Lee, MLA  
*Burnaby North*

Nicholas Simons, MLA  
*Powell River–Sunshine Coast*

<sup>1</sup> Committee Member to September 17, 2012

<sup>2</sup> Committee Member from September 17, 2012

<sup>3</sup> Committee Member to January 9, 2012

<sup>4</sup> Committee Member from January 26, 2012 to September 17, 2012

## Terms of Reference

On October 3, 2011, and July 8, 2013, the Legislative Assembly agreed that the Select Standing Committee on Children and Youth be appointed to be empowered to foster greater awareness and understanding among legislators and the public of the BC child welfare system, and in particular to:

1. Be the committee that receives and reviews the annual service plan from the Representative for Children and Youth (the “Representative”) that includes a statement of goals and identifies specific objectives and performance measures that will be required to exercise the powers and perform the functions and duties of the Representative during the fiscal year;
2. Be the committee to which the Representative reports, at least annually;
3. Refer to the Representative for investigation the critical injury or death of a child; and
4. Receive and consider all reports and plans delivered by the Representative to the Speaker of the Legislative Assembly of British Columbia.

In addition to the powers previously conferred upon Select Standing Committees of the House, the Select Standing Committee on Children and Youth be empowered:

- a. to appoint of their number one or more subcommittees and to refer to such subcommittees any of the matters referred to the Committee;
- b. to sit during a period in which the House is adjourned, during the recess after prorogation until the next following Session and during any sitting of the House;
- c. to adjourn from place to place as may be convenient; and
- d. to retain personnel as required to assist the Committee;

and shall report to the House as soon as possible, or following any adjournment, or at the next following Session, as the case may be; to deposit the original of its reports with the Clerk of the Legislative Assembly during a period of adjournment and upon resumption of the sittings of the House, the Chair shall present all reports to the Legislative Assembly.

## The Work of the Committee

This report covers the activities of the all-party Select Standing Committee on Children and Youth (the Committee) from November 21, 2012, to December 9, 2013. The reporting period included part of the Fourth Session of the 39<sup>th</sup> Parliament prior to the provincial general election on May 14, 2013. The Committee's final meeting of the 39<sup>th</sup> Parliament included review of the *2011/12 Annual Report and 2012/13–2013/14 Service Plan* of the Representative for Children and Youth (the Representative), with Joan McIntyre as Chair and Claire Trevena as Deputy Chair.

The Committee was reconstituted with new membership on July 8, 2013 for the First Session of the 40<sup>th</sup> Parliament. At the first meeting of the Committee on July 25, 2013, Jane Thornthwaite was elected Chair and Carole James elected Deputy Chair. Members were also briefed on the work of the Committee by the Deputy Clerk and Clerk of Committees. This was followed by a second briefing by the Representative on the work of her office on September 23, 2013.

During the First Session of the 40<sup>th</sup> Parliament, the Committee reviewed the Representative's *2012/13 Annual Report and 2013/14–2014/15 Service Plan* and six other reports, including two special reports and one aggregate review. One meeting was held with officials from the Ministry of Children and Family Development (MCFD). The Subcommittee on Agenda and Procedure, comprised of the Chair and Deputy Chair, also met to discuss and plan a special project regarding youth mental health.

## Schedule of Meetings

### Fourth Session, 39<sup>th</sup> Parliament

November 21, 2012                      Review of the Representative's annual report and service plan

### First Session, 40<sup>th</sup> Parliament

July 25, 2013                              Organizational meeting  
Briefing for Committee members

September 23, 2013                      Briefing for Committee members  
Consideration of the Representative's reports

November 4, 2013                        Review of the Representative's annual report and service plan  
Consideration of the Representative's reports

November 26, 2013                      Consideration of the Representative's reports

November 27, 2013                      Briefing by Ministry of Children and Family Development

Copies of the Representative's reports are available at: [www.rcybc.ca/](http://www.rcybc.ca/)

Committee minutes, transcripts, and reports are available on the Legislative Assembly website at: [www.leg.bc.ca/cmt/](http://www.leg.bc.ca/cmt/)

## Representative for Children and Youth, *Annual Reports and Service Plans*

The Committee completed two reviews of the Representative's annual reports and service plans during the reporting period. The *2011/12 Annual Report and 2012/13–2013/14 Service Plan* was reviewed by the Committee during the Fourth Session of the 39<sup>th</sup> Parliament. The *2012/13 Annual Report and 2013/14–014/15 Service Plan* was reviewed by the Committee following the appointment of new membership for the First Session of the 40<sup>th</sup> Parliament.

