

Last Resort:

*One family's tragic struggle
to find help for their son*



REPRESENTATIVE FOR
CHILDREN AND YOUTH

October 2016

Oct. 20, 2016

The Honourable Linda Reid
Speaker of the Legislative Assembly
Suite 207, Parliament Buildings
Victoria, B.C. V8V 1X4

Dear Ms. Speaker,

I have the honour of submitting the report *Last Resort: One family's tragic struggle to find help for their son* to the Legislative Assembly of British Columbia. This report is prepared in accordance with Section 16 of the *Representative for Children and Youth Act*, which makes the Representative responsible for reporting on reviews and investigations of deaths and critical injuries of children receiving reviewable services.

Sincerely,

A handwritten signature in black ink, reading "melturpellafond". The signature is written in a cursive, lowercase style.

Mary Ellen Turpel-Lafond
Representative for Children and Youth

pc: Ms. Jane Thornthwaite
Chair, Select Standing Committee on Children and Youth

Mr. Craig James
Clerk of the Legislative Assembly

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Executive Summary

In many ways, Nick's story is different from those of the other youth whose lives have been profiled in investigative reports by British Columbia's Representative for Children and Youth during the past 10 years. Nick was not in government care, nor for the vast majority of this life was he receiving services from the Ministry of Children and Family Development (MCFD). He came from a well-functioning, middle-class family with whom he lived in a highly populated, non-remote area of the province.

But in one key respect, Nick's story is all too familiar to those the Representative has told in past reports. Like so many other youth the RCY has profiled, he was a teen in serious distress who did not receive the specific supports he needed when he needed them – and neither did his family.

Nick died on June 9, 2015, while in a full-time attendance program on Vancouver Island as ordered by a court in B.C.'s youth justice system. He was 15-years-old.

This Métis teen had been attending this program for less than a week. It was a place his family back in the Fraser Valley had hoped would help him to beat the substance use problems that had plagued him for three years and enable him to get his schooling and life back on track. The only reason Nick was in this program was that his parents, desperate for a way to help their youngest of two sons, had decided that the youth justice system was where he would get the kind of services he needed before it was too late.

Tragically, even those supports did not come soon enough for Nick, who was found hanging in a bedroom closet of the care home where he was staying while attending the program.

In accordance with the *Representative for Children and Youth Act (RCY Act)*, the Representative conducted a review of Nick's death and determined that a reviewable service and/or the policies and practices of a public body may have contributed to his death, leading to this RCY investigation.

What the Representative's investigators found was that there had been a number of points along the way when Nick's path might have been significantly altered had the proper supports been available or offered to him and his family.

Despite serious behavioural issues in school beginning in Grade 4 and steadily escalating thereafter, a self-harm incident in Grade 7 and a mild expression of potential suicidality in April 2015, Nick was never given a formal mental health assessment. He was described by one teacher as "*a little kid with a huge heart*," nevertheless five different schools were unable to connect him with effective help or provide him with an environment in which he could be successful academically and behaviourally.

Despite Nick's mother asking for help from her local MCFD office in January 2015, she was not offered supports for the family beyond a conference call with the two parents and a social worker. Despite Nick's father convincing Nick to enrol in a voluntary substance use withdrawal centre in April 2015, Nick was not allowed to remain in the facility because he insisted on smoking and the centre's no-smoking policy was strictly adhered to.

The biggest problems Nick's parents faced was that their son had a serious and deepening substance use problem which began in Grade 7 with marijuana and quickly escalated to methamphetamine. His very capable parents did not manage to find a public treatment program that could help him that didn't also have a significant wait list and they couldn't afford the private facilities that would accept him right away. Nick's reluctance to voluntarily accept help for his substance use was a major factor in the family not being able to get that help. As Nick's mother recalled to RCY investigators: *"It was like my boy was disappearing."*

All of this led to a situation that the Representative has seen and heard about a number of times before – the use of the youth justice system by parents to help a son or daughter with a substance use problem because that system promises faster assistance and is much more difficult for the youth to turn down.

After Nick assaulted his mother on April 1, 2015 while under the influence of methamphetamine, his parents decided that their best option was to seek youth justice charges against him as a means of getting him help. This is what eventually led to Nick being in the full-time attendance program on Vancouver Island in early June, where his parents hoped he would finally turn things around.

But even in the youth justice system, Nick and his family did not get what they desperately needed. His Métis heritage was largely ignored and, even though his father sought out Métis-specific services for Nick, he was unable to find such services. He was not provided the Intensive Support and Supervision Program (ISSP) worker that was called for as part of his youth justice sentence and could have helped Nick bridge the gap between sentencing and entering the full-time attendance program.

In addition, communication with Nick's parents – especially after they divorced in May 2014 – was sporadic with school and youth justice officials often staying in contact with only one of the parents instead of both of them as should have been the case since they shared legal guardianship. This led to confusion in getting help for Nick.

What motivated Nick's actions on the night of his death remains unclear, whether he was intent on killing himself or seeking the momentary euphoria brought on by self-asphyxiation. The coroner could not reach a conclusion, and it is not the purpose of this report to answer that question.

What the Representative was able to conclude, however, was that Nick and his family did not receive the services they needed when they needed them. The Representative cannot say with certainty that receiving appropriate services could have ultimately saved the 15-year-old's life, but it is safe to assume that they would have given him a better chance.

There is no greater loss for anybody than the loss of a child. The Representative offers her heartfelt thanks to Nick's parents for participating in RCY's investigation and for being extremely forthcoming in the difficult process of telling his story. The purpose of any such RCY review is to learn lessons from such tragedies that can help prevent such occurrences with other children and youth in the future.

To that end, the Representative calls on the provincial government to create, appropriately fund and maintain a comprehensive system of substance use services that consistently meets the needs of youth and their families across the province.

This system should include community based and residential treatment services up to and including the prudent and selective use of secure care when necessary to keep a youth safe. This recommendation echoes those in previous RCY reports and expands on those made by the Representative's report *A Review of Youth Substance Use Services in B.C.* (May 2016) and on the analysis in the Representative's report *Approach with Caution: Why the story of one vulnerable B.C. youth can't be told* (May 2016).

The Representative also recommends that the province, in partnership with Métis leadership, develop and implement a strategic plan to deliver culturally responsive services for Métis children and youth in the areas of youth justice, substance use, mental health, child and family supports and education supports – services that were not available to Nick and his family but would have no doubt been of assistance.

The Representative also calls on MCFD, the Ministry of Education and the Ministry of Health to co-locate mental health and substance use supports in B.C. schools to increase the ability of youth to engage with services and to help support early identification and intervention for mental health and substance use problems. As well the report recommends that ISSP workers are available to provide year-round ISSP service, rather than relying on probation officers to assume these additional responsibilities in the absence of an ISSP worker. The current practice resulted in Nick not receiving an ISSP worker.

Finally, to improve planning and service coordination with youth who are in conflict with the law, the Representative recommends that MCFD and the Ministry of Education develop and provide clear guidelines on what information can be shared with schools regarding youth with youth justice involvement.

Methodology

The *Representative for Children and Youth Act (RCY Act)* (see Appendix A) requires that MCFD report to the Representative on critical injuries and deaths of children who received a reviewable service from MCFD in the year prior to the critical injury or death.¹ The Representative conducts an initial screening of the reports received to determine if an incident meets the criteria for a review under the *RCY Act*. This review then assists in the determination of whether a full investigation is warranted.

In December 2015, the Representative conducted a review on the death of Nick and determined that a reviewable service and/or the policies and practices of a public body may have contributed to his death. This review found that Nick's death met the requirements for an investigation under the *RCY Act*. Once the Coroner's report was received in April 2016, the Representative commenced a full investigation into Nick's death.

The investigation focused on the time during which MCFD had involvement with the family regarding Nick, between April 2013 and June 2015. The Representative thoroughly examined and analyzed information from prior to and beyond MCFD's involvement to fully understand the events leading up to and following Nick's death.

In conducting the investigation, the Representative reviewed documents from a variety of sources, including hospitals, schools, police departments, government offices and non-profit organizations (see Appendix B). The Representative also conducted interviews with 31 individuals and professionals who provided sworn evidence to RCY investigators (see Appendix C).

For the purpose of administrative fairness, organizations and individuals who provided evidence for this investigation, including Nick's family, were offered an opportunity to review the draft report and provide feedback. The Representative's Multidisciplinary Team (see Appendix D) was also provided with draft findings near the completion of the investigation for its review and input.

¹ As defined in the *RCY Act* (2006), the term "reviewable services" refers to services or programs under the *Child, Family and Community Service Act* (1996), services under the *Youth Justice Act* (2003), mental health services for children, and substance use services for children.

Chronology

Nick and his Family

Nick was born in March 2000 in Nanaimo. His parents, who met while coaching figure-skating on Vancouver Island, had one other son, 16 months older than Nick. Nick's mother is of European ancestry and has family residing both in and out of B.C. Nick's father is Métis, with most of his family residing in B.C. Both Nick's parents are close to their families and raised their children in a connected and loving extended family. After struggling to make ends meet as young parents, Nick's parents both took jobs in the federal corrections system and moved around B.C. during their two sons' younger years.

Nick's mother described him to RCY investigators as a child who was extremely kind, happy, generous and sensitive to other people's feelings and emotions. He had a unique connection with, and compassion for, animals. His mother recalled many times that she saw Nick sitting in their yard with all of the neighbourhood cats surrounding him. His father described Nick as somebody who made friends easily, with his older brother remaining his closest friend throughout his life. Nick was extroverted and extremely funny, with a lively sense of humour. Nick's aunt described him as loved, funny, and quirky, explaining, *"I think he saw life in another way than the rest of us."* He was also naturally athletic, excelling in hockey and soccer.

From a young age, Nick identified as Métis. He wanted to learn about and experience his culture and was delighted when he received his Métis Nation British Columbia (MNBC) citizenship card.² He connected with his culture through his love of being outdoors and fishing. He found it amusing that he was Indigenous but looked different from many of his Indigenous friends, with his bright blond hair and blue eyes. He enjoyed cultural ceremonies, and his parents described him as being both curious about and proud of his identity.

