

**MINISTRY OF CHILDREN & FAMILY DEVELOPMENT
INFORMATION BRIEFING NOTE**

CLIFF #215304

PREPARED FOR: Minister Stephanie Cadieux - **FOR INFORMATION**

TITLE: Representative for Children and Youth (RCY) Report on Critical Injuries and Deaths: Reviews and Investigation.

PURPOSE: To provide information on the tri-annual, *Report on Critical Injuries and Deaths: Reviews and Investigation: Update number 19*, released on February 19, 2014.

BACKGROUND:

- The RCY reported 38 fatalities and 124 critical injuries of children/youth during the June 1 - September 30, 2013 time period.
- The Ministry identifies 35 fatalities and 46 critical injuries during the same time period.
- Of the 124 critical injuries in the RCY report 34 were determined not to have met the criteria for an RCY review under the Representative's mandate. Decisions about whether to review four critical injuries are pending the receipt of further information. RCY reviews are being undertaken on the other 86 critical injuries.
- Of the 38 deaths, 25 were determined not to have met the criteria for an RCY review under the Representative's legislative mandate. A decision about whether to review one death is pending the receipt of more information. RCY reviews are being undertaken on the remaining 12 deaths.
- The RCY and Ministry numbers include fatality and critical injury reports across three program areas: child and family services (including Children and Youth with Special Needs, Child Protection and Adoption), Child and Youth Mental Health, and Youth Justice.
- An RCY Review examines the circumstances and services delivered to the child. The purpose of an RCY Review is to determine if there are service delivery issues or other circumstances that would require an RCY Investigation. Reviews are also aggregated to identify and analyze recurring circumstances or trends, to improve the effectiveness and responsiveness of reviewable services. Not all Reviews proceed to an investigation.
- An RCY Investigation is initiated when the circumstances of the injury or death are suspicious, self-inflicted, or when there is a question as to whether neglect, abuse or services the child received may have played a role in events leading to the injury or death. RCY Investigation reports are presented to the Select Standing Committee on Children and Youth and are released publicly.

DISCUSSION:

- The RCY releases Critical Injuries and Deaths Update reports every 4 months- usually in March, July and November. The last report (update #18) was released in July 2013.
- Routinely a reconciliation process of the critical injuries and fatalities is completed with the Ministry prior to the report being released. This was not completed for this

update report and the PDCW was not informed by the RCY that this report was being released. The Ministry is following up with the RCY and will complete the reconciliation process. See page 3 for statistics dating back to 2008.

- The *Representative for Children and Youth Act* and Ministry Standards define a critical injury as one that may result in the child's death or may cause serious or permanent impairment of the child's physical or psychological/emotional health.
- Of the 35 fatalities identified by the Ministry during this time period, the cause of death was determined as follows:

Accidental	5
Homicide	1
Natural	24
Suicide	1
Undetermined	4

Program ADM/Branch: Cory Heavener – Provincial Director of Child Welfare

Program Contact (for content): Trisha Myers

Drafter: Trisha Myers

Date: February 20, 2014

Attachment:

Fatality and Critical Injury Figures for the Tri-annual RCY Reports
October 2008 through September 2013

Time Period	Ministry		RCY	
	Fatalities	Critical Injuries	Fatalities	Critical Injuries
June 2013 to Sept 2013	35	46	38	124
Feb 2013 to May 2013	28	56	28	101
Oct 2012 to Jan 2013	25	38	28	85
Jun to Sep 2012	37	39	40	124
Feb to May 2012	39	24	41	122
Oct 2011 to Jan 2012	36	37	39	123
Jun 2011 to Sep 2011	21	41	28	142
Feb 2011 to May 2011	23	31	23	123
Oct 2010 to Jan 2011	32	26	35	42
Jun 2010 to Sep 2010*				
Feb 2010 to May 2010	25	12	27	35
Oct 2009 to Jan 2010	25	18	25	43
Jun 2009 to Sep 2009	28	26	34	49
Feb 2009 to May 2009	28	34	30	49
Oct 2008 to Jan 2009	41	31	40	44

* Information not available for this time period

**MINISTRY OF CHILDREN & FAMILY DEVELOPMENT
INFORMATION BRIEFING NOTE**

CLIFF# 215446

PREPARED FOR: Minister Stephanie Cadieux - **FOR INFORMATION**

ISSUE: Status of Recommendations from Representative for Children and Youth (RCY) Reports

SUMMARY: Since 2007 the RCY has issued 24 reports containing 107 recommendations directed to MCFD:

- 25 recommendations contained in 6 reports have been assessed as complete by the RCY and require no further action.
- 53 recommendations contained in 10 reports are awaiting RCY assessment response.
- 29 recommendations contained in 8 reports are either in development or underway.