### *2011/12 Annual Report and 2012/13–2013/14 Service Plan*

The Representative appeared before the Committee on November 21, 2012, to discuss the *2011/12 Annual Report and 2012/13–2013/14 Service Plan*. Accompanying the Representative were Jeremy Berland, Deputy Representative; and John Greschner, Chief Investigator and Associate Deputy Representative.

#### Representative's Presentation

The Representative began the presentation with an update on Office activities and staffing changes, including the pending retirements of Jeremy Berland, Deputy Representative, and Tanis McNally-Dawes, Manager of Finance and Facilities. She reported that a stand-pat budget had been requested for the Office for the next fiscal year, but that a future increase may be required if legislation is amended to expand the Representative's advocacy mandate to include 19- to 24-year-olds transitioning into Community Living BC (CLBC). It was noted an expansion to the mandate was previously recommended in the Committee's May 2012 report of the statutory review of the *Representative for Children and Youth Act*.

The Representative then overviewed progress in the areas of advocacy. Committee members heard how the Office had 1,920 cases between April 1, 2011 and March 31, 2012, an 11 percent increase over the previous year. The Representative attributed the increase to growing awareness of the services and, in some instances, increased demand for some types of support such as special needs. A total of 9,161 cases have been opened since the Office was established in April 2007.

On critical injury and death reviews, the Representative reported that the Office has received a total of 1,012 critical injuries and 464 deaths of children and youth who were receiving reviewable services in the year prior to the incident. Of these critical injuries, 536 have been identified for review and thirteen injuries have been identified for investigation, some of which are underway.

The Representative also discussed recent changes to annual reporting. She stated that the Office has begun to release the annual report and service plan as a combined document. Comprehensive performance measures are also included, established at the request of the Committee during the 39<sup>th</sup> Parliament. They include key indicators and outcomes in the areas of relevance, responsiveness,

accountability, and excellence. Other topics discussed during the presentation included reports underway and the Ministry's use of Integrated Case Management (ICM), and domestic violence.

The Representative's presentation also included a brief update on the March 2012 special report, *The Impact of Criminal Justice Funding Decisions on Children in B.C.* The report examines circumstances around a judicial stay of proceedings for a child abuse prosecution case in the Provincial Court. The decision resulted from an unreasonable delay and breaches of the *Charter* rights of the accused following the failure by the prosecution to transcribe and provide the defense with witness statements.

The special report contained three recommendations for the Ministry of Justice, including that a policy be developed requiring Senior Crown Counsel to review all cases where a prosecution affecting the welfare or safety of a child could be adversely affected by procedural or investigatory barriers. The report also calls for an appropriately funded system of access to accredited translation and interpretive services, and for annual aggregate reporting on the outcomes of criminal prosecutions where a child has been a victim of violence. The Representative stated that the Minister of Justice was supportive of the recommendations, but there has been no final indication whether they will be implemented.

## Committee Inquiry

The Committee inquiry focused on Integrated Case Management, the expanded advocacy mandate, and performance measures. Other questions related to suicide and self-harm; the impact of poverty on children; children in care caseloads; and MCFD activities.

### Integrated Case Management

Committee members asked about MCFD's use of Integrated Case Management and whether the Office had been involved in the review of the system. The Deputy Representative discussed some of the challenges with ICM, noting that it is extraordinarily detailed and complex. Committee members were told that the Office has had conversations with the Ministry but has not seen a final report.

### Expanded Advocacy Mandate

Questions were asked about the proposed expansion of the Representative's advocacy mandate to include 19- to 24-year olds transitioning into CLBC. The Representative explained that a jump in intake is anticipated if the legislation is amended to expand her mandate, and additional resources may need to be requested from the Finance Committee.

### Performance Measures

Committee members asked about the new performance measures in the service plan, including the proposed target that 40 percent of work undertaken by the Office be in response to questions, issues, and matters raised by external parties. The Deputy Representative explained that the new performance measures are similar to those used by the Auditor General, and that the 40 percent estimate will likely vary from year to year.

