

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

**CLIFF # 221784**

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

**TITLE:** Victoria Child Abuse Prevention and Counselling Centre (VCAPCC)

**PURPOSE:** To provide background information about VCAPCC for a meeting scheduled on April 14, 2015

**BACKGROUND:**

- MCFD invests approximately \$5 million annually in services for children who have been sexually abused and their families.
- The Sexual Abuse Intervention Program (SAIP) was initiated in 1990 through a Cabinet-approved reallocation of \$3 million.
- Enhancements implemented since then include: program standards and evidence-based training in 2007, and a \$1.5-million provincial funding increase in 2008/09.
- The Victoria Child Abuse Prevention and Counselling Centre (VCAPCC) is one of 49 ministry-contracted Sexual Abuse Intervention Program (SAIP) agencies operating across the province. SAIP contracts are managed by the Service Delivery Areas. There are two other smaller SAIP contracts in the Victoria area
  - Pacific Centre for Children Health
  - Hulitan Family and Community Society, a SAIP program for Aboriginal Specific clientele.
- VCAPCC holds the largest SAIP contract in BC and plays an informal leadership role on behalf of the other SAIP-contracted agencies (i.e. currently participating on the Joint Advisory Committee for the development of Trauma-informed Practice Guidelines for working with Children and Youth).
- Sandra Bryce, Executive Director of VCAPCC (formerly the Mary Manning Centre) requested the attendance of Premier Christy Clark at an April 14th meeting to discuss ‘the state of affairs’ as it relates to the Centre and to ‘simply connect’.

Purpose of the Centre

- The Centre was established as the Mary Manning Centre in 1984; the Centre began to refer to itself as the Victoria Child Abuse Prevention and Counselling Centre (its Society name) in 2014 in order to more accurately reflect the work of the agency.
- It is the region’s only non-profit agency that is dedicated to treating child and youth victims of abuse as well as abuse related traumas, and to the prevention of child abuse through education and community involvement.
- The Centre serves more than 200 children and family members each year in the Capital Regional District, the Gulf Islands and five First Nations Communities.
- The Centre is accredited by the Commission of Accreditation of Rehabilitation Facilities (CARF).

Funding

- The Centre’s 2014 financial statement identified that funding is provided by MCFD, the Solicitor General, the Federal Department of Justice, grants, fees and donations.

- MCFD provided \$516,899 – an increase of almost \$5,000 from 2013 related to cooperative gains.
- the Solicitor General provided \$179, 952, and
- the Federal Department of Justice provided \$18,799 - a decrease of almost \$19,000 from 2013.
- The Centre requested and received a total of \$13,307 in cooperative gains funding through MCFD over the last two fiscal years - \$4,862 in 2013/14 and \$8,445 in 2014/15.

#### Staffing

- The Centre employs about 15 staff including victim assistance and intake workers, and child and family therapists, with Master’s level credentials in counselling and art therapy.
- Staff members participate in professional training to increase their expertise and also provide training to other professionals in the community.

#### Programs and Services

- The Centre provides individual and family counselling for child and youth victims of abuse.
- VCAPCC staff work with families, schools, police and professionals in family services, child protection and community living services to ensure a coordinated, holistic approach to supporting children and families.
- The Victim Assistance Program provides information and support to child and youth victims, witnesses and family members throughout involvement in the criminal justice process.
- The Sexual Abuse Intervention Program designed for children where sexual abuse is suspected or confirmed and/or for children under 12 with sexual behavior problems.
- The Centre is recognized as a leader in trauma-related work in BC and provides child abuse prevention and education materials, training and presentations in their local community and across the province.

#### **DISCUSSION:**

Issues that might arise during the meeting include:

- Gaps in youth mental-health services outlined in a Dec. 2, 2014 Times Colonist article that mentioned the services provided by the Centre.
  - The article was entitled: Youth Mental-Health Care Gaps Concern MLAs and described the report by a committee of Liberal and NDP MLAs focusing on youth mental health issues in B.C.
- A deficit of almost \$21,000 which was down from the 2013 deficit of approximately \$196,000.
- MCFD funding provided through SAIP contracts is specific to children who 1) have experienced sexual abuse or 2) are under the age of 12 year and are acting in sexually inappropriate ways. VCAPCC is wanting to broaden their mandate to expand to children who have experienced either physical or emotional abuse, or both, as well as; youth over the age of 12 who are behaving in sexually inappropriate ways. Providing services to these children and youth is currently not within the scope of VCAPCC’s SAIP contract with MCFD and trauma is also work that our internal CYMH staff provide to the children/youth they serve.

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**Program ADM/Branch:** Christine Massey/ Policy and Provincial Services  
**Program Contact:** Sandy Wiens, Executive Director, CYMH  
**Drafter:** Julie Adams  
**Date:** March 31, 2015.

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

**CLIFF # 222605**

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

**TITLE:** Nisga'a Child and Family Services approved to deliver C6 Child Protection delegated services to Nisga'a citizens residing on Nisga'a lands.