BACKGROUND:

Over the years, the ministry has taken different approaches to responding to the recommendations contained in reports from the RCY. Initially the ministry relied on the Strong Safe and Supported Action Plan (2008) as the common response to RCY recommendations. In October of 2011, the ministry reached a written agreement with the RCY that standardizes the approach to responding to recommendations.

In-Active: 16 Reports - Close out Report Progress

- From 2007 to 2010 MCFD's responsiveness to RCY in the 12 reports issued with 66 recommendations was inadequate.
- MCFD agreed to provide a progress report to the RCY identifying the ministry actions completed in addressing recommendations for all RCY reports.
- In fiscals 2011/12/13 MCFD provided the RCY with 16 progress reports; 6 were given a RCY status of complete and 10 are awaiting RCY assessment response.
- See Attachment 1.

DISCUSSION/CURRENT SITUATION:

Active: 8 Reports March 2012 – present

- Since March 1, 2012, the RCY has released eight reports.
- These reports contained 29 recommendations to the Ministry, with more than 200 details that the ministry must consider when addressing the recommendations.
- See Attachment #2

Domestic Violence – Honouring Kaitlynn, Max and Cordon

Honouring Kaitlynn, Max and Cordon: Make Their Voices Heard Now was released in March 2012.

- There were eight recommendations found in the report.

- On March 1, 2012, as an immediate response to the RCY report and recommendations, the provincial government announced that a new Provincial Office of Domestic Violence (PODV) would be established.
- PODV is the permanent lead for government, responsible and accountable for a coordinated approach to improving and strengthening the services and supports for children, women and families affected by domestic violence.
- In October 2012, PODV released *Taking Action on Domestic Violence in British Columbia*; An action plan developed to respond to the findings and recommendations made in *Kaitlynne, Max and Cordon*.
- A progress report on the 2012 action plan was released in March 2013.
- Developed in consultation with the ministries of Children and Family Development, Education, Health, Justice, Social Development and Social Innovation, and Aboriginal Relations and Reconciliation, this plan lays out key actions – with targets and timelines – to strengthen government’s response to domestic violence in B.C.
- This action plan sets the course towards a coordinated approach to addressing domestic violence across the child and family serving systems in B.C. and commits that PODV lead the development of a three-year provincial plan to address challenges in effectively responding to domestic violence. Some of the actions completed include:
 - Training on recognizing and responding to domestic violence is being provided to more than 4,000 school personnel and community partners and 2,500 support workers in victim services, violence against women, and transition house programs.
 - The Ministry of Health, MCFD and health authorities have implemented pilots in two communities (Richmond and Vernon) introduce and trial family friendly practices that address the safety and wellbeing of children and family members who are impacted by untreated serious mental illness, problematic substance use and/or domestic violence.
 - This project is currently being expanded to 18 more communities.
 - To date, all commitments made in the plan are either completed or on track.
- PODV regularly briefs the Office of the RCY regarding progress on the Action Plan.

Trauma, Turmoil and Tragedy: Understanding the Needs of Children and Youth at Risk of Suicide and Self-Harm was released in November 2012.

- The report contains one recommendation that the Ministry has accepted.
- The Ministry has included trauma informed services in its recent planning across service lines.
- MCFD staff met with RCY staff in late November 2013 to review the implementation of this recommendation.
- Ministry staff are now preparing a written submission to the RCY that is expected to be sent in the near future.

Who Protected Him? How B.C.'s Child Welfare System Failed One of Its Most Vulnerable Children was released in February 2013.

- The recommendation calling for the ministry to discontinue the use of Safe Rooms was accepted immediately. A practice directive to this effect was issued on February 7, 2013, (the day the report was released).
- Staff have been working on addressing all of these recommendations found in *Who Protected Him*.
- MCFD staff met with RCY staff in late November 2013 to review the implementation of this recommendation.
- Ministry staff are now preparing a written submission to the RCY that is expected to be sent in the near future.

Much More than Paperwork, Proper Planning Essential to Better Lives for B.C.'s Children in Care was released in March 2013.

- Ministry staff met with the RCY office staff in August and provided an update on the work the Ministry has undertaken in response to the recommendations.
- RCY staff were approving of the Ministry's work and direction.
- Ministry staff are now preparing a written submission to the RCY that is expected to be sent in the near future.