## *2012/13 Annual Report and 2013/14–2014/15 Service Plan*

The Representative presented the *2012/13 Annual Report and 2013/14–2014/15 Service Plan* to the Committee on November 4, 2013. Accompanying the Representative were John Greschner, Deputy Representative; Bill Naughton, Chief Investigator and Associate Deputy Representative, Critical Injuries and Death Reviews and Investigations; and Melanie Mark, Associate Deputy Representative, Advocacy, Aboriginal and Community Relations.

### **Representative's Presentation**

The Representative began the presentation with an overview of the new performance measures in the annual report and service plan. In the area of relevance, the Deputy Representative reported that 60 percent of the Office workload in 2012/13 was undertaken in response to questions, issues, and matters by external parties, an amount higher than the initial set target of 40 percent. Other indicators of relevance include public accountability for reviews and investigations, monitoring and tracking of progress of recommendations, and assessing relevance to the public and to stakeholders.

Key performance indicators in the area of responsiveness were discussed next. The Deputy Representative stated that 99 percent of requests for advocacy services were responded to within the established three-day response time, and that 100 percent of reports of child and youth critical injury or deaths were completed within the established two-month timeframe. Both targets, he added, have now been increased to 100 percent. Other indicators include responsiveness to advocacy calls, community relations and stakeholder engagement, Aboriginal relations, and youth participation.

In the area of accountability, the Deputy Representative described how the Office tracks numbers of reports released by the Office and appearances before the Committee. He also noted that staff professional development is a key performance indicator for excellence. Staff contributions to meeting the Office's mandate; health, safety, and well-being; and ongoing compliance with core policies are also tracked.

Committee members were subsequently briefed on the Office's advocacy function. The Associate Deputy Representative, Advocacy, Aboriginal and Community Relations reported that the mandate was expanded on March 14, 2013 to include 19- to 24-year olds transitioning into CLBC. Turning to the overall advocacy caseload, she reported that 1,811 advocacy cases were received by the Office in the previous fiscal year. An identified systemic issue has been transition planning from the child-serving system into the adult-serving system. Committee members also heard about other work underway, including a youth survey project, work with youth custody centres, advocacy outreach, a public awareness campaign, and outreach and engagement with Aboriginal communities. The Office has also developed a youth engagement strategy and will be focusing on youth participation in the year ahead.

This was followed by an update on the critical injury and death program area. The Associate Deputy Representative, Critical Injuries and Death Reviews and Investigations, stated that 100 deaths and 300 critical injuries were reported to the Office in 2012/13. This is an approximate doubling of the

number reported in 2010/11 and reflective of more accurate reporting. Of the 400 incidents reported to the Office, 225 cases – which includes 32 deaths and 193 critical injuries – met the criteria for further review. The presentation ended with an overview of recent reports and other work underway.

## Committee Inquiry

During the Committee inquiry, Committee members asked about the expanded mandate, critical injuries and deaths, and advocacy work. Other questions related to the adequacy of front-line worker staffing and performance measures in other jurisdictions.

## New Advocacy Mandate

The Representative was asked whether additional funds had been requested for the expanded advocacy mandate. She replied that the Office recently received an additional \$300,000 in contingency funding from the Finance Committee, and six additional positions were filled. Committee members were told that no significant increase is anticipated for next year's budget.

## Reporting of Critical Injuries and Deaths

Information was requested on reporting of critical injuries and deaths, including the cause of the increase in reported cases and the number of incidents with undetermined causes of death. The Chief Investigator stated that the increase was the result of changes in MCFD reporting to the Office, rather than an actual increase in critical injuries and deaths. Committee members were also informed that cases with an undetermined cause of death relate to findings of coroner's offices, and reflect the variable availability of services across the province.

## Advocacy Casework

Several questions related to advocacy casework. Committee members were told that the Office has had positive results from its advocacy work, and that about 20 percent of the calls come from young people, and that the bulk of calls come from the Coast-Fraser region and from Aboriginal children.

## Reports Reviewed

The Committee completed reviews of six reports by the Representative during the reporting period, including one aggregate review and two special reports.