Being Métis

Although it is a common misunderstanding, Métis people are not simply people with mixed First Nations and European ancestry. They are a distinct cultural group with an ancestral connection to the Red River Valley.

² Métis Nation BC is recognized by the provincial and federal governments and the Métis National Council as the official governing organization and political representative for Métis people in B.C. MNBC is mandated to develop opportunities for Métis communities by implementing culturally relevant social and economic services and programs. MNBC is the sole issuer of Métis citizenship cards in B.C. In order to obtain a card, one must self-identify as Métis, have an ancestral connection to the historic Métis community, and have contemporary Métis community acceptance.

2005 to 2012: Nick and School

When Nick entered Kindergarten in 2005, his family was living in the Fraser Valley. Prior to that, they lived in the Okanagan. In 2008, Nick's parents informed the school that both Nick and his brother were Métis. The children began connecting with a school-based Indigenous support worker. From his parents' perspective, Nick and his brother were treated differently at school after being identified as Métis – specifically their parents felt as though the boys' behaviour was seen more negatively than it had been before.

That same year, Nick's parents invited an older child who was in the care of MCFD to live with them. This youth became Nick's unofficial foster brother, and he remains close to Nick's family. The youth had been living in a foster home and wanted independence from the ministry. When he asked if he could stay with Nick's family, Nick's parents built a room in their basement for him and made him feel as though he was one of their children. They provided for him, took him on holidays, and integrated him into their family in a way that made him feel accepted and genuinely cared for.

In 2009, when Nick was in Grade 4, he was suspended from school for two days after being accused of pulling a fire alarm at his elementary school. Nick's parents identified this incident as a major turning point for Nick at school, explaining: *“Once he was accused of that, he didn't like school anymore; he didn't want to go to school anymore.”*

Nick was adamant that he had not pulled the fire alarm. He was a sensitive child, and what he said was a false accusation affected him deeply. When his parents attended the school to discuss the matter, the principal did not believe Nick's version of events, despite his tears and a classmate who confirmed Nick's story. Nick's mother described the effect the incident had on Nick, explaining that he felt like he was being labelled as a bad child and he *“started thinking that he had to live to that label.”*

After this incident, Nick began distracting his classmates and struggling to focus, and his academic performance declined considerably. Prior to that time he had performed well, achieving A and B grades in most subjects.

2012: Nick Begins a New School and Starts Using Marijuana

In 2012, Nick's Grade 7 year, he transitioned to a new school and his academic troubles continued. He had a teacher whom his parents described as a *“bully,”* which further complicated Nick's school experience. After overhearing this teacher call another student an *“idiot,”* Nick's parents insisted to the school's administration that Nick change classes, which he did.

Nevertheless, Nick's experience at school did not improve. Soon afterward, Nick disclosed to his mother that a teacher had made physical contact with him in the hallway while directing Nick back to class. Nick appeared to be very upset by this incident, so his parents decided to transfer him to another school. His mother reported the physical contact to the local police, the school board, and to MCFD, but none of them could confirm that the incident had occurred. Once Nick was at his new school, his behaviours

improved. His parents credited the change in part to the fact that the principal at the new school was a family friend who they felt could be relied on to treat Nick fairly.

When he was 12-years-old, Nick began using marijuana after being introduced to it by some girls in his Grade 7 class. His parents did not permit him to have or use drugs in their home and spent time trying to educate him about the potential harms marijuana could have on his developing brain. That same year, Nick had his only known incident of self-harm. He and a large group of friends all made superficial cuts to their arms. When this was discovered by their school principal, Nick was very embarrassed. He told his parents it would never happen again and, to their knowledge, it never did.

In June 2013, the local RCMP were called to a report of Nick sleeping under a slide outside an elementary school late at night. They called his mother, who immediately came to pick him up. The police informed MCFD of the incident, and an MCFD social worker called Nick's mother to ask if she wanted any support services. Nick's parents were arranging for a move out of town at that time and declined family support services, believing that Nick was acting out due to his anxiety about the impending move. This was the first contact MCFD had with the family regarding Nick.

2013: A New Town – Nick's Marijuana Use Escalates

In July 2013, Nick's family moved to another community in the Fraser Valley. With this move, both of his parents noticed a significant change in Nick's attitude. He was now 13-years-old, his marijuana use was becoming more frequent and he was increasingly disrespectful to his parents.

In September of that year, Nick's parents registered him at a local middle school for Grade 8. The school never managed to help Nick settle in and he struggled from his first day there. His parents suspected part of the trouble may have come from Nick adjusting to the middle school model of rotating classes and teachers, rather than the elementary school model of a single teacher and classroom. The middle school he attended also had a rigid structure, in which the Grade 8 students were divided into three groups, called pods. These pods had assigned teachers, support staff, counsellors, and classes, and they travelled together as a group on a fixed schedule. This structure meant that, as Nick began falling behind in certain classes, the school was unable to arrange a more flexible schedule for him.

Despite this, Nick immediately connected with the school's Indigenous educational assistant, who served as a safe adult for Nick to visit when he had challenges in his class or needed support. She saw him daily and described Nick as polite with her, but defensive and emotionally closed off. The school counsellor, whose role was to support Nick academically and with whom he developed a positive relationship, echoed that assessment of Nick. She described him as putting on an extremely defiant and angry façade while at school. She told RCY investigators that: "*He came to us really seemingly hell bent on just living a really hard life and I don't know why.*" The school's vice-principal described Nick as very nonchalant. She worked closely with Nick's school team to try to address their emerging concerns, but when she discussed matters with Nick, he

responded by telling her: *“I’m going to live life to the fullest of what it’s like now, I don’t really care about the future.”*

Nick struggled in his classes, refusing to do his work or to engage with many of his teachers. He began doing inappropriate things in the classroom, drawing shocking images and words on his body and on his binder, saying things that seemed deliberately intended to offend teachers and other students. He was never directly confrontational with the school staff, who described him as being purposefully disengaged. The school was also concerned with Nick’s ongoing obsession with marijuana. He was drawing pictures of it, writing songs about it and hanging out solely with other students who used the drug.

School staff tried to engage Nick in programming. Early on in the academic year, the school began having frequent meetings with his school team and his parents to try to address the significant concerns they had. The outcome of these meetings included connecting Nick with a peer tutor and suggesting supports for his parents. Staff also encouraged the parents to seek therapeutic supports and assessments for Nick to address his possible emotional needs. A referral to the local substance use services organization was discussed, but there is no indication from the interviews conducted or from the files reviewed for this investigation that the school or family followed through with the referral.

In late September 2013, in response to rising concern for Nick, his parents contacted a private counsellor and requested that she see Nick regarding ongoing issues with defiance, his problematic peer group and his marijuana use. The counsellor provided the parents with ideas for different parenting strategies and began seeing Nick shortly after. She met Nick five times before the end of 2013, but could not make any progress with him as in each session he simply sat, silent. In describing the situation to RCY investigators, the counsellor said that her inability to form an emotional connection with Nick was extremely unusual for her. By the end of 2013, the private counsellor suggested that his parents look for another counsellor for Nick who might be able to build a positive therapeutic relationship with him.

Restorative Justice Programs

Restorative justice programs view crime not only as a violation of law, but also a violation of people, relationships and community peace. Facilitated restorative justice programs may be offered by communities as an alternative to the traditional court process and are intended to hold offenders accountable for the harm they have caused by committing crimes while also addressing the needs of victims and the community (Ministry of Public Safety, 2010).

In early December 2013, Nick and a friend were caught stealing candy from a local grocery store. Rather than charging the 13-year-old Nick with theft, the local RCMP referred him to a restorative justice program. His parents felt that the restorative justice program went very well and seemed to have a positive effect on Nick.

Meanwhile, Nick’s school continued to struggle to engage with him and to address his lack of attention to school work. His parents tried to work with the school to create better communication between home and school, more flexibility in Nick’s schedule, and to develop a concrete plan to help Nick succeed.

The school's vice principal described Nick's parents as supportive, well-intentioned and proactive, clearly wanting the best for their son. In January 2014, the school created a behaviour intervention plan for him, but this did not improve Nick's ability to cope with the classroom environment. Nick had not received a formal assessment of his psychological or neurological well-being, which could have clarified whether his behaviours were symptomatic of an emerging mental health issue or some other condition that could have impacted his learning and behaviour.

Early 2014: The School and Family Begin Discussing Alternative School

By March 2014, having had no success with their attempts to improve Nick's school experience, Nick's parents and teachers began discussing alternative program options for Nick outside the regular school system. His Indigenous support worker discussed the challenges in meeting Nick's needs in the rigid classroom environment at the middle school, stating: *"It's so hard with the school system, and I deal with this all the time with other kids. You can't fit a square kid into a round hole and it's not for everybody ... I struggled with trying to make him do the school work in the classroom and he wasn't there mentally."*

While that planning was occurring, Nick's parents also took the initiative to hire an alternative school teacher from their district as a tutor for Nick outside of school hours. This teacher was skilled at working with students who had behavioural and academic challenges. She met with Nick approximately twice a week until the summer and was able to build a positive personal connection with him. She described Nick at the time as having no interest in school work. Instead, he simply wanted an adult outside of his family to listen to him and give him attention. She observed that Nick was very sweet and immature, *"a little kid with a huge heart."*

While trying to plan for a possible transfer for Nick, staff continued to seek flexible options to help him succeed at his middle school but with little success. The school had tried to engage Nick to participate in formal assessments of his psycho-educational needs, knowing this information could provide valuable insight, but he refused to engage in the testing process. In April 2014, however, his tutor gained Nick's cooperation in completing a formal education assessment. She administered the Kaufman Test of Educational Achievement, a test designed to measure academic skills and identify possible learning disabilities. His scores were all in the average range for students of his age.