**PURPOSE:** Nisga'a Child and Family Services Transition to C6 Child Protection services.

**BACKGROUND:**

- Nisga'a Child and Family Services (NCFS) is a Delegated Aboriginal Agency (DAA) and have been providing voluntary and guardianship (C3/C4) services since 1997.
- NCFS is a department of the Nisga'a Lisims Government (NLG) and fall under the *Nisga'a Lisims Programs and Services Act* enacted May 11, 2000.
- The NLG and NCFS began formal readiness discussions pertaining to C6 delegated with the Ministry of Children and Family Development (MCFD) in July 2011.
- The C6 transition planning process was comprehensive and involved representatives from NLG, NCFS, MCFD local Service Delivery Area and Provincial Office.
- During the C6 planning process NCFS addressed all operational requirements as per the Aboriginal Operational and Practice Standards and Indicators (AOPSI) for C6 delegation.
- NCFS are working with MCFD to develop a case transfer plan for the C6 cases that will transfer to the DAA.
- NCFSS will continue to provide voluntary and guardianship (C3/C4) services off Nisga'a Lands in the communities of Terrace, Prince Rupert, Kitimat and adjoining areas within the "Northwest corridor" of BC.

**DISCUSSION:**

- NCFS is the first Northern DAA to transition to C6 services.
- Monthly case transfer meetings are occurring between NFCS and MCFD specific to C6 implementation, with a target date of November 2015 for C6 cases on Nisga'a lands to transition to the DAA.

**ATTACHMENTS:**

- Attachment A: Signed Nisga'a C6 letter
- Attachment B: Readiness Assessment



Attachment A.pdf



Attachment B.pdf

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**Program ADM/Branch:** Cory Heavener, Provincial Director of Child Welfare and Aboriginal Services

**Program Contact (for content):** Heather Harper

**Drafter:** Ann Fisher

**Date:** May 25, 2015

May 15, 2015

Maurice Squires  
Director  
Nisga'a Child & Family Services  
5100 Skateen Avenue  
New Aiyansh, BC V0J 1A0

Dear Mr. Squires:

**Re: Operational Readiness Assessment**

The Operational Readiness Review for Category 6 (C6) Child Protection Delegation has been completed with Nisga'a Child and Family Services. This letter is intended to provide you with a formal statement regarding the outcome of the Operational Readiness Review. Nisga'a has met the criteria essential to deliver the full range of child protective services, as per the agreed upon Geographic Service Area specified in the Delegation Enabling Agreement.

The Operational Readiness Review for C6 delegation is based on the Aboriginal Operational and Practice Standards and Indicators (AOPSI) which were developed to assist Aboriginal Agencies to address the key components for organizational development and service planning. Within each component of the operational readiness standards, there are a series of criteria to be achieved. These standards assist Aboriginal Agencies and the Ministry of Children and Family Development (MCFD) in meeting established criteria for levels of delegation, and authority of child and family services under the *Child, Family and Community Service Act, CFCSA*.

The C6 Operational Readiness Checklist evaluates the following areas of program development:

- Governance
- Access to services, including the capacity to respond to services;
- Human resources policy, including competency, training, staffing requirements, caseload guidelines and monitoring;
- Complaint process;
- Communications;
- Protocols with MCFD, Ancillary Agencies and the Public Trustee;
- Legal counsel

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Please find attached the Operational Readiness Assessment report on the status of each of these program areas; including any areas identified that require further work.

Nisga'a has completed a great deal of work to bring the agency to this level of delegation. I congratulate you on your commitment and work completed to date. Social Workers employed by Nisga'a who have received training are now able to apply for letters of Delegation to be able to deliver services consistent with Category 6 (full child protection) of the Delegation Matrix. Thank you for your continued service to the children and families in your area.

Should you have any questions or concerns regarding the outcome of the Operational Readiness Review, or any questions relating to this matter, please contact Jackie Lee, Director of Operations at (250) 387-7073.

Sincerely,



Denise Devenny  
Executive Director

Attachments: Operational Readiness Assessment report

pc: Cory Heavener, Provincial Director of Child Welfare  
Shirley Reimer, Executive Director of Services, Northwest.  
Jackie Lee, Director of Operations  
Heather Harper, Director of Practice

# C6 OPERATIONAL READINESS ASSESSMENT NISGA'A CHILD & FAMILY SERVICES SOCIETY

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Assessment completed by: Jackie Lee, Senior Practice Analyst  
Office of the Provincial Director and Aboriginal Services  
March 19, 2015

## C6 Child Protection Operational Readiness Assessment Nisga'a Child & Family Services Society

### OVERVIEW

Nisga'a Child & Family Services Society (NCFS) provides delegated child welfare services to Nisga'a Citizens residing in the four villages of Gitlaxt'aamiks ---- Gitwinksihlkw, Laxgalts'ap and Gingolx . The Delegated Service Agreement (DSA) provides clarity of the geographic parameters for C6 delegated services within the four Nisga'a villages. NCFS maintains offices in the communities of Terrace and Prince Rupert to provide C3 and C4 delegated services. Following implementation of the C6 transition plan with MCFD, NCFS will provide C6 services on Nisga'a lands, and MCFD will continue to provide C6 services to Nisga'a Citizens residing off Nisga'a lands, in the Northwest corridor (Terrace and Prince Rupert) and elsewhere in the Province.