### *Representative for Children and Youth, Trauma, Turmoil and Tragedy: Understanding the Needs of Children and Youth at Risk of Suicide and Self-Harm — An Aggregate Review*

Released on November 15, 2012, *Trauma, Turmoil and Tragedy: Understanding the Needs of Children and Youth at Risk of Suicide and Self-Harm — An Aggregate Review* examines 89 suicide and self-harm incidents reported to the Representative between June 1, 2007 and May 31, 2010. The review covers 15 youth who died as a result of suicide and 74 youth who engaged in self-injury. All of them had received services from the Ministry of and Children and Family Development, and most had a long history of involvement.

The Representative met with the Committee on September 23, 2013 to discuss the report. She was accompanied by John Greschner, Deputy Representative; and Melanie Mark, Associate Deputy Representative, Advocacy, Aboriginal and Community Relations.

### Representative's Presentation

The Representative's presentation focused on common themes in the case files. She explained that youth were often exposed to chronic instability and experienced multiple moves while in care. Other significant factors included domestic violence, mental health issues, substance abuse, learning disabilities and a lack of attachment to school, and recent romantic conflict. In addition, the review found a disturbing over-representation of Aboriginal children and youth, and varying degrees of compliance with MCFD practice standards. For example, only 69 percent of youth cases had a current Comprehensive Plan of Care, the mechanism used by the Ministry to specify the types of services a youth requires for developmental needs, and to track progress.

Next, the Representative discussed the report's main recommendation—that MCFD address the need for trauma-informed services for children in care in its 2012-2013 action planning on strengthening child and youth mental health services. Some of the key components of the plan include thorough assessment of past trauma, planning for services to assist recovery, and screening and assessment when significant life events occur, as well as review of the plan of care. Committee members were told that discussions with the Ministry on the recommendations are underway.

### Members' Questions

Committee members asked about trends in social pathology and whether follow-up actions have been undertaken by the Ministry in response to the report. The Representative was also asked about the impact of moves on children and available services for Aboriginal youth.

## Representative for Children and Youth, *Who Protected Him? How B.C.'s Child Welfare System Failed One of Its Most Vulnerable Children*

Released on February 7, 2013, *Who Protected Him? How B.C.'s Child Welfare System Failed One of Its Most Vulnerable Children* is a report on an investigation into the critical injury of an Aboriginal child involved with the BC child protection system. The investigation was precipitated by a high-profile incident in 2011 in which the boy, then 11, was Tasered by police.

The Representative appeared before the Committee on September 23, 2013 to discuss the report. She was accompanied by John Greschner, Deputy Representative; and Melanie Mark, Associate Deputy Representative, Advocacy, Aboriginal and Community Relations.

### Representative's Presentation

The presentation focused on events in the child's life from birth up to the Taser incident. The Committee heard how he had a lengthy history of interaction with the child welfare system, including a high number of foster and residential placements. The boy also suffered significant physical abuse and had frequent encounters with police. The Representative expressed particular concern around the use of a locked "safe room" to isolate and restrain the child, a practice not permitted in residential facilities.

The report concludes that most of the child's critical injuries, including the Taser incident, were preventable, and recommends the provincial government take measures to ensure the safety of children with complex special needs.

The Representative presentation included a summary of the report's four main recommendations, including the call for government to create a comprehensive plan to develop a continuum of residential services for children and youth with complex needs. The other recommendations are to develop policy standards to ensure senior-management-level oversight of cases; to establish an internal clinical unit to provide consultation, training, and clinical support for staff dealing with children with complex needs; and to immediately discontinue the use of isolation and restraint as behaviour management strategies.

In conclusion, the Representative reported that the Provincial Director of Child Welfare has since ordered that safe rooms no longer be used, and that instances of restraint be reported. Discussions on implementation of the other three recommendations, she stated, are still in progress.

### Members' Questions

Committee members asked about the adequacy of mental health services and current funding levels. Other questions concerned specialized training for staff, isolation and restraint practices, requirements for foster parents, and previous facilities for high-risk children.

## Representative for Children and Youth, *Still Waiting: First-hand Experiences with Youth Mental Health Services in B.C.*

Released on April 9, 2013, *Still Waiting: First-hand Experiences with Youth Mental Health Services in B.C.* focuses on the experiences of youth between the ages of 16 and 19. The report is based on the results of surveys, focus groups, and interviews with 853 youth, parents, caregivers, and professionals who work with youth with mental health problems.