Mid-2014: Nick's Parents Get Divorced

In May 2014, Nick's parents divorced. They remained living together until September 2014. Nick's parents told RCY investigators that their divorce was not an angry process. They agreed to share custody of the children once they moved apart. Nick's father described the situation to RCY investigators, explaining: *"The kids were always the main focus for us . . . My goal when we separated was to try and shield the kids from any sort of shrapnel of a divorce."*

Despite his parents' intentions, the divorce seemed to have had a significant impact on Nick. Over the summer, Nick's father began dating a woman who worked with Nick in the school system. Nick did not show any visible distress when he learned

Crystal Methamphetamine

Crystal methamphetamine is an illicit drug that is a powerful central nervous system stimulant. It is highly addictive as it boosts dopamine, which plays an important role in how the brain experiences and interprets pleasure. The dopamine rush in the reward centres of the brain gives the user a sense of euphoria soon after taking the drug. Users may also experience some of the following symptoms: anxiety, confusion, insomnia, mood disturbances, violent behaviour, weight loss, dental problems and psychosis. Research has shown that use of this drug can have a profound impact on emotional and cognitive functions (National Institute on Drug Abuse, 2013).

of the relationship and his father was careful to be respectful of Nick's feelings on the matter, but Nick later confided to another professional that he felt betrayed by this relationship. Although Nick's parents were unaware of it at the time, according to a school employee interviewed by RCY investigators, Nick began using methamphetamine during the summer of 2014, at the age of 14.

During this time, communication between Nick's mother and father broke down completely. They had always had considerable differences in parenting styles. Nick's mother was permissive and affectionate, seeing the best in her children and wanting to support them with as much love and forgiveness as she could. Nick's father believed in firm rules, boundaries and consequences for negative behaviours. Nick's parents shared custody of the children with weekly rotations and both remained legal guardians of the children.

Late 2014: Nick Transfers to an Alternative Learning School

After the summer, Nick returned to his middle school for a very short time before refusing to attend at all. By October 2014, the school and Nick's mother felt that Nick had a better chance of success in a different learning environment. Nick's mother arranged with the principal to have Nick transferred to the alternative school where his tutor was employed as a teacher. Nick was happy to go to the new school. He had a strong connection with his tutor and felt that he would fit in better in a new environment. The school also had more supports for students, including youth workers, a visiting drug and alcohol counsellor and an Indigenous support worker.

Nick was enrolled in a program run by his former tutor. The program had a small group of students with significant challenges in coping with the classroom environment. The program focused on school readiness, with individualized support, project-based learning and an attempt to build on academic skills. Unlike a traditional middle school environment, this alternative program focused more on positive connections with adults and having the flexibility to meet each student's unique needs.

Alternative school staff were hopeful that Nick's connection with his former tutor would contribute to his success. However, his behaviours only seemed to intensify, possibly due to his escalating use of methamphetamine. He would swear and shout constantly while at the school, disturbing other students.

Despite their positive connection, his previous tutor could not influence Nick to focus on his school work or regulate his emotions. In speaking with the RCY investigators, she described the situation, explaining that Nick was constantly trying to be funny, but that he was “*probably the most disruptive classroom student [I’ve] ever had, ever, and [I’ve] had a lot of them.*” Nick often refused to attend school, which was a considerable challenge for his parents as they both worked full-time during the day. His previous tutor began picking him up every morning to ensure that he attended.

By November 2014, Nick was entrenched in the local drug scene. He had begun dealing drugs and his personal use of methamphetamine was increasing. At school, he refused to work with any of the male staff, including the school counsellor and the principal. The school encouraged Nick to meet with the local youth drug counsellor who came to the school for outreach, but Nick refused to attend school if she was present. Nick’s previous tutor, who was the primary contact with Nick’s mother, warned her that Nick could be using “*more than marijuana.*” The alternative school was having regular team meetings to collaborate on how to best support Nick in the school setting, but no further efforts were made to engage him in more comprehensive psycho-educational assessments. The school administrators were growing increasingly concerned, not only with Nick’s rapid decline, but also with his negative influence on his classmates.

Noticing Nick’s behaviours and thin, pale appearance, his father confronted him about his drug use and reminded him that he was not to use any drugs while in his father’s home. Nick denied using any drugs and began screaming obscenities at his father. After that confrontation, Nick refused to see or speak to his father for several months and he began living with his mother full time.

In December 2014, Nick’s teacher, his former tutor, went on leave for several weeks to deal with a personal matter. After she left, the school’s ability to support Nick declined even further. Most days, he refused to attend school. When he did, he acted in a disruptive manner. The school principal described Nick during this period as one of the most defiant students he had ever dealt with, explaining that his behaviours jeopardized the learning successes of the other students. Teachers and staff at the school were also deeply worried about Nick’s drug use, and other students had begun to approach the staff with their own concerns. Despite their personal differences and their differing parenting styles, both Nick’s mother and father remained involved with the school, trying to find ways to help Nick. However, during this time the principal recalled that Nick “*was sliding faster than we were making progress.*”

In an attempt to bring Nick back to the school where they could try to connect him to supports, the principal asked the school’s youth support worker to take Nick out for coffee. During coffee, Nick opened up to her and spoke of his anger towards his parents and how hard their separation had been on him. Nick promised her that he would come back to school, be more respectful, and meet with the community’s youth addiction worker. However, when he returned to the school a few days later, his behaviours continued unchanged. He continued to refuse to meet with any outside agency support service. Despite that refusal, the school asked the local youth drug and alcohol counsellor

to meet with Nick and try to make a connection with him. She attended the school twice to try to see Nick, but both times he was not there.

In discussing with RCY investigators the school's inability to help Nick's situation, the principal described the ongoing struggle to meet children's needs when they face challenges in the school system and then begin using methamphetamine. He explained:

"I wish I could have a better success rate as far as when someone gets to the high-level crystal meth use, our success rate for educating youth at that stage is very low . . . When someone gets to using crystal meth on a regular basis, they're unable to manage a half to full school day, and our focus then shifts as far as trying to get healthy community relationships established."

Early 2015: Nick's Family Recognizes his Methamphetamine Use and Reaches out for Help

In January 2015, Nick's mother began noticing huge differences in Nick's attitude at home. While she was not familiar with drugs or the signs of drug use, she explained to RCY investigators: *"It was like my boy was disappearing."* He was losing weight rapidly and wearing baggy clothes. He was not sleeping and his moods were unpredictable. He continued to refuse to see or speak to his father and rarely attended school.

Meanwhile, Nick's father was growing increasingly frustrated with the alternative school Nick was attending. He felt that the staff was communicating solely with Nick's mother and intentionally keeping him out of the planning process. He believed that Nick's previous tutor was partially at fault for the breakdown in communication. He perceived her to be aligned with Nick's mother and asked the school to remove her from any further role with his son. The school acquiesced to the father's request, and she had no further involvement with Nick at school.

The Voluntary Nature of Services

In B.C., all substance use services are voluntary. One issue that may arise with this for youth is that the adults in their lives may be very concerned for them, but youth themselves may not see their substance use as problematic.

On Jan. 23, 2015, Nick's mother attended the local MCFD office to ask for help with Nick. She met with a child protection social worker and explained that Nick was refusing to go to school, was smoking pot and selling drugs, and that he just laughed at her when she tried to connect him with any help or services. She also noted that Nick refused to follow any house rules that she established. The social worker and Nick's mother arranged a conference call with Nick's father

to plan for how to manage Nick safely. Despite their own conflict, Nick's parents worked together to make a plan for Nick to move in with his father. However, Nick refused to make the move.

When she attended the MCFD office, Nick's mother had hoped that the social worker would offer her support services or resources. The social worker believed that the parents had a good plan going forward, and told RCY investigators that she did not offer the

family support services as all non-protection based MCFD services are voluntary and the mother had already told her that Nick was refusing to engage with any help.

A couple of days after Nick's mother met with the social worker, she had a meeting with Nick, the school principal and the school district's assistant superintendent to discuss whether Nick would be able to continue attending the alternative school. As the principal explained to RCY investigators, Nick's behaviour in class had grown so extreme that the principal felt they needed to set some clear expectations if Nick was to be allowed to continue. All parties left the meeting hopeful. Nick said that he wanted to go back to school and that he was willing to follow the district's requests, including that he seek drug counselling and interact respectfully with students and teaching staff.

Despite the promising meeting, things did not improve for Nick at school. The school had requested that he only attend in the afternoons to gradually reintroduce him to classes, but Nick was showing up at random times throughout the day, appearing to be under the influence of substances and disrupting the school. His speech routinely did not make sense, he had developed a noticeable facial twitch and he refused to stay in his classroom.

In February 2015, Nick's father met with Nick and the school principal to discuss Nick's continued enrollment at the alternative school. The principal explained to Nick's father that he did not think the school was able to adequately respond to Nick given the extent of his substance use. They discussed the parents attempting to get Nick into a detoxification centre or a treatment program after which they would all work to enrol Nick back into school when he was ready. Nick didn't return to school for the rest of the term.

In March 2015, Nick's brother told their mother that she needed to stop giving Nick money because he was using it to buy methamphetamine. Now realizing the extent of Nick's substance use, his mother redoubled her efforts to convince him to speak with a counsellor. Both parents were researching mandatory treatment options for their son, who was still refusing any help and denying that he was using any substances other than marijuana. His parents could not find any public options that they felt were appropriate for Nick, and the private programs that they looked at were beyond their reach financially.

Nick's father reached out to a director from Métis Nation BC to ask if she knew of any Métis-specific programs or any financial assistance for private programs. The director responded by email that same day. She did not know of any appropriate substance use programs for Métis youth in B.C. She had called a private program to discuss funding options, but had received no response from them. When she contacted a colleague at an Indigenous friendship centre, that colleague was also unaware of any appropriate programs for a Métis youth with Nick's presentation. The director relayed this information to Nick's father.

Mid-2015: Nick Assaults his Mother and Becomes Involved with Youth Justice

On April 1, 2015, Nick's mother took his cellphone from him when he was under the influence of methamphetamine in order to prevent him from using his phone to access more drugs. They had already had a confrontation earlier that day when she told Nick, now 15, that he had to either go with her to get help for his substance use or return to his father's home. Nick cornered his mother in an upstairs bedroom of the house, holding a small folding knife to her arm and a machete to her neck, yelling at her, demanding that she return his phone.

