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Family Health Directors

December 7, 1992

**Re: Ministry of Social Services, Community Panel Review of
Child Protection Legislation in British Columbia Reports,
"Making Changes, A Place to Start" and "Liberating Our Children,
Liberating Our Nation"**

This memorandum provides a preliminary summary of the Community Panel Reports which were released on December 3, 1992. Both reports will be controversial and there may be special attention paid to the Aboriginal Report as a "minority opinion".

The Community Panel met community groups and individuals across the Province to achieve input to the process of reporting on changes to the child protection system and consequent legislative requirements. The two Aboriginal members developed a separate process to consult with the Aboriginal community. This summary will identify critical issues which need to be addressed.

Broad Policy Issues

1. Poverty is identified as the most significant issue to be addressed to achieve change in protecting children. This is consistent with the Federal Child Care Strategy announced recently.
2. Aboriginal people will welcome the recommendations which specify changes which are needed to assure intergovernmental issues are addressed as an essential step to changes which will assure Aboriginal control over matters relating to the family and protecting children. There are significant issues of policy and financing which also involve the Federal Government.
3. Community Development and empowerment is identified as the tool to be used to lead the changes required. Undoubtedly there will be systemic tensions as this process unfolds. The approach is in many ways similar to some of the directions in the Royal Commission and the implementation of the two will need to be melded into a strong focus for change. The Report identifies a strong role for Government in financing community groups to provide leadership and empowering staff to participate.

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4. Family Support is the philosophical position which is given the greatest attention. The last decade has seen a "protect the child first" direction and the pendulum swing to "family support first" will be welcomed by many but may be confusing to others. Adding to this tension there are also strong recommendations which would allow for youth self care (independence) at age 16 which some members of the community will see as government interference into family matters. Many of the Ministry of Health community services are family support programs and working together will continue to be a high priority need.
5. Young Offender Services would be transferred from Corrections Branch of the Ministry of the Attorney General and incorporated into the Ministry of Social Services. This recommendation will be resisted by some who believe that the continuity of services within the criminal justice system is more critical than the focus on coordinated youth services. The Reports do not recommend a greater integration of services into one "children's ministry". It will be necessary to provide a strong focus within the Ministry of Health to work at all levels with the Ministry of Social Services in addressing the follow through to the Report.

New Structures and Mechanisms

1. A Select Committee of the Legislature on Family and Children's Services is recommended to monitor the changes and oversee legislative consolidation by 1995.
2. Office of Family and Child Advocacy, independently responsible to the Select Committee of the Legislature, would be established and staffed to provide review of systemic issues and advocate for individual children and youth. The role of the Office of the Ombudsman and the role of the Superintendent of Family and Child Services would both be impacted greatly by this development. The Superintendent is to become an Assistant Deputy Minister responsible for delivering services rather than the office which oversees the needs of children in care as "parent".

3. Administrative Tribunals will replace child welfare or family courts and each case will have a new worker, a family MEDIATOR, whose role is to resolve problems and focus needed planning and services to divert people from the Tribunal. Any child requesting or needing a CHILD ADVOCATE will also have that right.
4. Alternative Care options are to be available to support children in their own families and to involve families and other interested parties in planning and delivering needed services. Children are no longer to be "voluntary wards by agreement" for the purpose of receiving services. Two programs operated by the Ministry of Health, the Associate Family Program and the At Home Program, are precursors to this new way of providing services.
5. Service Delivery Restructuring will result in community and neighbourhood centres delivering a broad range of services including mental health, public health, alcohol and drug programs, social services, education and young offender services. The Report is silent on the co-location of the extensive contracted community service sector. Further, new youth clinics are recommended which would deal with medical, health and social supports for youth.

Recommendations of the Aboriginal Panel

The title of this Report, "Liberating Our Children, Liberating Our Nation" signals the direction of the Report - Aboriginal self-government. The role of other Governments is to provide resources to assure Aboriginal control. The recommendations will require significant restructuring of current thinking and services. Political leadership will be essential. The Report will provide a new impetus to the changes which have been in process for some time. A comprehensive analysis of the Aboriginal Report and the implications for policy and service delivery is a high priority in the near term.

Specific Ministry of Health Issues

The Ministry of Health will be impacted by most of the issues which are summarized above. As well, there are specifics which will need to be addressed.

1. Royal Commission Implementation planning will have to include the implications of the two reports of the Community Panel.
2. Secure Treatment is discussed by the Report but a conclusion is not reached. The current review of the Mental Health Act is referenced as one method of continuing to determine how to address the issues of the perceived need for legislation which would assure youth could be provided with secure treatment. This issue needs to be addressed more broadly by Government through a mechanism such as the Child and Youth Secretariat which has access to the policy and programming skills of all Ministries.
3. Suicide, Aids, Pregnancy and Sexual Orientation, and Alcohol and Drug Use are identified as issues which need to be addressed as they are among the most critical issues identified by youth.
4. Birth Registration must be the same process which is used for registering Indian children (Vital Statistics).
5. Sexual Abuse Treatment for children and youth abused while in care must be provided (RHAP).
6. Sexual Offender Treatment issues will require significant attention to policy and program delivery in order to move in the direction of the Aboriginal Report which recommends family oriented treatment rather than a criminal justice approach.



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