Nisga'a Lisims Government (NLG) and NCFS first began formal readiness discussions with the Ministry of Children and Family Development in July 2011. Regular meetings and planning has occurred since that date with a consistent committee membership comprised of Maurice Squires (Director, NCFS), Cheryl Stephens (Executive Director, NLG), Roberta Stewart (Director of Programs and Services, NLG), Stephanie Lysyk (In-House Legal Counsel, NLG), Shirley Reimer (Executive Director of Service, MCFD), Yvonne Reid (Community Services Manager, MCFD), Michael Kennedy (Manager for Aboriginal Agreements, MCFD) and Jackie Lee (Senior Analyst, MCFD). From time to time there have been other participants who have attended the planning discussions based on the agenda and identified need.

In October 2012 an Operational Review was completed by MCFD Quality Assurance Branch, resulting in the development of an Action Plan with 13 recommendations. The Action Plan was completed over the course of the C6 planning process, and all operational recommendations have been fully addressed at this time.

### GOVERNANCE

NCFS is a Department of the NLG and falls under the Nisga'a Lisims Programs and Services Act, enacted May 11, 2000. This program is unique within the Province of British Columbia as the operations of NCFS flow through the NLG. Amendments or additions to operational policies of the agency must be approved through the NLG.

When the Nisga'a Treaty was signed in 2000, the Delegation Enabling Agreement was amended so that Canada could be removed as a party. Federal funding is provided to the NLG for delegated child welfare services through the Nisga'a Nation Fiscal Financial Agreement (FFA). The DSA is being extended for two years, April 1, 2015 – March 31, 2017, and we have a negotiated amendment that will extend the term to coincide with the FFA and enable the provision of C6 services.



The organizational structure of NCFS is attached (see Appendix A).

The Director covers the cost of general liability insurance under the terms of the Master Insurance Program. The NCFS program has the appropriate WorkSafe BC and ICBC coverage, and theft/fire/liability insurance for the program premises. All of the office buildings where NCFS offices are located are owned by the NLG.

The Staff Code of Conduct applies to all employees of NLG and includes guidelines for ethical conduct, management of confidential and personal information and conflict of interest.

As a condition of employment, appointment or execution of a contract, all NCFS staff; contractors hired by NCFS; members of the Joint Advisory Committee; NCFS volunteers; NLG's Director of Programs and Services; and any other person who has access to confidential information shall swear or affirm in writing an oath of confidentiality with respect to any Records or information obtained or created in the course of providing Services under the Agreement.

Every NCFS staff member or contractor who works with children, NLG will, prior to the individual assuming any duties, conduct a check utilizing:

- *Criminal Records Review Act; and*
- The Canadian Police Information Centre (CPIC) process.

Information on the dual accountability of delegated staff is found within the 2010 DSA. The DSA requires that NLG maintain personnel policies, including conflict of interest policies that address the dual accountability of delegated staff to NLG and to the Director. A Dual Accountability policy has been implemented by the NLG during this C6 planning process as this was an identified need during the 2012 Operational Review.

## **C6 SERVICE DELIVERY MODEL**

NCFS has a supervision and case consultation process which is based on and supports NCFS's service delivery model. The job descriptions for NCFS supervisors (team leaders) set out the responsibility of the supervisor to meet the requirement of AOPSI Operational Standard 13, regarding supervision of staff. The supervisor's ability to direct social workers and NCFS personnel is also reflected in the job descriptions. The roles of the delegated supervisor and the NCFS Director of Practice are clearly delineated in their respective job descriptions.

NCFS will continue to provide delegated C3 and C4 services, including service to children in the Continuing Custody of the Director, voluntary request for family support, support service agreements and requests for temporary in-home care for children via voluntary care agreements or special needs agreements. Delegated support services will continue to be provided to the parents and legal guardians who request support. The agency/program has a strategy for ongoing recruitment and retention of out-of-home living service providers including family care homes and staffed residential resources.

NCFS provides the following non-delegated services:

- Infant Development;
- Supported Child Care;
- Family Group Conferencing;
- Family Skills Program;
- Child and Youth Mental Health Counselling services are provided through the Nisga'a Valley Health Authority, under a Tri-partite subsidiary agreement with NLG.

The above programs work in close collaboration with the delegated program of NCFS to support the children and families accessing services through the agency. NCFS has recently created a new Family Skills Program, with two full time Family Skills Workers. The Family Skills Workers will be working in collaboration with the C6 delegated staff of the agency to provide support services including supervised visits, transportation to appointments and meetings, parenting support, budgeting, life skills and ongoing individualized in home supports to children and families dependent on the delegated service plan. At this time one of the Family Skills Workers is in place, and the second position is currently posted.