Nick's mother described this event to RCY investigators: *"At that moment, I actually thought that was it for me, and it just wasn't my child, and he kept pushing at my throat with the machete."* Believing that Nick might kill her, his mother gave him back his phone to de-escalate the situation. Nick left the home and his brother followed him while his mother called the police.

Police quickly located Nick and his brother on the street while another officer spoke to Nick's mother. That officer described his mother as terrified, but adamant that she loved her son and that she just wanted him to get help for his substance use. The police officers took Nick to his father's residence, giving the family time to decide if they wanted to proceed with charges against Nick.

Early the next morning, Nick posted a comment on Facebook saying that he would be *"dead by sunrise"*. A friend saw the post and immediately called the police, who located Nick soon after. When the police arrested Nick, they found him to be in possession of a concealed weapon and brought him to the local hospital to have his mental health assessed by a doctor considering his online post which hinted at suicidal ideation.

Nick did not have a history of suicidal behaviours or of self-harm other than the cutting incident that had occurred when he was in Grade 7. Nick's father met him at the hospital, and they discussed the events of that night. Nick was regretful and agreed with his father that he needed to stop using drugs.

Nick denied to both the police and the doctor who saw him that he was suicidal. The doctor released Nick back to the police, believing that Nick's potentially suicidal comment was *"behavioural in origin"*. The doctor's plan was to put in a referral to the health authority's local mobile mental health team and for Nick's father to bring Nick back if he had any further concerns. The local mobile mental health team called Nick's father that same day to offer support or mental health assessments, which he declined at that time. The team provided Nick's father with its contact information should he want any assistance and placed an alert about Nick on its computer system. Nick's father does not remember receiving this call or offer of support.

With worries for their son growing, his parents agreed that Nick's mother would proceed with requesting that Nick be charged for assault. As his mother told RCY investigators: *"I just wanted my baby back . . . [Nick's father] and I decided to press charges because [Nick] was young and it would force him to get into a treatment program."*

That same day, Nick had his first appearance before the court for charges, which included assaulting his mother with a weapon. He was released on an undertaking

Court Orders: Undertaking before a judge

An undertaking given to a judge of a youth justice court is a release document for a youth who has been charged with a criminal offence. The undertaking allows the youth to be temporarily released before sentencing. The document requires that the youth appear in court as directed and may also impose further conditions that the youth must agree to abide by. Failure to abide by these conditions can lead to further criminal charges.

before a judge with numerous conditions, including that he report to a youth probation officer, have no contact with his mother without her consent, obey a curfew and abstain from drugs.

On April 7, 2015, Nick's father took him to meet his youth probation officer. The youth probation officer went over the court-ordered conditions with Nick and explained his role in enforcing those conditions in conjunction with the police.

Nick's father asked the youth probation officer what substance use programs were available for Nick if he was found not guilty of the assault. He was told that there were very few options. Nick was quiet during the meeting and his father repeatedly emphasized how badly he wanted Nick to get help and attend a program.

The youth probation officer suggested that if Nick was found guilty, he could be directed to attend a full-time attendance program on Vancouver Island. The youth probation officer mentioned a couple of other program options, but the Vancouver Island one was quickly identified as the preferred option because Nick had extended family who lived in the same area.

The Vancouver Island full-time attendance program was not a drug- and alcohol-specific program. Rather, it was a life skills program, with the intention of providing young people in conflict with the law with client-driven, wrap-around rehabilitative programming including general and substance use-specific counselling, skills development, academics and employment readiness. When asked about supporting a life skills program rather than a substance-specific program, Nick's youth probation officer explained to RCY investigators that he had found this program to be very beneficial to other youth he had supervised, and that Nick's family desperately wanted an immediate intervention. He said the wait for substance-specific, full-time attendance programs could have been as long as six months.

Full-Time Attendance Programs

Full-time attendance programs are court-ordered programs that are intended as an alternative to custody. They provide a structured living environment and support and supervision to youth in conflict with the law. Though these programs may be mandated by the court system on sentencing, they are still voluntary. A youth can choose not to attend the program, although the youth may face repercussions for that choice. There are currently 15 full-time attendance programs in B.C. Four of the programs specialize in meeting the needs of youth who misuse substances. Wait times to attend programs vary and depend on factors such as the availability of a family care home, the length of the program, and the time of year. Substance use programs typically have longer wait times due to higher demand, which MCFD is currently responding to by adding a new substance use specific full-time attendance program on Vancouver Island.

Youth Probation Officers

A youth probation officer serves as an officer of the court who supervises and assists young people in conflict with the law. MCFD employs youth probation officers in B.C. The job requires professionals to work collaboratively with parents, caregivers and other professionals to address the individual needs of youth and reduce their risk of re-offending. The duties of youth probation officers are described in various sections of the YCJA and in MCFD policy. These duties can be generally summarized as: supervising youth who are subject to a community-based supervision order and providing youth with assistance to comply with their conditions; preparing reports as directed by the court, including pre-sentence reports and progress reports; and attending court where appropriate.

Although Nick's youth probation officer did speak with Nick's mother several times during the following two months, his main point of contact with the family was Nick's father. They communicated primarily by text message. The youth probation officer found Nick's family to be communicative, engaged and extremely dedicated to helping their son with his substance use. However, the youth probation officer found it difficult to manage the dynamic of two involved and caring parents who were not effectively communicating with each other.

After meeting with Nick, the youth probation officer filled out his initial service plan. Meanwhile, excited that Nick was motivated and willing to begin a full-time attendance program, Nick's father requested that his court appearances be expedited so that Nick could be sentenced as soon as possible. Nick's next appointment with the youth probation officer was set for April 14, 2015.

Mid-April 2015: Nick Awaits Sentencing and Attends a Withdrawal Centre

Nick missed his appointment with his youth probation officer on April 14. When Nick's father explained to the youth probation officer that Nick had accidentally slept in and was panicked about the missed appointment, they agreed that it would be addressed at Nick's court appearance set for the next day. There, Nick's youth probation officer spoke with Nick about the importance of complying with his court order, including attending meetings at the probation office.

Over the next several days, Nick's father told the youth probation officer that Nick was late for curfew and that he had found what looked like methamphetamine in Nick's possessions. The youth probation officer responded that he would speak with Nick about it during their next scheduled meeting. Nick's father expressed his deep concerns to the youth probation officer, stating: "*We need to do something soon or he will be too far gone.*"

Nick missed his next scheduled meeting with his youth probation officer on April 21. When Nick's father texted the youth probation officer to discuss this lack of compliance, the probation officer recommended that Nick speak with the community's youth addictions counsellor.

The next day, Nick's father texted the youth probation officer again to say that he had found crushed up pills in Nick's room and had given his son an ultimatum: Nick either had to attend a treatment program immediately or he would no longer be allowed to live with either of his parents. The youth probation officer immediately contacted the community's youth addictions counsellor, who suggested that Nick attend a withdrawal management centre in a community approximately an hour away from where he lived that serves both adults and youth. Once Nick's youth probation officer relayed this information to Nick's father, Nick's father immediately called the withdrawal management centre and arranged for Nick to attend two days later. Nick's father updated the youth probation officer, telling him that Nick was willing to go to the centre and that he hoped to have him at the full-time attendance program as soon as possible.

Nick, his father, and the youth probation officer met the morning Nick was to leave for the withdrawal management centre. They discussed the plan for Nick to plead guilty to assaulting his mother so that he could attend the full-time attendance program. Shortly after the meeting, Nick's father texted the youth probation officer to ask that he look for any programs or support services that could help Nick while he was waiting for the program to become available.

Once Nick arrived at the withdrawal management centre, he informed the intake workers there that he had been steadily using methamphetamine for the past two months. He disclosed a history of undiagnosed and unreported anxiety, and was noted to be pleasant and cooperative with staff. By 10 p.m. that same night, Nick asked the centre's staff if he could have a cigarette. They refused. The centre's staff called Nick's father, who asked that they let Nick have a cigarette so he would remain at the centre. The centre's case notes for this incident state that the staff member told Nick's father that it was the local health authority's policy that Nick could not smoke and that they abided by that policy.

Rather than go without smoking, Nick checked himself out of the centre and had a cigarette. Once he had checked himself out, he was not allowed to return to the program. After considerable negotiation with both parents and an on-call after hours MCFD employee, the centre allowed Nick to stay for the night with the understanding that his father would pick him up the next day. The following morning, Nick refused to stay at

The Youth Criminal Justice Act

The *Youth Criminal Justice Act (YCJA)* governs Canada's youth justice system. It applies to youth who are 12- to 17-years-old who are alleged to have committed criminal offences. On April 1, 2003, the YCJA came into force, replacing the *Young Offenders Act*. The YCJA introduced significant reforms to address concerns including the overuse of the courts and incarceration in less serious cases, unfairness in youth sentencing, and a lack of effective reintegration of young people released from custody (Department of Justice, 2016). Section 3 of the YCJA establishes that young persons must have a separate court system from that of adults, based on "*the principal of diminished moral blameworthiness*" that emphasizes rehabilitation, proportionate accountability, enhanced protection of rights and timely intervention.

the centre. He walked outside and waited for his father to pick him up. On his discharge form, the withdrawal centre staff listed Nick's reason for discharge as "*Needed a smoke . . . craving cigarettes.*"

After taking Nick home, his father contacted another withdrawal management centre and found that they had a spot available for Nick and permitted cigarette smoking. Unfortunately, after his experiences at the first centre, Nick refused to go.

On April 27, 2015, Nick's father reported to both the police and the youth probation officer several further incidents of Nick's non-compliance with his court conditions. Nick had breached curfew and his father had found knives in Nick's room, as well as evidence of drug activity in his son's possessions. Neither police nor the youth probation officer took action, explaining to Nick's father that the evidence required to proceed with charges for failure to comply had not been met.³ To Nick's father's frustration, neither the youth probation officer nor the police came to his home to speak with Nick in person about his ongoing lack of compliance with his court order.