The Representative appeared before the Committee on November 5, 2013 to discuss the report. She was accompanied by John Greschner, Deputy Representative; and Michelle Wong, Director of Evaluation and Strategic Direction.

### Representative's Presentation

The Representative began the presentation by pointing out that one in five Canadians are estimated to be impacted by a mental illness in their lifetime. She stated that symptoms of mental illness often begin in adolescent years, and youth are particularly susceptible since they engage in high-risk activities like substance abuse.

Turning to the report findings, the Representative stated that mental health services in BC are delivered across several ministries and agencies, including the Ministry of Children and Family Development, the Ministry of Health, community agencies, non-governmental organizations, and other groups. She described the current system as a patchwork of services, inconsistent from region to region, and confusing and frustrating for users to navigate. Common experiences include long wait-times, a lack of suitable acute care, and poor transitioning from youth into adult mental health services. The Representative stated that the results from the survey with youth mental health practitioners, adult mental health clinicians, community social service practitioners, physicians, parents, and caregivers further emphasized that the current system is not working.

The Representative stated that *Still Waiting's* main recommendation is that government create a new minister of state for youth mental health. Committee members were told that this would provide a single point of accountability for addressing youth mental health problems and the related services that span ministries and service delivery areas. The report also calls for immediate actions, including the appointment of a dedicated deputy minister, adequate resources to develop and implement a full continuum of youth mental health services, and the creation of an external expert advisory council with youth and family representation.

### Members' Questions

Committee Members inquired about how the provision of mental health services in BC compares to other jurisdictions, and what lessons may be learned from best practices elsewhere. Questions were also asked about the government's response to the recommendations and whether mental health resources can be directed to the highest-need areas.

## Representative for Children and Youth, *Much More than Paperwork: Proper Planning Essential to Better Lives for B.C.'s Children in Care*

Released on March 26, 2013, *Much More than Paperwork: Proper Planning Essential to Better Lives for B.C.'s Children in Care* is the Representative's report of an audit of plans of care for children and youth in the long-term care of the provincial government. The audit examined the files of 100 children and youth randomly selected from MCFD regions and delegated Aboriginal agencies (as of March 31, 2011). It also reviewed the Ministry's ability, capacity, and effectiveness in meeting its own established standards for Comprehensive Plans of Care (CPOC). Required for each child in care, a CPOC is an action-based planning tool that is completed by the social worker with the involvement of the child, family, and other significant people in the child's life.

The Representative appeared before the Committee on November 4, 2013 to discuss the report. She was accompanied by John Greschner, Deputy Representative; and Janice Chow, Director of Knowledge Translation and Transfer.

### Representative's Presentation

The Representative's presentation summarized the findings of the audit. She reported that only five of the 100 files examined included CPOCs that were fully compliant with Ministry standards. The audit also identified scattered and ineffective documentation of planning as well as evidence of a lack of understanding about the importance and purpose of comprehensive and regular planning. Other findings included a lack of cultural plans for Aboriginal children, and low participation by the child, caregiver, and birth and extended family members in the development of plans of care.

The Representative stated that the audit found the current state of planning for children in care to be unacceptable. These plans, she stated, are not simply bureaucratic paperwork but are evolving life plans for children in care. The report makes ten recommendations, including a call for MCFD to fully invest in the resources necessary to properly enforce its own standards, accountability and compliance with the provisions of the *Child, Family and Community Service Act*. The Representative concluded the presentation by stating that the Ministry has accepted all of the recommendations but they have yet to be implemented.

### Members' Questions

Committee members asked about compliance with the Act and reporting on audit compliance rates. Questions were also asked about tracking the implementation of recommendations by the Ministry.

## Representative for Children and Youth Special Report, *Out of Sight: How One Aboriginal Child's Best Interests Were Lost Between Two Provinces*

Released on September 17, 2013, *Out of Sight: How One Aboriginal Child's Best Interests Were Lost Between Two Provinces* is a special report examining the circumstances surrounding the transfer of an Aboriginal child in care from BC to Saskatchewan. The girl suffered abuse and neglect for 18 months as a result of being placed in the care of unfit caregivers.

The Representative appeared before the Committee on November 26, 2013 to discuss the report. She was accompanied by John Greschner, Deputy Representative; Bill Naughton, Chief Investigator and Associate Deputy Representative, Critical Injuries and Death Reviews and Investigations; and Melanie Mark, Associate Deputy Representative, Advocacy, Aboriginal and Community Relations.