In addition, NCFS provide financial resources to support the following NLG programs:

- Youth Worker Program
- Recreation Program
- Community Workshops, and
- Family Support Services

The delegated staff of the agency work very closely with their MCFD colleagues to support Nisga'a families who are involved with the Ministry in the local service area as well as throughout British Columbia.

NLG's website, [www.nisgaalisims.ca](http://www.nisgaalisims.ca) has information on Nisga'a Nation history, programs, services and government structure. The NCFS brochure contains information on the program and staff at each office and has the Helpline for Children contact information on it.

*Delegated Reporting structure:*

1. Director of Practice reports to the Director of Programs & Services for human resource/operational matters but will remain accountable to the Director (CFCSA) for all delegated practice decisions.
2. Delegated supervisors report to the Director of Practice.
3. Delegated staff report to their delegated supervisor.

Agnes Taylor has been hired as the Director of Practice with NCFS. Agnes has been a C6 delegated employee with MCFD since November 2001.

Renata Moore has been a long standing C4 supervisor with NCFS and has participated in C6 training provided through the SDA. Renata is C6 delegated.

Loretta Stewart is a NCFS C4 delegated employee, and has participated in C6 training provided through the SDA. Loretta is C6 delegated.

Renata and Loretta are currently employed as auxiliary employees with the MCFD SDA. This arrangement is to not only support Renata and Loretta's C6 training and practice development, but also will support the case transfer plan. This approach which will result in a seamless transition for children and families who are currently accessing C6 delegated services through MCFD. The cases identified to transfer to NCFS are currently being managed by Renata Moore and Loretta Stewart through their auxiliary employment with MCFD. The target date for case transfers to NCFS is November 2015. The current C6 workload that will transfer to NCFS is equivalent to approximately two caseloads. Aboriginal Services Branch will play a key role in working with the NCFS Director of Practice in developing the case transfer plan with the MCFD SDA. Cases will transfer to NCFS in accordance to the Operational Protocol with the SDA and Provincial Case Transfer Guidelines. Written and verbal communications will occur with any individuals so they are fully aware that the organization providing delegated services will be changing with a specific date confirmed.

*Upcoming C6 trainee plans:*

4. Janet Nisyok, C4 delegated currently – will register for C6 training by fall 2015.
5. Mike Davis, C3 delegated currently – will register for C6 training by fall 2015.

## **FINANCIAL ADMINISTRATION**

NCFS have a financial administration system that is consistent with generally accepted accounting principles which ensures financial accountability. The agency receives sufficient funding through the FFA to provide delegated services within their geographic service area.

The effective date of the Nisga'a Treaty in 2000 and amended from time to time since then. The *Nisga'a Financial Administration Act* contains provisions for signing and spending authorizations, expenditure controls and financial audits.

Much of Executive's work in the Finance domain is carried out by the Nisga'a Finance Committee. The members of the Nisga'a Finance Committee include the Secretary Treasurer and a representative of each Village Government. The Secretary Treasurer chairs the Nisga'a Finance Committee, which must meet at least once a quarter each fiscal year.

The Chief Financial Officer of Nisga'a Lisims Government is responsible for the administration and maintenance of the accounts of the Nisga'a Nation and Nisga'a Lisims Institutions. The Chief Financial Officer is part of the government administration and is not elected.

The budgetary process for Nisga'a Lisims Government is set out in the *Nisga'a Financial Administration Act*. Each department of Nisga'a Lisims Government must prepare a – provisional departmental budget and workplan in March of each year and a final budget in

October. The NCFS Director is required to follow this process. The budget and work plan for NCFS must justify all proposed expenditures, and provide analysis in support of each full time equivalent position.

## **HUMAN RESOURCES**

AOPSI requires the Agency to have a comprehensive human resources policy manual which reflects Federal and/or Provincial labour laws, and has staffing plans based on demand for Child Protection Services.

The staff of NCFS are employees of Nisga'a Lisims Government and refer to the Employee Policy Manual dated September 25, 2003 as their human resources policy manual.

The Employee Policy Manual contains information on the selection of employees and hiring practices. The hiring policy gives priority to Nisga'a citizens and members of area First Nations. NCFS has hired social workers from the University of Northern British Columbia Bachelor of Social Work Child Welfare Specialization program.

The Nisga'a Lisims Government Employee Policy Manual covers a number of components including:

- recruitment and hiring practices;
- probationary requirements;
- hours of work;
- benefit plan;
- general employer and employee conduct;
- conflict of interest;
- code of conduct;
- oath of confidentiality;
- job descriptions;
- financial policies and procedures;
- sexual harassment;
- employee evaluation;
- staff discipline;
- training;
- safe working conditions; and
- a review mechanism for the policy manual.

Provisions for the confidentiality and security of employee files and a policy regarding this are included in the manual. The records are to be kept confidential in the personnel and payroll files of NLG, in accordance with the *Canada Labour Code*. The manual has been updated since the 2012 Operational Review to include provisions for the inclusion of staff training plans for each employee.