Late April 2015: Nick is Sentenced for Assault with a Weapon and Placed on an Intensive Support and Supervision Order

On April 29, 2015, Nick attended court with both of his parents present and entered a guilty plea to assaulting his mother with a weapon. Nick's mother read her victim impact statement in court, expressing how much she loved Nick and how deeply she worried for him. She stated: "*I can't sleep, I'm exhausted and I worry 24 hours a day about him. I'm terrified I'm losing a child. I would give my own life to save him . . . Nick is young, he needs help, and I don't want to see the system fail him. He has a lot of potential and life to live and I hope he chooses wisely.*"

Nick's youth probation officer then addressed the court, giving a brief history of Nick and his struggles. He stated that rather than a drug-only program, he believed that Nick would be better served by a wrap-around life skills full-time attendance program. He explained that Nick had family connections in the Vancouver Island community where the life skills program was located, that both of Nick's parents were in agreement with the plan, and that he hoped to have Nick in the program by early May.

The judge went over the plan in place for Nick, which had been agreed upon by both the defence and Crown counsel in a joint court submission. All parties present highlighted that Nick had a supportive family, and that the plan appeared to meet Nick's needs. Unfortunately, none of the professionals who spoke at the court appearance mentioned the fact that Nick was Métis, and his parents felt that his cultural heritage was not appropriately considered. Nick was found guilty and placed on an 18-month Intensive Support and Supervision Program (ISSP) order with extensive conditions, including abiding by a curfew, abstaining from drugs, completing a restorative justice program, participating in an intensive support and supervision program, reporting to his probation

³ This was considered not to meet the threshold of a breach due to the items not being found on Nick's person.

Court Orders: Intensive Support and Supervision Program Orders

Section 42(2)(l) of the *YCJA* provides the courts with an independent sentencing option distinct from a regular probation order. This option is called an ISSP order. Sec. 42(3) of the *YCJA* provides that a youth can be placed on an ISSP order "only if the provincial director has determined that a program to enforce the order is available." ISSP services are intended to meet the needs of youth at a moderate to high risk of re-offending by providing them with a dedicated one-to-one worker referred to as an ISSP worker. The goals of ISSP workers are to support and facilitate a youth's participation in activities and to monitor his or her compliance with court orders and conditions of release from custody, thereby reducing the risk of the youth re-offending, promoting greater accountability in the youth and enhancing community safety. Within youth justice in MCFD, if there is a wait time for youth to receive an ISSP worker, ISSP orders are to be given a higher and more intensive service priority by the youth probation officer than regular probation orders.

officer as directed, and attending any counselling or full-time attendance program that his youth probation officer recommended.

The next day, Nick and his father met with the youth probation officer. The youth probation officer spoke with Nick both privately and with his father present in order to update his risk assessments and service plan. However, the youth probation officer did not review the police report that detailed the incident that led to Nick's conviction. The police report included details about Nick's "dead by dawn" Facebook post, his subsequent hospitalization and referral to the mobile mental health team. As a result, the opportunity to alert the full-time attendance program about his possible suicidality was lost. This information could also have been the impetus for a forensic psychiatric assessment or consultation.

The youth probation officer began filling out forms for Nick, including his full-time attendance program referral form and a referral form for an ISSP worker. The goals listed on the referral form for Nick's time at the full-time attendance program included assisting with his substance use, facilitating a return to school, working on his relationship with his parents and helping him have positive life experiences.

Believing that Nick would be attending the program within a week, the youth probation officer decided not to put in an official referral for him to see the youth substance counsellor until after he had returned from the program. He also decided not to give Nick another date to report to him, again in anticipation of Nick's imminent departure. The youth probation officer explained to RCY investigators that his primary goal was to get Nick into the full-time attendance program as soon as possible, and then to access all available resources for Nick after he had returned in six months. The youth probation officer also expected that Nick would receive an overall mental health assessment from the full-time attendance program as it had its own youth forensic psychiatric services.

The youth probation officer discussed Nick's Métis citizenship with him, but Nick told him that he did not want to talk about his culture. The youth probation officer decided, based on this conversation, that he would only offer Nick cultural supports, such as meeting with a community elder, when Nick stated that he was ready for it. The youth probation officer's team leader reviewed and approved of the youth probation officer's risk assessment and plan for Nick.

Medical Forms and Full-Time Attendance Programs

Some full-time attendance programs require that youth have medical examinations before they will admit a youth into their program, and it is the youth probation officer's responsibility to ensure that the medical form is completed if it is required. The specific program that Nick was attending requests that a medical form be completed, but does not require it. The program director explained to RCY investigators that the program chooses not to require a medical form as it does not want to create a barrier that stops youth in need from attending the program if youth do not have access to a regular family physician. Youth attending the program without a medical form are brought to a local doctor for an examination once they have settled in.

The youth probation officer gave Nick's father a medical information form for the program that Nick was to attend and directed him to have a doctor fill it out in advance. The father immediately took Nick to a local walk-in clinic. The clinic doctor, however, refused to complete the form because he had no previous contact with Nick. Nick did not have a family doctor. Intent on having Nick attend the program, Nick's father filled out the form instead and gave it to the youth probation officer. As the form was not properly filled out, the youth probation officer disposed of it. He explained the situation to a staff member at the full-time attendance program, who assured the youth probation officer that Nick could have a medical assessment done after he arrived.

May 2015: Nick Goes Unsupervised While He Waits for the Program

Shortly after the youth probation officer submitted Nick's referral form, he began communicating with the full-time attendance program and learned that Nick's admission would be delayed until the end of May – the earliest that an appropriate care home would be available. Youth attending this full-time attendance program do not live in the facility; they live with trained caregivers in homes in the community. The youth probation officer attended the program in person and spoke with staff about Nick. The youth probation officer updated Nick's father as soon as he learned of the delay, but it does not appear that he updated Nick's mother.

Meanwhile, having sought advice from an elder, Nick's father decided to change his approach and worked to be more open and supportive of Nick. He tried to take Nick in to see the community's youth substance counsellor, but she was not available. The front desk at her organization informed Nick's father that it could be a few weeks until she could see Nick as the worker was in high demand. Nick's father did not make an appointment to see her, believing that Nick would already be in the full-time attendance program by the time she was available.

Nick's father noticed a marked improvement in Nick after changing his parenting approach. Nick appeared to be using less methamphetamine and to be gradually getting healthier. His moods were stabilizing and he was gaining weight. He began getting involved in repairing bicycles as a hobby and went with his father to volunteer at sporting events. In what his father considered a particularly symbolic moment, Nick went to get his long, dyed black hair cut and let his blond roots begin to show again.

Pleased with Nick's progress, his father brought Nick back to the alternative school to ask if Nick could begin classes again. The school principal met with Nick and his father. The principal let Nick's father know that the school year was almost over and suggested that, for the time being, the family continue to focus on Nick's improving health.

On May 11, 2015, the full-time attendance program had an intake call with Nick's father to get a family perspective on Nick for his referral. Nick's father emphasized that he wanted Nick in the program as quickly as possible to start addressing his substance use, lack of school engagement and need for life skills. He also explained how important it was that Nick be given opportunities to connect with his Métis culture. Unfortunately, the program did not attempt to communicate with Nick's mother, essentially leaving her out of the intake process.

On May 21, Nick's father texted the youth probation officer to let him know that he believed that Nick was using more methamphetamine again and to report Nick's multiple failures to comply with his conditions by missing curfew and using marijuana. The youth probation officer did not discuss these issues with Nick. Instead, he called the full-time attendance program to ask how soon they could have Nick attend.

The next day, the program had an intake call with Nick. He was very quiet and seemed nervous, but Nick confirmed to the program staff that he was still willing to go. On May 27, 2015, the full-time attendance program had its final screening conference call about Nick. The youth probation officer invited Nick's father to be a part of the call, but then learned the program did not include parents in this portion of the referral process. Several professionals took part in the telephone conference, including the youth probation officer, multiple employees from the full-time attendance program including the manager and a clinical counsellor, and a liaison youth probation officer from Vancouver Island. All of the professionals present agreed that Nick appeared to be a good fit for the program and approved his attendance. Nick's arrival date was set for June 3, 2015. Again, no one who participated in the intake process was aware of Nick's veiled threat of suicide or his subsequent, very brief and informal mental health evaluation.

After Nick was accepted to the program, the youth probation officer and Nick's mother and father began discussing how to best transport him there. Several options were explored and the youth probation officer consulted both his team leader and the regional youth justice consultant⁴ for his area. It was agreed that the youth probation officer would drive Nick to the airport, escort him to the plane, and that the program staff would meet him on the other side. Nick's father asked the youth probation officer if he could take Nick to Vancouver Island instead, but it was too late to change the transportation plans. The youth probation officer called Nick's mother and updated her on the details of the program and Nick's departure date.

⁴ There are five regional youth justice consultants in B.C. who act as regional experts in youth justice matters. They provide clinical consultation and support on serious and complex cases to front-line and supervisory staff and have oversight responsibility for youth justice programming and service delivery.

June 2015: Nick Attends the Full-Time Attendance Program

The weekend before Nick left for the full-time attendance program, his father believes that he was using methamphetamine heavily. His father suspected that Nick was anxious about attending the program. Nick went to the alternative school to talk with his previous tutor about not wanting to leave his community, and she encouraged him to get help and return to the school when he was doing better.

On June 3, 2015, Nick's youth probation officer drove to the father's house to pick up Nick and drive him to the plane. Nick had not been home the night before and Nick's father believed he had been out using methamphetamine. When Nick returned home early that morning, his father took his cellphone, which Nick was not allowed to have while at the full-time attendance program. Nick got extremely upset and began pacing, refusing to leave the residence with his youth probation officer. Nick's mother was also at the home to say goodbye to her son, but left when Nick grew agitated.