Still Waiting: First-hand Experiences with Youth Mental Health Services in B.C. was released in April 2013 (two weeks after *Much More than Paperwork*)

- The one recommendation found in this report is directed toward the Provincial Government calling for the establishment of a single point of accountability to address the needs of transition-age youth (ages 16 to 24) with mental health problems.
- While MCFD cannot address this recommendation MoH and MCFD staff will meet with the RCY's office on February 14, 2104 to discuss what work the ministry can accomplish.
- MoH is taking the Lead

Out of Sight: How One Aboriginal Child's Best Interests Were Lost Between Two Provinces in September of 2013.

- The report contains two recommendations that the Ministry has accepted.
- Staff have been working to address both recommendations and they are well underway
- MCFD staff met with RCY staff in late November 2013 to review the implementation of this recommendation.
- Ministry staff are now preparing a written submission to the RCY that is expected to be sent in the near future.

When Talk Trumped Service: A Decade of Lost Opportunity for Aboriginal Children in Care in BC - A Special Report released in October of 2013

- The report directs 4 of the 5 recommendations to MCFD
- One recommendation is directed to the Government of BC with the leadership of the Attorney General
- All recommendations have been accepted
- Work is in development regarding government actions response

New Report released on February 6, 2014 *Lost in the Shadows: How a Lack of Help Meant a Loss of Hope for One First Nations Girl has five of six recommendations directed to MCFD.*

- In this investigative report, the Representative for Children and Youth (RCY) examines the tragic story of a 14-year old First Nation girl who took her life on a rural BC First Nations Reserve.
- The report concludes that:
 - MCFD is failing in its child welfare mandate to protect and support Aboriginal children, youth and their families on reserve;
 - There is a lack of awareness coupled with a corresponding failure to appreciate the statutory duty on every British Columbian to report instances of actual or potential child endangerment.
 - Geography also played a role in how this child lived and died. Rural and remote locations pose significant challenges to service delivery, as do fragile relationships between bands and ministry staff that prevent workers from doing their job.
 - Cross jurisdictional planning by professionals and communities failed to focus on directing both the financial and human resources necessary to build better systems of care for this child.
- Recommends that the governments of B.C. and Canada work with First Nations leaders to remove barriers to those services for children and families in First Nations communities.
- Recommends that MCFD, in conjunction with the Health and Education ministries, delegated Aboriginal Agencies and the federal government, ensure that mental health supports and special needs services for children and youth in this First Nations community and others are equitable to those in any B.C. community
- Recommends that MCFD, in consultation with the Education ministries and the federal government ensure that special needs services are provided to First Nations children and youth living on reserve comparable to those delivered by the province in a manner that is effective and responsive to their needs
- The Representative also repeats her recommendation from the 2012 report, *Honouring Kaitlynn, Max and Cordon: Make Their Voices Heard No.*, calling for the Ministry of Health and MCFD to improve service coordination and collaboration for families that include a parent with a serious mental illness.
- Recommends College of Physicians and Surgeons of British Columbia and the College of Registered Nurses of British Columbia inform their members of the findings of this investigation with respect to reporting a child in need of protection, and remind their members of their statutory responsibility to report pursuant to s. 14 of the Child, Family and Community Service Act. As well, that the Attorney General of B.C. review the reasons for a lack of enforcement of the CFCS Act in the province and take steps to promote compliance, if necessary
- The Representative also repeats her recommendation from the 2008 Report, *Amanda, Savannah, Rowen and Serena: From Loss to Learning*, which recommended MCFD undertake a comprehensive assessment of staffing, workload and safety challenges in this office and others and develop a plan to address identified issues.