### Representative's presentation

The Representative's presentation began with a summary of key events in the child's life. She described how the child was born into a vulnerable situation and came into MCFD care. At the age of two, the child was transferred to the custody of her maternal grandfather in Saskatchewan, despite him having an extensive criminal record and history of chronic addictions. The child suffered physical abuse and neglect in his care before being removed by authorities.

The report concludes that these events were preventable, and that three authorities—MCFD, the Saskatchewan Ministry of Social Services, and an Aboriginal child and family service agency—failed to protect the best interests of the child. The Representative reported that while in the care of MCFD, officials did not properly assess the suitability of the caregiver before transferring custody. A transition plan for the child was also not developed, even though it was known she had special needs.

The presentation summarized the report's two main recommendations, starting with the call for the Provincial Director of Child Welfare to review current Ministry policies and standards for out-of-province placements for children in care, and to issue a practice directive and ensure annual reporting on all extra-provincial transfers. The report also recommended that there be a review of the Provincial/Territorial Protocol on Children and Families Moving between Provinces and Territories. The Representative reported that the Ministry has accepted all of the report recommendations.

### Members' Questions

Committee members requested further information about the case and whether follow-up actions have been taken by the Ministry. Questions were also asked about service standards for Aboriginal and rural communities, Ministry staffing levels, and training for social workers.

## Representative for Children and Youth Special Report, *When Talk Trumped Service: A Decade of Lost Opportunity for Aboriginal Children and Youth in B.C.*

Released on November 6, 2013, *When Talk Trumped Service: A Decade of Lost Opportunity for Aboriginal Children and Youth in B.C.* is a special report on Aboriginal child welfare spending and service delivery. The report reviews government policies aimed at devolving responsibility for child welfare services to Aboriginal authorities and individual First Nations communities, and assesses the effectiveness of these initiatives on direct services to Aboriginal children and families. The report also discloses spending by Aboriginal delegated agencies (DAAs), authorities delegated by MCFD to deliver child welfare services to Aboriginal children, youth, and families.

The Representative appeared before the Committee on November 26, 2013 to discuss the report. She was accompanied by John Greschner, Deputy Representative; and Melanie Mark, Associate Deputy Representative, Advocacy, Aboriginal and Community Relations.

### Representative's Presentation

The Representative began the presentation with an overview of the history of Aboriginal child welfare in BC. She traced key events, including changing relations between governments and First Nations in the late-twentieth century, when high-level discussions began on creating a new governance regime for Aboriginal children.

Next, the Representative described change initiatives undertaken between 2002 and 2009 aimed at devolving Aboriginal child welfare services to Aboriginal authorities and First Nations. She stated that the Ministry spent roughly \$66 million, including \$34 million on a Regional Aboriginal Authorities Initiative, and \$32 on a Nation-to-Nation initiative (now Indigenous Approaches). In the end, the Representative concluded, no change was made to actual service delivery, nor did Aboriginal children receive any additional or enhanced services. The report also noted the absence of an articulated, overarching, and comprehensive strategy for delivering child welfare services throughout BC; absence of adequate and equitable funding; and failed governance and service-delivery initiatives.

The Representative summarized the report's five recommendations, starting with the call for government to develop an explicit policy for negotiation of jurisdictional transfer and exercise of governmental powers over child welfare. Other recommendations propose an end to open-ended Ministry initiatives; closing outcome gaps for Aboriginal children; MCFD actions to ensure effective Aboriginal leadership; and semi-annual reporting on all Aboriginal children receiving services.

### Members' Questions

Committee members asked about initiatives aimed at transformative change, including the cost and effectiveness of previous practices. Other questions were posed with respect to training, capacity building, and practice standards for DAAs; cultural supports for children in care; and practices in other provinces.

## Ministry Update

On November 27, 2013, the Committee met with officials from the Ministry of Children and Family Development (MCFD) for an update on Ministry activities. Committee members were also briefed on how the Ministry responds to the recommendations of the Representative for Children and Youth.