Desperate to get his son help, Nick's father picked up Nick and physically placed him in the youth probation officer's vehicle while Nick struggled, resisting being placed in the car but not showing any aggression towards his father. Nick's father described the situation to RCY investigators, explaining: *"In your mind, you think you're doing the right thing, and they're going to come back healthy, and smart, and happy, and it was anything but that, right . . . And that's all I thought I was doing. I thought I was doing the right thing by handing my child off to this person, and I had no idea I would never see him again."*

Once the youth probation officer was a few blocks away from the father's residence, he pulled over and asked Nick if he still wanted to attend the program. The youth probation officer explained to Nick that although the full-time attendance program was court ordered, it was still Nick's choice if he wanted to attend. The youth probation officer offered to bring the matter back to court if Nick chose not to attend the full-time attendance program. Nick insisted that he still wanted to attend the program and they drove to the airport. The youth probation officer walked Nick to his gate at the airport and waited with him until he boarded his flight. As soon as Nick got on the plane to Vancouver Island, the youth probation officer updated Nick's mother and father. He also called the full-time attendance program to inform staff of the events of that morning and to let them know that Nick's father suspected that Nick had been using methamphetamine that weekend. Nick's father had also emailed the program and let them know of his concerns. The youth probation officer also approved a telephone contact list for Nick while he was at the program.⁵

⁵ Youth attending this full-time attendance program get upwards of 20 minutes a night while at their care home to call any person on their pre-approved list. Youth may also call their approved contacts during the day while they are at the day program. The list is ultimately up to the youth probation officer to agree with and, in Nick's case, it included both his father and mother. For the care home's safety, the approved contacts are not given the care home's telephone number or address. Rather, approved contacts such as the youth's parents are encouraged to communicate with the program staff or the youth probation officer.

A staff member from the program promptly responded to Nick's father, letting him know that they would work with Nick's family as best they could. The staff member let Nick's father know that attending a program can cause a lot of anxiety for youth, and that they often arrive tired, scared and potentially coming down from substance use. The staff member informed Nick's father that they would work hard to help Nick feel safe and like he belonged.

When Nick arrived at the airport on Vancouver Island, he was met by two staff members from the program, including the youth worker specifically assigned to him. Those staff members observed that Nick appeared anxious and upset to be there. Nick spoke very little, sitting with his sweatshirt hood up, twitching and picking repeatedly at his hands. The staff members took Nick to the program site to introduce him to other staff members and give him a tour. The program director met with Nick and spoke with him about the staff's willingness to help him if he was detoxing from methamphetamine, informing Nick that there were no consequences if he had been using and no need for him to suffer silently. Nick insisted that he had not used methamphetamine for five weeks and that he did not need any support. He refused to meet with the program's withdrawal coordinator.

Regardless of Nick's denial, the program director helped Nick plan for what he would do if he needed support, including who he could reach out to and basic strategies such as taking a walk if he felt overwhelmed. After this conversation, the program director immediately called the program's withdrawal coordinator to advise that Nick may need her assistance. The withdrawal coordinator had also been informed of the same concerns by the program's resource coordinator. The withdrawal coordinator provided the care home family with information on what to anticipate if Nick was going through withdrawal. The coordinator then followed up with the caregivers to ensure that they understood the material and to reinforce her support. She informed them that she was available on her on-call phone at any time should she be needed, and that she could attend in person as well. She emphasized that if at any point Nick seemed to be in medical distress, the care parents ought to immediately call for emergency services and get Nick to a hospital.

Methamphetamine Withdrawal in Adolescents

In 2013, Nova Scotia published comprehensive adolescent withdrawal management guidelines. These guidelines include the effects of stimulants such as methamphetamine and signs of chronic use of methamphetamine, which includes weight loss, memory impairment, depression and panic attacks. In the first two to three days of withdrawal, referred to as the "crash," a youth may show exhaustion, depression and anxiety. Most users are not dependent on methamphetamine, and *"there is little evidence-based information on medication that will ameliorate withdrawal discomfort in the short- or long-term, or facilitate long-term abstinence . . . Most adolescents do not require medication for stimulant withdrawal."* Current best practice for managing adolescents who have been using methamphetamine is to let them know what to expect, provide supportive counselling, support carers for home-based withdrawal, and emphasize rest, exercise, a healthy diet and drinking fluids (Nova Scotia Adolescent Withdrawal Management Guidelines, 2013).

After leaving the day program site, the staff members took Nick to his care home where he was to reside for the next six months. Though the care home family was new to the program, both of the parents had undergone comprehensive training and background assessments to become care parents. The program's resource coordinator believed them to be highly qualified caregivers, with a great empathy and understanding for the youth they work with. The female caregiver is Indigenous and has worked extensively with children and youth as a life-skills coach. She is a trainer in numerous parenting and educational programs and has taken suicide prevention training. The male caregiver has experience in the trades and his industrial first aid ticket. Together, they raised five children. The care home family was excited to meet Nick and hoped to help him connect with his Métis culture when Nick was ready to do so.

When the staff members brought Nick to the care home, the family and the staff members went through the rules of the residence with him. Nick remained quiet and withdrawn. Before the staff members left him to get familiar with the care parents, one of the staff members let Nick know that it was up to Nick if he wanted to stay, saying: *"It isn't the end of the world if you can't do this, it really isn't . . . If you feel unsafe, if you feel like it's too much, if you feel like you really can't do this, you pick up the phone and we'll have you on an airplane out of here, that's the way it works. This isn't a compulsory."*

The staff members left an on-call phone number on the fridge for Nick and the care parents, reminding them all that they could call at any time, for any reason. Even though the program had not been made aware that Nick had made a comment suggesting suicidal ideation in April 2015, the care homes are trained to watch for suicidal ideation and behaviour. If they had any concerns that Nick was actively suicidal, they knew to immediately take him to hospital.

Sensing Nick's unease, the male caregiver took him for a drive down to the waterfront and sat with him for an hour, talking and throwing rocks. When they returned home, Nick seemed to really connect with the female caregiver, chatting with her and joking around. Nick went to bed that night seeming much calmer. Despite the improvement, the male caregiver stayed up the entire night to ensure that Nick was safe.

The next day, June 4, Nick's primary program worker came to pick him up from his care home and took Nick out for breakfast with another youth. Communication continued between the program director, Nick's father and the youth probation officer, who had both checked in to see how Nick was handling the program. Nick had a fairly challenging time at the day program, becoming frustrated by the paperwork they wanted him to fill out, and saying that he did not deserve to be sent to the program.

At the end of the day, Nick refused to leave the day program site and go back with his caregivers to their residence. He was adamant that he did not want to continue in the program. Multiple staff members tried to speak with him and encourage him to go to the caregivers' residence for the night so that they could keep him safe and then plan for his potential departure the next day. Eventually, the program staff contacted Nick's father and then Nick's aunt, who lived in the same town where the program was located. After being warned that Nick might be experiencing withdrawal, she agreed to take Nick for

the night. The program staff called the youth probation officer, who spoke to Nick and approved the visit, and then informed Nick's father of the plan.

Nick's aunt came to the day program site and picked him up, driving Nick to her residence. He told her that he had been having panic attacks at the thought of remaining in the program, but could not tell her why. Nick's father called the aunt and asked her to try to encourage Nick to stick with the program. The aunt then took Nick to his great-grandmother's residence for a visit. Once back at his aunt's house, Nick visited with his cousins, chatted and joked around. He slept through the night without incident.

The next morning, Nick's aunt brought him back to his day program and let him know he could call her if he needed anything. A program worker told Nick that he could call his aunt at any time, and encouraged her to come by and visit Nick when she was able.

After the night he spent with his aunt, Nick decided that he would remain at the full-time attendance program and his behaviour seemed to change dramatically. He was smiling and laughing more, participating in activities and appearing to enjoy himself. He seemed more alert, was making eye contact and was engaging with staff members and the other youth in the program. His relationship with his female caregiver rapidly grew closer and they joked and chatted frequently. Nick let his caregivers know that he really missed the music on his phone, so they took him out to buy an MP3 player and helped him load it with songs he liked.

Between June 5 and June 7, while staying with his caregivers, Nick tried several times to call his mother. When he did connect with her, she promptly ended the calls. He left her several very upset voicemail messages. Nick's caregivers then gave him their cell phone so that he could text his mother, but she still did not respond.

Nick's mother was under the impression that she was not to communicate with Nick for his first few weeks at the program to allow him time to settle in. Worried about his efforts to contact her, Nick's mother tried for several days to contact the youth probation officer to gain approval for her to speak to her son. The youth probation officer was not working that weekend and was not checking his work phone, so he did not receive Nick's mother's messages until June 9.

On June 8, Nick had his first day of classes with the day program. Again, staff noticed a drastic improvement in Nick's mood. He seemed comfortable and was kidding around with the other youth in the program. When Nick's male caregiver came to pick him up, Nick asked him if they could get a fish to add to the care home's fish tank. They went to the local pet store, where Nick flirted at length with the girl at the front counter before selecting a beta fish, which he named after his cat at home. The program staff emailed Nick's father to update him on the improvement in Nick's mood, to which Nick's father responded: *"I'm so glad to hear that . . . I really miss him. He's a great kid when he is sober and he has so much potential."*

On June 9, Nick arrived at the day program and seemed to be in a good mood. He went to work at a local elder's property and spent the day with the elder, hearing stories

and teachings. That afternoon, the program had its first case management meeting for Nick to look at his progress. It was attended by the male caregiver and multiple program staff. The program staff members were all pleased by how well Nick was doing and how connected he was to his caregivers. The male caregiver was directed to help Nick complete his medical form within 48 hours.

After leaving the day program, the male caregiver took Nick to a health food store and bought him some snacks. He asked Nick how he felt about everything, to which Nick responded: *“It’s alright. I don’t mind it . . . It’s not as bad as I thought it would be.”* Nick told the caregiver that he was excited about the free time he would be earning now that he was doing well at the program.

Nick and the male caregiver arrived home and they made plans to go for Chinese food to celebrate Nick’s progress. Nick seemed excited to go. After visiting with the female caregiver and chatting about his day, Nick went to his room for a few minutes prior to them leaving. When it was time to go, the caregivers knocked on Nick’s door but there was no response. The male caregiver then entered Nick’s room and found Nick hanging by a piece of black string from the rod in the bedroom closet. He was unresponsive. The male caregiver immediately informed the female caregiver to call emergency services, cut Nick down, and began cardiopulmonary resuscitation on Nick. An ambulance soon arrived and transported Nick to the hospital, where he was pronounced dead. His parents were informed of his death later that evening by the RCMP.