NCFS requires all of their staff to swear/affirm in writing an Oath of Confidentiality as a term and condition of their employment. Staff are required to adhere to the Code of Conduct.

The NCFS Staff Code of Conduct contains policy regarding employee Conflict of Interest. It states that an employee has a conflict of interest in respect of a matter if their direct or indirect private interest would be, or could reasonably be expected to be, affected by a decision on that matter, and if the employee has the opportunity to use their office to make, participate in the making of, influence or attempt to influence that decision.

As one of the employee benefits, NLG has established an Employee Assistance Program that includes debriefing sessions and counselling services for employees.

Information on the dual accountability of delegated staff is found within the 2010 DSA. The DSA requires that NLG maintain personnel policies, including conflict of interest policies that address the dual accountability of delegated staff to NLG and to the Director. The NLG updated their dual accountability policy following the 2012 Operational Review.

## **COMMUNICATIONS PLAN**

The Communications Plan for C6 Delegation developed by NCFS addresses the requirements of AOPSI Standard 5.

AOPSI requires the Agency to have a communication plan that helps the Agency inform and stay accountable to the community and funding organizations. The communication plan of the Agency includes consultation and protocols with ancillary service agencies.

The Communications and Inter-Governmental Directorship is responsible for all communications for all Nisga'a Lisims Government programs including Nisga'a Child & Family Services. The President of Nisga'a Lisims Government is the only person allowed to speak on behalf of the Nation. Within the Constitution, Nisga'a Child & Family Services is required to meet every two years with the Nisga'a Nation and the public and to produce a bi-annual report to the Nation. The program also holds community consultation and information sessions for recruitment of care givers. This process provides an opportunity for input and feedback from all seven Nisga'a communities (the four villages, Terrace, Prince Rupert and Vancouver).

The C6 Operational Protocol with MCFD includes a provision on the duty to report. The NLG website, [www.nisgaalisims.ca](http://www.nisgaalisims.ca), provides information about NCFS.

Program/delegated staff are using Ministry Outlook, SWSMIS and ICM for communication regarding case related work.

A Communications plan for C6 delegation was provided for this review which specifically focuses on how and what information NCFS provides to the Nisga'a Nation regarding the program's plan to deliver child protection services. Community information sessions were held in all four Nisga'a villages prior to and during the formal C6 planning process.

## CLIENT CONFIDENTIALITY AND INFORMATION SHARING

AOPSI requires that the Agency have policy to address the sharing of information in the course of fulfilling its delegated authority. These include:

- exceptions to rights of access to information;
- disclosure of information with consent;
- disclosure of information without consent;
- accuracy, protection and retention of information.

As per the 2010 DSA, as a condition of employment, appointment or execution of a contract, all NCFS staff; contractors hired by NCFS; members of the Joint Advisory Committee; NCFS volunteers; NLG's Director of Programs and Services; and any other person who has access to confidential information shall swear or affirm an oath of confidentiality with respect to any Records or information obtained or created in the course of providing Services under the Agreement.

Within the staff Code of Conduct, it is stated that employees must not use or disclose confidential and personal information, except in accordance with any applicable legislation; and with the consent of that person; or in so far as is necessary to carry the employee's official duties.

NCFS uses and requires that clients sign a Consent for Release of Information when there is a need to obtain or discuss confidential client information.

NCFS has separate locked file rooms for program files in each of the three primary sites of service delivery, including Gitlaxt'aamiks, Terrace and Prince Rupert offices. Within each office, the team assistant and the delegated staff have a key to the file room and the team assistant primarily is responsible to lock and unlock the doors and cabinets daily. The door and the cabinets in the file rooms are not fire or waterproof although the buildings of each office are alarmed and have working smoke detectors in place.

## FACILITIES

AOPSI Readiness Criteria standard 8 requires the Agency to have a facility which is equipped and maintained in a manner that is suited to its programs. The facility must reflect the agency's positive regard for the comfort and safety of the children and families it serves.

NCFS has three primary offices located in Gitlaxt'aamiks, Terrace and Prince Rupert. These three offices meet the minimum requirements of AOPSI Readiness Standard 8.

The staff in Gitlaxt'aamiks recently moved into a newly renovated building which houses the delegated and support services staff together. The office at Gitlaxt'aamiks will be the primary site for C6 service delivery, and contains 3 separate offices. The Director of Practice will be based out of the Terrace office and will be in contact and visiting the Gitlaxt'aamiks office on a

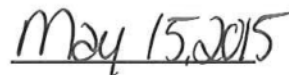


weekly basis and will supervise all delegated team leaders and provide practice oversight to all the offices. One of the two C6 social workers, Loretta Stewart, will be located in Gitlaxt'aamiks, and will serve the two villages of Gitlaxt'aamiks and Gitwinksihlkw. The other C6 social worker, Renata Moore, will be located in the Laxgalts'ap office and will also have an office in Gingolx. NCFS is renting space from the two local villages of Laxgalts'ap and Gingolx to accommodate the identified need for space while conducting the C6 work in these communities. In Gitlaxt'aamiks, the family interview room is located downstairs and accommodates 4 people. There is a larger meeting room available in this building that will accommodate up to 15 people. In Laxgalts'ap and Gingolx, family interview rooms are available at each office location, and each will accommodate approximately 6 people.