In attendance were Mark Sieben, Deputy Minister; Randi Mjolsness, Assistant Deputy Minister, Policy and Provincial Services; Cory Heavener, Provincial Director of Child Welfare; Beverly Dicks, Assistant Deputy Minister, Provincial Office of Domestic Violence and Strategic Priorities. Also present was Dawn Thomas-Wightman, Executive Director, Aboriginal Services; and Martin Wright, Executive Director and Chief Information Officer, Modelling, Analysis and Information Management Branch.

### Update on Ministry Activities

#### Ministry Presentation

The Deputy Minister began the presentation with a summary of Ministry activities, including key accountabilities and service delivery areas. He stated that MCFD serves about 155,000 children and their families each year, including most children with special needs. The Ministry also provides support for early years, nursing, child and youth mental health, adoptions, and youth justice. The service delivery model consists of a provincial office, 13 service delivery areas, 47 local service areas, and delegated Aboriginal agencies. Committee members also heard how the Ministry oversees the Provincial Office of Domestic Violence and is working to open a provincial office for early years.

Other lines of business and priorities were discussed next. Committee members heard how the Ministry has begun releasing a semi-annual operational and strategic directional plan to improve service delivery and outcomes for children, youth, and families. The Deputy Minister also mentioned that the Ministry is making improvements through the cross-government Lean initiative.

The Executive Director and Chief Information Officer also discussed enhancements to Ministry performance management reporting. He reported that information is released twice a year on Ministry caseloads, budgets, and expenditures, as well as on performance indicators. The presentation concluded with a discussion of other performance measures, youth custody rates, and Aboriginal adoptions and child protection.

#### Members' Questions

Committee members posed questions on the following topics: current budget and strategic direction; supports for people aging out of care; autism diagnoses; and youth custody rates. Ministry officials were also asked about data on children in care; outcomes for Aboriginal children; and other areas of Ministry responsibility.

## Follow-up Process re: Representative's Recommendations

### Ministry Presentation

The second part of the Ministry update focused on how MCFD responds to recommendations of the Representative. The Provincial Director of Child Welfare began by stating that the Ministry has an interface team that interacts and coordinates information-sharing with the Representative's office. This team provides information and data requests, organizes training and systems access for the Representative's staff, and coordinates how the Ministry responds to recommendations.

Next, the Provincial Director explained how MCFD develops action plans in response to report findings and recommendations, and holds information briefings with the Representative's office on deliverables. Implementation of the action plans are tracked and monitored, and reports are shared with the Representative following completion. The Provincial Director described the current process for responding to reports and recommendations as "continually evolving", and explained how it includes meetings, information sharing, and a written response to the Representative accepting the recommendations. Ministry leads are also appointed to ensure accountability, and linkages are sometimes made with cross-government partners to move implementation forward.

The presentation concluded with a summary of the status of all of the Representative's recommendations since 2007. The Provincial Director reported that 125 recommendations have been made in the 24 reports released by the Representative's office to date, including 102 specifically directed to MCFD. Of these, 25 have been closed/completed, 53 are awaiting further response by the Representative, and 24 are currently in progress.

### Members' Questions

Questions were asked about the implementation of recommendations, including the process by which they are accepted or rejected. Committee members also inquired whether further information could be shared with the Committee on how the Ministry responds to recommendations. Other questions related to demand for Ministry services, training and education requirements for social workers, and provision of youth mental health services.

### Committee Decision

During the meeting, the Deputy Minister and Committee members expressed interest in meeting more regularly to receive updates and reporting on the implementation of recommendations by the Representative. After deliberation, the Committee agreed to this plan and authorized the Chair and Deputy Chair to meet as the Subcommittee on Agenda and Procedure to discuss next steps.

The Chair and Deputy Chair met on December 9, 2013, and agreed that a process be established whereby the Ministry would report to the Committee twice a year on the progress of recommendations made to MCFD from the Representative.

## Youth Mental Health Project

At the meeting on November 26, 2013, Committee members discussed commencing a special project to examine the issue of youth mental health, a recurrent theme in Committee discussions and recent reports by the Representative. It was noted that the Committee's Terms of Reference empower the Committee to "foster greater awareness and understanding among legislators and the public of the BC child welfare system." A similar special project was undertaken by the Committee in 2010 on the topic of child poverty.

Options for the special project were discussed by the Chair and Deputy Chair at the meeting of the Subcommittee on Agenda and Procedure on December 9, 2013. It was agreed that meetings would be held in 2014 to hear from expert witnesses and other stakeholders on the subject.