Tragically, while the male caregiver was attempting to resuscitate Nick and the female caregiver was calling emergency services, Nick’s mother was trying to call the care home to speak with him but the line was busy. Nick’s youth probation officer was back at work and had just informed Nick’s mother that she was welcome to communicate with Nick as often as she wanted to.

Post-Death Response

After Nick died, the full-time attendance program immediately began planning for support of the program staff, caregivers and the other youth in the program. Nick’s parents began processing their tremendous loss and attended the full-time attendance program to meet with the staff and learn about Nick’s short time there. Once he learned of Nick’s death, the youth probation officer called Nick’s parents and connected them with his supervisor to plan for funeral arrangements and other concerns.

The youth probation officer was then directed by MCFD management to have no further contact with the parents after considerable conflict arose between MCFD and the family over a letter sent from MCFD to the family’s lawyer reminding the lawyer that if the parents spoke about their son in the media it could breach s. 110 of the *YCJA* which states: *“No person shall publish the name of a young person, or any other information related to a young person, if it would identify the young person as a young person dealt with under this Act.”* The Representative would like to draw attention to the intent of the *YCJA*, which is to protect the privacy of youth in order to promote their reintegration and rehabilitation into their community, and would also suggest that it would have been

more appropriate to address such a letter to the media outlets broadcasting Nick's story rather than to the lawyer of his grieving parents.

The coroner investigating Nick's death found the cause of death to be undetermined. In the coroner's investigation, she noted that it is possible that Nick had completed suicide, based on his use of substances and the expression of vague suicidal ideation on April 2, 2015. The coroner also noted that there was evidence that Nick had been experiencing significant stress in the months prior to his death.

However, the coroner found it equally possible that Nick had been self-asphyxiating as a means to experience euphoria and that he had potentially underestimated the time it took to lose consciousness and accidentally passed away. Evidence pointing to this

The Coroners Service of British Columbia

The *Coroners Act* (2007) provides the authority for coroners in B.C. to investigate reported deaths that occur in B.C. in order to examine the facts and circumstances relating to the death. After an investigation, a coroner must provide a written report setting out who the deceased was and how, when, where and by what means the deceased died, as well as any recommendations of the coroner to prevent death in similar circumstances. The coroner also classifies the death in one of five possible categories: natural, accidental, homicide, suicide or undetermined. A finding of undetermined may arise if the coroner cannot conclude how the death was most likely to have occurred on a balance of probabilities.

scenario included Nick's seemingly improved mood just prior to his death and that he was found in a position from which he could have readily stood up and removed pressure from his neck. Supporting this hypothesis was the fact that Nick's family recalled shoe-laces and neckties going missing in their home and then later being found in Nick's possession with no explanation.

The coroner concluded: "*It cannot be determined on a balance of probabilities whether Nick intended to die . . . Where there is equal evidence . . . this death must be ruled undetermined.*"

After Nick's death, both the full-time attendance program and MCFD conducted reviews of his time receiving services. The full-time attendance program's review was completed in July 2015 and found that while Nick was at the program, the services that he received either met or exceeded the program's own policies and standards. Despite that finding, the review still made recommendations based on what could be

learned from Nick's case. Those recommendations included that its staff be trained about self-asphyxiation, that the program require a social history from youth probation officers to ensure it has a comprehensive background and a risk assessment for youth before accepting a referral, and that a specific question about prior history of suicidal ideation be added to its pre-screening questions to ensure that this is asked directly.

The internal MCFD case review was completed in October 2015. For this review, MCFD hired an external consultant with considerable experience in policy analysis and in the youth justice field. The review's focus was on Nick's supervision and care provided by MCFD staff and by the full-time attendance program, with terms of reference including compliance with youth justice policy and procedures, how Nick's Indigenous heritage informed MCFD's work with him, the collaboration of community services, the history of self-harm, the compliance of the full-time attendance program with policy

Self-Asphyxiation

Self-asphyxiation is an activity in which strangulation is inflicted by oneself or another person to achieve a brief period of euphoria due to a lack of oxygen in the brain. The goal of this activity is not to intentionally cause death, although brain damage and death are inherent risks of this activity (Russel P., Paulozzi L., Gilchrist J., Toblin R., 2008). Some warning signs for youth engaging in self-asphyxiation include youth discussing "*the choking game*," bloodshot eyes, marks on the neck, frequent headaches, disorientation after a youth has been left alone, and ropes, scarves or belts found near bedroom furniture or doorknobs (Centre for Disease Control and Prevention, 2008).

There is very limited research on self-asphyxiation in peer-reviewed journals and most of what does exist are individual case studies. Some of the case studies suggest that young people may falsely believe that self-asphyxiation is a "*safe*" high (Cowell, 2009). There is no research that suggests a link between withdrawal from drugs and a desire to engage in self-asphyxiation.

and procedures, and the actions taken by the full-time attendance program and youth justice staff after Nick's death. The reviewer examined Nick's youth justice file, full-time attendance file, the transcript of his sentencing and the relevant youth justice policies. He also conducted interviews with family members and ministry staff.

The reviewer examined Nick's case with a risk-management perspective, an approach that focuses on identifying, assessing and prioritizing risks in order to reduce those risks. In his view, there were two to three main risk factors contributing to Nick's death. These were his substance use and his potential withdrawal, his history of self-harm and suicidal ideation, and the potential that he was engaging in self-asphyxiation. The reviewer then provided a detailed chronology of the events occurring in Nick's life from April 1, 2015 to his death in June 2015, which included his own observations on the appropriateness of the services provided and whether they were in line with existing policies. After his chronology, the reviewer offered a comprehensive breakdown of his views on how the services provided to Nick addressed the main risk factors that he felt contributed to Nick's death. The Representative does not believe the reviewer sufficiently addressed whether the service provided to Nick sufficiently respected his Métis identity.

The internal MCFD case review made 12 recommendations for changes in youth justice in response to Nick's death. These included:

- policy changes so that youth probation officers must review police reports
- that responses to failures to abide by conditions be better documented
- that information gathering be stressed for youth probation officer's risk assessments and service plans
- that MCFD should ensure there is a capacity to respond to ISSP orders and, if not, then youth probation officers should act as ISSP workers in the interim
- that policy should clarify communication with non-custodial parents, and
- that MCFD should review self-asphyxiation to guide caregivers on detection and intervention.

Although progress has been made in the form of clarification and review of policies and practices for youth probation officers, there has been no additional training to date for youth probation officers in the areas of a) recognizing symptoms of drug use or withdrawal and b) gathering adequate information from multiple sources (including interviewing the youth more than once and requesting information from programs that the youth previously attended). MCFD advises that youth probation officers will complete additional training by February 2017.

Further, nothing has changed in terms of increasing MCFD's capacity to respond to ISSP orders as there are no plans to make dedicated ISSP workers available year round. Youth probation officers are expected to deliver ISSP services when ISSP staff or contracted service providers are not available or any time the young person is not actively engaged and receiving ISSP services from an ISSP worker. However, many youth probation officers will not have the time to provide meaningful ISSP to young people due to workload and/or geographical limitations. In these cases, the practice directive advises youth probation officers to advise the court that a program to enforce the proposed ISSP order is not available.

Following Nick's death, MCFD's youth justice policy was clarified and reviewed with youth probation officers and a practice directive on probation officer delivered ISSP was released on Nov. 30, 2015. The practice directive stated that:

In cases where a youth is placed on an ISSP order and no contracted service providers or direct service ISSP staff is available, the youth probation officer shall be responsible for delivering ISSP services.

These services shall include, at minimum:

- one in-person contact per week with the youth
- one home visit within the first month of intake
- one contact per month with the youth's caregiver
- one collateral contact per month (e.g., school, YFPS etc.) and,
- one additional mode of contact per month (in-person, home visit, caregiver contact or collateral contact).

Analysis

“The best way to honour him is being very honest in the report about how quickly this thing went awry and how it can happen to anybody. And if it can happen to me and I work in the system, it can happen to anybody . . . And if [this report will] save another kid down the road, then it honours [Nick], because he wanted to help. And that’s why we’re talking so much, because that’s what he would have wanted. We can’t bring him back, so it’s not about that . . . It’s more about trying to make sure it doesn’t happen to other people because that’s what he would have wanted.”

– Nick’s father

Overall Finding

Early opportunities to support Nick and his family when he first began to experience difficulties at home and school were missed, even as those behaviours escalated and were combined with problematic substance use. In the aftermath of the assault on his mother, his parents felt compelled to use the youth justice system because it was the only way to access services for their son that did not rely entirely on his voluntary compliance.

Nick did not have a life trajectory that will be familiar to readers of past RCY investigations. He did not come from a background of poverty, neglect and abuse or display early markers of developmental delay. He came from a loving and supportive, middle-class, professional family. When he began to display concerning behaviours around the age of 10, this should have triggered a mental health assessment as well as psycho-educational testing, if such resources had been available. As his behaviour continued to escalate along with his substance use, the need for such assessment became even more pressing.

If the schools Nick attended had had sufficient psycho-educational resources (assessment and supports tailored to the assessment) and child and youth mental health staff readily available, it is more likely that timely assessment and intervention would have occurred. In the absence of such resources, it is unsurprising that children and youth who go undiagnosed and untreated often find themselves in the youth justice system. A comprehensive study conducted by Youth Forensic Psychiatric Services (Gretton and Clift, 2011) found that 92 per cent of males and 100 per cent of females in custody in B.C. had at least one diagnosable mental health disorder; 73 per cent of males and 88 per cent of females qualified for two diagnoses. Given that some of the youth in full-time attendance programs come from custody, and that these programs are alternatives to custody, it seems likely that this population would have similarly high needs.

Nick’s experiences highlight gaps in available and appropriate support services, issues with communication between service providers and families, and a complete lack of provincial resources focused on supporting the development of appropriate, Métis-

specific services. His story highlights a common theme in B.C., where families and service providers are using the youth justice system as a substitute for a robust provincial system of care for children and youth using substances with a continuum of accessible, skilled, culturally responsive substance use services up to, and including, secure care.

The Representative also feels compelled to note the absurdity of a withdrawal management centre denying services to a vulnerable youth because he wanted a cigarette. Families, children and youth already confront significant barriers to services, without being victimized by the rigid application of rules that demonstrate nothing other than misplaced priorities.