#### CONCLUSION AND RECOMMENDATION

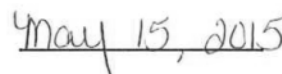
Nisga'a Child and Family Services Society have collaboratively engaged with the Office of the Provincial Director and Aboriginal Services in a comprehensive planning process since July 2011. During this time period, the NLG have addressed all operational requirements as per AOPSI Readiness Requirements for C6 delegation. The Director and the NLG have agreed and signed off on the modification to the DSA to enable NCFS staff to provide C6 services as outlined in this plan. I recommend that it be approved and that NCFS and the SDA begin transition responsibility for C6 services on Nisga'a lands effective May 1, 2015, with the agreement that the parties will implement a case transfer plan to commence September 1, 2015.

  
\_\_\_\_\_  
JACKIE LEE, DIRECTOR OF OPERATIONS

  
\_\_\_\_\_  
DATE

#### APPROVAL:

  
\_\_\_\_\_  
DENISE DEVENNY, EXECUTIVE DIRECTOR

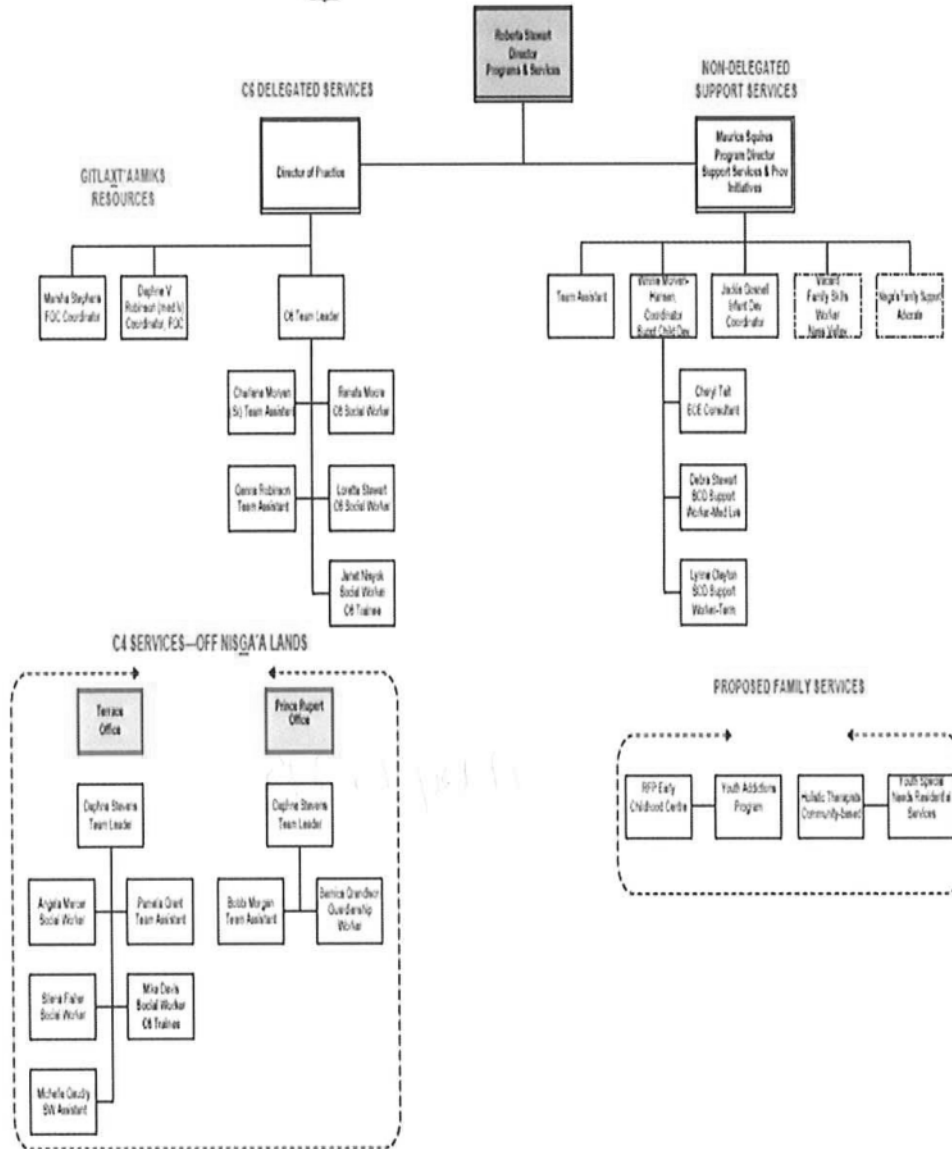
  
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# Appendix A



## NISGA'A CHILD & FAMILY SERVICES

February 16, 2015





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

**CLIFF # 222784**

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

**TITLE:** *J.P. et al v. HMQ (MCFD and Director CFCSA)*

**PURPOSE:** To provide information regarding the pending BC Supreme Court decision in this litigation file.

**BACKGROUND:**

- This action was brought by <sup>s.22</sup> (JP) on her own behalf, and as litigation guardian for 4 of her children.
  - There is a court ordered ban on publication of the names of the plaintiffs
  - JP alleges negligence, misfeasance in public office, bad faith and breach of fiduciary duty regarding the removal of her four children, and keeping them in care.
  - JP also alleges that the Director was negligent in permitting the father, <sup>s.22</sup> (BG), to have supervised access to the children, as the Director knew, or should have known, that such access put the children at risk of physical and sexual abuse.
  - <sup>s.22</sup>
- 
- At that time, the children were living with JP and having supervised access with BG pursuant to an order of Walker, J.
  - The Director initially had no concerns about the children in the care of JP – however, that assessment changed over time.
  - JP made allegations that BG had sexually abused the children, and made videotapes of the alleged disclosures by the children.
  - The Vancouver Police investigated the allegations, and concluded that there was insufficient evidence.
  - Both the Vancouver Police and MCFD staff identified concerns that JP may have coached the children, as the videotaped disclosures did not appear independent or spontaneous.
  - At the same time that the police investigation into the sexual abuse allegations was taking place, MCFD received various reports of concerns about JP’s mental health, and ministry staff observed changes in JP’s behaviour that gave rise to concerns about her stability and ability to care for the children.
  - The children were removed from JP and placed in foster care – initially with JP’s extended family – and when that placement broke down due to JP’s behaviour, the children were moved to a ministry family care home.