Attachment #1 – In-Active Reports

#	Published Date	Title	Letter	Action Plan	Close Out Report	Assessed By RCY
1	29-May-07	<i>Health & Well Being of Children in Care in BC: Educational Experience & Outcomes(with PHO)</i>	NA	NA	✓	<i>Awaiting Response</i>
2	26-Feb-08	<i>Monitoring Brief System of Services for Children and Youth with Special Needs</i>	NA	NA	✓	Closed
3	16-Apr-08	<i>Amanda, Savannah, Rowen and Serena: From Loss to Learning</i>	NA	NA	✓	<i>Awaiting Response</i>
4	22-Sep-08	<i>Medical Assessment in B.C.'s Youth Justice System</i>	NA	NA	✓	Closed
5	23-Feb-09	<i>Kids, Crime and Care - Health and Well-Being of Children in Care: Youth Justice Experiences and Outcomes(with PHO)</i>	NA	NA	✓	<i>Awaiting Response</i>
6	28-Jul-09	<i>Housing, Help and Hope: A Better Path for Struggling Families</i>	NA	NA	✓	<i>Awaiting Response</i>
7	24-Sep-09	<i>Honouring Christian Lee - No Private Matter: Protecting Children Living With Domestic Violence</i>	NA	NA	✓	<i>Awaiting Response</i>
8	19-Jan-10	<i>Hearing the Voices of Children and Youth: A Child-Centred Approach to Complaint Resolution (with OMB)</i>	NA	NA	✓	<i>Awaiting Response</i>
9	15-Jun-10	<i>No Shortcuts to Safety: Doing Better for Children Living with Extended Family</i>	NA	NA	✓	<i>Awaiting Response</i>
10	09-Sep-10	<i>Issue Report: Sexual Abuse Intervention Program</i>	NA	NA	✓	Closed
11	09-Sep-10	<i>Update: System of Services for Children and Youth with Special Needs</i>	NA	NA	✓	Closed
12	01-Dec-10	<i>Special Report: Reporting of Critical Injuries and Deaths to the RCY</i>	NA	NA	✓	Closed
13	27-Jan-11	<i>Fragile Lives, Fragmented Systems: Strengthening Supports for Vulnerable Infants</i>	✓	✓	✓	<i>Awaiting Response</i>
14	07-Apr-11	<i>Phallometric Testing and BC's Youth Justice System</i>	✓	✓	✓	Closed
15	27-Jun-11	<i>Isolated and Invisible: When Children with Special Needs are Seen but not Seen</i>	✓	✓	✓	<i>Awaiting Response</i>
16	13-Sep-11	<i>So Many Plans, So Little Stability: A Child's Need for Security</i>	✓	✓	✓	<i>Awaiting Response</i>

Attachments #2 - Active Reports Underway

#	Published Date	Title	MCFD RECs	Other Recs	Total Recs
1	01-Mar-12	<i>Honouring Kaitlynnne, Max and Cordon - Make Their Voices Heard Now- PODV</i>	4	4	8
2	15-Nov-12	<i>Trauma, Turmoil and Tragedy: Understanding the Needs of Children and Youth at Risk of Suicide and Self Harm</i>	1	0	1
3	07-Feb-13	<i>Who Protected Him? How B.C.'s Child Welfare System Failed One of Its Most Vulnerable Children</i>	4	0	4
4	26-Mar-13	<i>Much More than Paperwork Proper Planning Essential to Better Lives for B.C.'s Children in Care</i>	9	1	10
5	09-Apr-13	<i>Still Waiting First-hand Experiences with Youth Mental Health Services in B.C. - MOH</i>	0	1	1
6	17-Sep-13	<i>Out of Sight: How One Aboriginal Child's Best Interests Were Lost Between Two Provinces</i>	2	0	2
7	15-Oct-13	<i>When Talk Trumped Service: A Decade of Lost Opportunity for Aboriginal Children in Care in BC - A Special Report</i>	4	1	5
8	06-Feb-14	<i>Lost in the Shadows: How a Lack to Help Meant a Loss of Hope for One First Nations Girl</i>	5	1	6
TOTALS			29	8	37

**MINISTRY OF CHILDREN & FAMILY DEVELOPMENT
INFORMATION BRIEFING NOTE**

CLIFF # 215945

PREPARED FOR: Minister Stephanie Cadieux - **FOR INFORMATION**

TITLE: Systemic review of child welfare practice involving Aboriginal children and families in Greater Victoria that are served by the Ministry of Children and Family Development (MCFD) and NIL/TU,O Child and Family Services Society (NCFSS)

PURPOSE: To provide information on the Director's Special Review report that was completed on February 20, 2014

BACKGROUND:

- MCFD provides delegated child protection services to Greater Victoria Aboriginal children and families both on and off reserve.
- NCFSS provides delegated voluntary and guardianship services (not child protection services) to Aboriginal children and families in seven First Nation communities within the Greater Victoria area (South Island Service Delivery Area), including Pauquachin Nation.
- In May 2013 a protocol was signed between MCFD, Pauquachin Nation and NIL/TU,O outlining their respective roles and responsibilities.
- South Island Wellness Society (SIWS) is a contracted service provider that has funded through Indigenous Approaches since 2008 to provide support and services (planning meetings, family group conferences, and traditional healing circles) to Aboriginal children and families from all nine First Nations in the Greater Victoria area. SIWS' contract ends on March 31, 2014.
- Systemic issues and practice concerns involving children and families jointly served by MCFD, NCFSS and SIWS came to the attention of the Provincial Director of Child Welfare in the fall 2013. These include: two serious reportable circumstances reports in 2013 (s.22 and s.22), along with low compliance on two practice audits (2009 and 2013) and concerns about the role and function of SIWS.
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DISCUSSION:

- Due to systemic concerns, the Provincial Director of Child Welfare commenced a Director's Special Review in September 2013.
- The practice concerns are not examined as part of the special review. Practice concerns are being addressed through the regular case review process.
- The purpose of the special review was to examine systemic factors and determine their effect on the Director's ability to fulfill the duties, functions and responsibilities under the *Child, Family and Community Service Act* (CFCSA).

- In addition, the review examined the relationship between the Ministry, NCFSS and SIWS to determine how the relationship between these three organizations affects child safety practices.
- The methodology of the review included interviews with staff from the Ministry, NCFSS, SIWS, and a review of relevant documents.
- The review concluded that the Ministry is not always able to effectively respond to child welfare matters when working with Aboriginal children, youth and families served by the Ministry, NCFSS and SIWS.
- In addition, the review found that that Ministry and NCFSS staff are not clear on what role and services each organization provides, that NCFSS staff do not understand their delegated role and responsibilities and that the working relationships between the Ministry and NCFSS could be enhanced and strengthened.
- An action plan is contained within the review and 15 actions to address the issues. All actions are to be completed by September 30, 2014.
- An immediate action was undertaken in January 2014. An MCFD manager was seconded to NCFSS to provide case practice and clinical supervision to NCFSS staff as per one of the actions in the plan.
- The report was released to the MCFD Service Delivery Area, NCFSS, SIWS and the Representative for Children and Youth on February 20, 2014.

Program ADM/Branch: Provincial Director for Child Welfare
Program Contact (for content): Sarah Gosman/Kristine Heaney
Drafter: Kristine Heaney
Date: February 20, 2014

Fisher, Sandra L MTIC:EX

From: Guetchev, Francesca MCF:EX
Sent: February-27-14 11:16 AM
To: King, Wendy L MCF:EX; Richmond, Valerie D MCF:EX; Lalari, Terry MCF:EX
Cc: Teng, Zita MCF:EX; Pottage, Catherine MCF:EX; Benn, Jennifer MCF:EX; Will, Jo-Anne MCF:EX
Subject: 215898 Meeting with AB Minister Bhullar

Hi Wendy,

Confirming Mark's attendance for this meeting. No materials required for this meeting. I have included a link to the Alberta Minister's bio for reference.

http://www.assembly.ab.ca/net/index.aspx?p=mla_bio&rnumber=14&leg=28

Francesca Guetchev

Documents & FOI Coordinator for Executive Operations
Deputy Minister's Office - (250) 356-9541
Ministry of Children and Family Development

From: King, Wendy L MCF:EX
Sent: Monday, February 24, 2014 9:58 AM
To: Benn, Jennifer MCF:EX
Cc: Teng, Zita MCF:EX; Guetchev, Francesca MCF:EX; Richmond, Valerie D MCF:EX; Lalari, Terry MCF:EX; Pottage, Catherine MCF:EX
Subject: FW: Alberta

Hi Jennifer,

This is set up on Monday, March 3rd 3:30 – 4:00 pm via conference call. Please confirm that Mark will attend and that he will be in our office for the meeting. Please let me know if you will be providing material for the meeting. Thanks.

The meeting will include Minister Cadieux, Valerie Richmond, Mark Sieben; from Alberta Minister Bhullar, Dave Pisco, CoS and Deputy Minister David Morhart.

Topic: Working together on Child Welfare Issues.

Thanks.

Wendy

From: Dave Prisco [<mailto:Dave.Prisco@gov.ab.ca>]
Sent: February-12-14 4:05 PM
To: Richmond, Valerie D MCF:EX
Cc: Shirley Lin
Subject: Alberta

Hi Valerie: I was wondering if we could setup a brief telephone chat between your Minister and mine in the next number of days. Minister Bhullar is the co-chair of Canada's Ministers of Social Services this year and he's been talking to colleagues in SK and MB about working together on some child welfare issues, particularly the sharing of data relating to child. Could we set something up? Let me know if you need more details. ■

Many thanks.

Dave Prisco

Chief of Staff

Minister of Human Services

Mobile: 780.499.6734

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