  - The protection proceedings were initially being heard in provincial court, separate from the custody and access dispute, but were eventually joined together and heard by Walker, J.
  - When the civil litigation claim was commenced in December 2011, the family law matters were still in front of Walker, J. and he seized himself of the litigation (meaning that the civil litigation hearing also had to be heard by him).

- In June 2012 Walker, J issued a 137 page written judgment in the family law proceeding, where he made the following findings:
  - the Vancouver Police Department sexual abuse investigation was not conducted adequately,
  - MCFD's parenting capacity assessment of JP could not be relied on,
  - JP did not suffer from a mental incapacity, and
  - BG had physically and sexually abused the children and should have no contact what-so-ever with the children.
- Walker, J's decision was also critical of the decision of MCFD to allow BG to have unsupervised access.

**DISCUSSION:**

- April 8, 2013 the litigation trial commenced in BC Supreme Court before Walker, J.
- Walker, J issued a ruling early in the litigation setting out that his findings from the previous family law hearing are not to be disrupted/disputed in the litigation and that MCFD was limited to calling evidence as to what the Ministry was told or believed and not what actually occurred.
- The hearing concluded December 10, 2014, after 141 days of court (this does not include court days for the prior custody/access/child protection proceedings).
- Since the conclusion of the hearing counsel has made subsequent court appearances regarding administrative and procedural issues, and a further appearance is expected July 3, 2015.
- It is unclear when the decision will be released, but could be very soon after the July 3, 2015 hearing date.
- s.14
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- This case has already had significant media attention regarding the June 2012 decision in the family law matter as well as the litigation itself.
- When the decision is released, further media attention is anticipated.

**ADVICE:**

- JAG and MCFD will review the decision and its implications when the decision is released.

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**Program ADM/Branch:** Christine Massey, ADM/Legislation, Litigation, Appeals Branch  
**Program Contact (for content):** Diana Moffat, Director of Litigation  
**Drafter:** Diana Moffat  
**Date:** June 1, 2015

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

**CLIFF#** 223388

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

**TITLE:** Shuswap Children's Association's Funding Issues.

**PURPOSE:** Background for Minister meeting with MLA Kylo on July 14, 2015.

**BACKGROUND:**

- Shuswap Children's Association (SCA) is a CARF accredited agency with over 25 years of experience.
- SCA holds numerous MCFD contracts:
  - Infant Development Program (\$117,240);
  - Supported Child Development (\$301,044);
  - Child care Resource and Referral (\$138,624.00);
  - Fetal Alcohol Spectrum Disorder Key Worker (\$50,400);
  - CYSN Child and Youth Care Worker Program (\$104,052);
  - Early Childhood Development Children First (\$18,144);
  - Building Blocks (\$42,888);
  - Non- At-Home Respite (\$54,216); and
  - Early Intervention Therapies (\$113,496).
- The annual amount of the combined contracts is \$940,104.00.

**DISCUSSION:**

- The current Executive Director has been with SCA since 2011. The Executive Director has been concerned with contract funding levels since her start at SCA.
- MCFD and SCA have a good working relationship with ongoing dialogue regarding the agency's request for additional funds.
- SCA were recipients of Cooperative Gains, \$15,120 for fiscal 13/14, and one-time fiscal 14/15 amount of \$24,383.
- SCA currently has access to reduced market rate bookkeeping and rent. These reduced costs are not permanent. To save money the agency has reduced the number of phone lines to their building and negotiated further phone bill reductions.
- MCFD recently received SCA's annual report for 2014-15 outlining the rising costs of rent, utilities, wages and other costs noting funding levels have not increased since 2009.
- The annual report for 2014-15 details the continuous rise of demands for service from SCA.
- The agency's statistics reflect since 2009, a 72% increase in children needing service, the number of services provided has increased 88% and waitlists for programs in general have increased by 125%.
- Financially, in FY13 there was a surplus of \$40,686 and in FY14 a relatively small deficit of -\$9,812.
- According to SCA's audited financial statement for FY15 there is a surplus of \$9,673. Provincial funding is 88% of their revenue.

- No specific concerns regarding respite have been identified.

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**Program ADM/Branch:** Allison Bond, Service Delivery

**Program Contact (for content):** Laurie Chapman

**Drafter:** Laurie Chapman

**Date:** July 10, 2015

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

**CLIFF: 223502**

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

**TITLE:** Sexual Assault Exams - Overview

**PURPOSE:** To provide information about Sexual Assault Exams and kits in BC, and policy and resources available for victims of sexual assault.

**BACKGROUND:**

- Sexual assault is a crime, whatever the past or present relationship between the people involved (e.g., married or living together, dating, friends, acquaintances, strangers). Sexual assault means any form of sexual contact without a person's consent, including the threat of sexual contact. Sexual assault can range from unwanted sexual touching to forced sexual intercourse. It can involve situations where agreement to sexual activity is obtained by someone abusing a position of trust, power, or authority. Sexual assault is an act of violence used to exert power and control over others (VictmLink BC).
- Victims of sexual assault in B.C. have varying degrees of access to specialized exams and the Sexual Assault Exam Kits.
- The Sexual Assault Exam kits are funded through Ministry of Justice and are provided to Health Authorities.
- The Ministry of Health Acute Care and Provincial Services Branch (ACPS) representatives have confirmed that at this time there is no provincial policy for Health Authorities to provide the service of a Sexual Assault Examiner (SAE).
- B.C. Women's Hospital and Health Care provides the Sexual Assault Examiner (SAE) training for nurses and physicians twice per year.
- Sexual Assault Nurse Examiners (SANE) are registered nurses who have completed specialized education and clinical preparation in the medical forensic care of the patient who has experienced sexual assault or abuse.
- ACPS provided that the issues related to SAE and/or SANE programs provided in hospitals are complex and includes challenges such as the chain of custody and storing of the medical samples.

**DISCUSSION:**

- ACPS provided that Health Authorities ensure a patient receives the necessary care and includes transportation to a hospital that has the service of a SAE or SANE program.
- ACPS is aware that some survivors of sexual assault have to travel to another jurisdiction to receive this specialized care.
- ACPS will be completing an environmental scan of this issue in order to assess and provide recommendations. This work is underway.

- Several community agencies around the province have programs to support survivors of sexual assault. For example:
  - **Surrey Women’s Centre** have the program titled, Surrey Mobile Assault Response Team (S.M.A.R.T.), which is a 24-hour crisis response team that provides services in partnership with Surrey Memorial Hospital over the phone and in-person for women and girls who have experienced physical or sexual violence.
  - **Victoria Sexual Assault Centre** have the Sexual Assault Response Team (SART) that provides immediate emotional support and information to people of all genders, 13 years and older, who have been sexually assaulted within the past 7 days.
  - **WAVAW (Women Against Violence Against Women, Vancouver)** offers transportation to Vancouver General Hospital, support and advocacy for women while they are receiving medical attention from the Sexual Assault Service team and during police interviews, if any. Support staff can provide information about sexual assault, legal options, and referrals to support survivors making important health decisions after an assault. Sexual Assault Service, medical and emergency department staff members receive WAVAW training on providing sensitive, accessible, feminist support to survivors of sexual assault. Hospital Accompaniment is available 24 hours a day, every day, by calling WAVAW’s Crisis Line and asking for Hospital Accompaniment Staff.
- B.C. Government provides information about sexual assault on internet websites such as VictimLink BC, Ministry of Justice, and HealthLinkBC.
- Ministry of Justice website provides a public document titled, *“Help Starts Here. Information on Sexual Assault.”* This document provides information on how to report to police and resources such as HealthLinkBC, VictimLink BC, Crime Victim Assistance Program, and the Helpline for Children.
- B.C. Health Authorities also have related information on their websites.

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**Program ADM/Branch:** Beverly Dicks, ADM - Provincial Office of Domestic Violence  
**Program Contact (for content):** Sobhana Daniel, Executive Director - Provincial Office of Domestic Violence  
**Drafter:** Kevin Lauder, Senior Analyst, Provincial Office of Domestic Violence  
**Date:** July 16, 2015.