Use of the Youth Justice System to Access Substance Use Services

Finding: Nick's parents and the school employees worked diligently to engage Nick with the voluntary substance use services available in his community. But given Nick's reluctance to take part in these, the family felt forced to have him plead guilty to assault and to become involved in youth justice in order to ensure he got the services he so desperately needed.

In early 2015, when Nick's parents realized the nature and extent of his substance use, they immediately began encouraging Nick to speak with a counsellor. Nick continuously refused, despite considerable efforts by his parents and by the school to help him connect with the available community supports. If Nick believed that the local substance use counsellor would be at the school, he would refuse to attend.⁶

As has previously been mentioned in this report, all substance use services for youth in B.C. are voluntary. One community professional interviewed by RCY investigators explained the challenges the voluntary nature of substance use services causes, saying:

"I think a lot of times parents find it extremely frustrating to sit and watch this youth who is kind of spiraling and to feel really powerless to do anything about it. And I think certainly we feel powerless in that, too, where we hear there's extreme need and the youth is refusing to see us and clearly there's some substance use involved that could be contributing to some of the dysfunction that's going on. So I think as professionals we struggle with that, too. We would love to be able to see everybody but sometimes they're just not willing to see us."

Many parents struggle with the voluntary aspect of substance use services in B.C. In a number of reviews, the Representative has found a trend of parents and other professionals turning to the youth justice system as the only current means to access compulsory services for their children. The RCY's most recent investigation, *Approach with Caution: Why the Story of One Vulnerable B.C. Youth Can't be Told* (2016), which found that, due to unavailable or inaccessible mental health and substance use services

⁶ At that time, due to medical leave and a vacant position, there was only one youth substance use counsellor working in Nick's community. She handled all referrals for substance counselling and also provided drop-in counselling sessions at several of the local schools. She does not have a wait list for her services and sees youth as quickly as possible.

within the community, social workers, police officers, and probation officers resorted to supporting the youth through youth justice, as the services were more readily available there. Professionals used youth justice to respond to a lack of a continuum of support within communities, putting the youth in custody in order to keep her safe and provide access to services and programs that were otherwise unavailable to her. This despite the fact that the use of youth justice for this purpose is expressly prohibited by sections 29(1) and 39(5) of the *YCJA*, which states that: A youth justice court “*shall not use custody as a substitute for appropriate child protection, mental health or other social measures.*”

“I think services are hard to access and they get easier once there’s criminal justice involvement and there’s something wrong with that. It would be a really good idea if these families could get help before there was criminal justice involvement.”

– *Full-Time Attendance Program Employee*

The Representative’s report, *A Review of Youth Substance Use Services in B.C.* (2016) details the current state of substance services for youth in the province. It examines publicly funded specialized youth substance services and how available those services are across B.C. The findings of this review point to numerous gaps in availability, suggesting the absence of an overall system with no single entity or ministry responsible for the planning and provision of services, and no clear navigational path for youth and their families to follow. The report’s recommendations include establishing a single point of leadership and accountability within the provincial government to address youth substance use and mental health, developing and implementing a five-year strategic plan to create a comprehensive system to prevent and treat these issues, and undertaking a broad-based educational effort to eliminate stigma and discrimination towards youth with substance use problems.

Nick’s parents repeatedly encouraged him to speak with a counsellor or medical professional about what he was going through. When Nick’s mother reached out to an MCFD social worker in January 2015, no services were offered. The MCFD social worker explained this situation to RCY investigators, stating that in cases such as Nick’s: “*The biggest struggle is parents trying to access services for their youth and the youth not wanting to engage and unfortunately everything is voluntary, so everyone’s hands are tied.*” There were services in Nick’s community that may have been able to help, but not until Nick was willing to speak to them.

By April 2015, when Nick assaulted his mother with a knife and machete, Nick’s parents felt that they were out of options and truly believed that if he did not receive immediate services, he could die. They thought that the community outpatient services were not sufficient for Nick’s needs, and were told that there may be long wait lists for out-of-community residential services if Nick was willing to attend. The private facilities that Nick’s parents approached were out of their reach financially. Faced with a lack of choice and insufficient supports to their family, his parents decided to request that police forward charges for Nick in order to ensure that he received services through youth justice.

There is no research in Canada that specifically examines the prevalence of families using the youth justice system to access substance use services for their children. However, when interviewing professionals and community members in the course of this investigation, RCY investigators found this to be understood as a common practice. One youth justice professional noted that, though there are multiple challenges for families to access services in the general community, within youth justice there are far fewer barriers. There are no wait lists for youth probation officers, even though in Nick's community there is only one full-time youth probation officer. Once youth are charged, they will receive assessments, services, and referrals based on their needs. One employee from the youth justice program Nick attended explained that, in his opinion, early intervention is insufficient, and *"it seems like too often the support doesn't come until they commit their offence and everyone can see it coming, and everyone knows they're going to run around and commit an offence . . . but they don't get enough until they actually commit the offence."*

In discussing the state that Nick's family had reached, one service provider told RCY investigators: *"It's very complicated for a parent that's got a child in crisis. You need help fast and it should be accessible, as simple as that. And they shouldn't have to plead guilty to get it."* Nick's parents did not receive adequate family support while managing their family crisis. The time for early intervention and preventative services was long past, Nick was not prepared to engage with support services, and Nick's parents truly believed that they had no other option than to go through youth justice.

Once in youth justice, Nick received the services and planning that his parents had hoped for, although they frequently felt that Nick's youth probation officer was not responding to the level that they expected when Nick failed to comply with his court conditions. The youth justice system in Nick's case seemed very responsive to Nick's needs, with the parents, the youth probation officer and the courts collaborating to build a plan that appeared to be in Nick's best interest at the time. That being said, the Representative believes that the unusual speed with which Nick's charge, court sentencing, and attendance to the full-time attendance program occurred, while laudable, may have had the unintended effect of creating barriers to an in-depth assessment of Nick's needs and how to best address them.

The choice to send Nick to the full-time attendance program was well-reasoned and supported by all of those involved with him. Rather than focusing solely on Nick's substance use, this program was intended to provide wrap-around services tailored to his unique needs and to address long-standing issues for Nick including his relationship with his parents and his academic challenges.

This full-time attendance program, although not a substance-specific program, does have considerable experience managing youth with substance use issues. Approximately 95 per cent of the youth who attend the program struggle with substance use problems. The program has built up internal supports and education around that reality, and also receives training from its regional health authority for substance-related matters.

Although services and substance use programming may be more accessible to youth involved in the justice system, there are significant issues with this approach. One

problem is that even if programs for youth, such as accessing an ISSP worker, attending counselling, or attending a full-time attendance program, are mandated by courts, these programs are still voluntary for youth. Nick's youth probation officer described the frustration this can cause for families, explaining: "*A lot of times, people want to put their kids on probation because they'll get help, forced help . . . the majority of parents don't understand that and get mad at us, but they're still voluntary. They can still refuse. You can't force kids to do any counselling.*" This dilemma can cause considerable tension between the youth probation officers as case managers for the child's involvement in youth justice and the parents, who just want their child to get help.

What this meant was that Nick's youth probation officer still had to convince Nick to go to the program. If Nick chose to, he could simply not attend or leave the program on arrival. If he did so, Nick may have faced further criminal charges because one of his conditions was that he must participate in a residential program such as a full-time attendance program. Though there may have been court-based consequences for Nick not attending, the youth probation officer could not force him to do so. This desire to have Nick attend the program informed the youth probation officer's choice to avoid a punitive approach to Nick's failure to comply with conditions. He wanted to help stabilize Nick and not to punish his behaviours, hoping to have community supports ready for Nick when he came home. Unfortunately, this lack of response felt to Nick's parents as though the system was ignoring their child and letting their family down.

One major concern with families feeling forced to use the youth justice system to access responsive services for their children is that there can be long-term consequences associated with youth justice involvement. In B.C., many services are specific to youth justice clients. Being found guilty of a criminal charge can, in fact, give a young person the opportunity to engage in meaningful programming. However, criminal charges can also negatively impact young people in several ways. Youth justice involvement can be stigmatizing for youth and their families, can cause considerable shame and can lead to further criminalization.

An alternative to youth justice for children and youth in some Canadian provinces is a secure care system that allows a court to order a young person into treatment based on evidence of imminent harm if no intervention occurs. This provides for involuntary treatment while avoiding some of the unintended consequences of criminalizing behaviour, including the creation of a criminal record.

Highlighting the consequences of using the youth justice system in this way is not intended to downplay the strong work done by multiple professionals in Nick's case. It is also not intended to place any blame on the parents for believing that having their son plead guilty to assaulting his mother was their only choice. What happened to Nick with his involvement in youth justice is a consequence of a substance use system in B.C. that, despite good intentions and dedicated front-line employees, is insufficient to meet the needs of youth and families. Allowing the state of substance use services to continue in this way will continue to drive families into the youth justice system as the last resort.

Secure Care

Secure care refers to short-term, involuntary residential settings for young people who are at risk of harming themselves or others, where the focus is on stabilization and assessment. Secure care allows for a period of time when a young person and those trying to support the young person can recover from what can be overwhelming dynamics of an immediate crisis. The intention is to provide therapeutic care to address mental health and behavioural challenges and, in the case of young people with substance misuse issues, secure care can also provide an opportunity for detox in a controlled and safe environment.

Currently, holding youth in a facility for these purposes is not legal in B.C., with the exception of temporary involuntary detainment when a child is held under the *Mental Health Act* or when a youth has committed a crime. In the absence of secure care legislation and resources, there is a tendency to rely on police to hold youth, albeit for short periods, or to take a young person to hospital.

However, seven other provinces in Canada have provisions within provincial legislation for involuntary treatment of children: Alberta, Saskatchewan, Manitoba, Ontario, Quebec, Nova Scotia and New Brunswick. Each of these, except Saskatchewan, has a secure care provision built into basic child protection legislation. Alberta has an additional law that allows confinement of children who have been sexually exploited.

In addition, Alberta, Saskatchewan and Manitoba have legislation enabling involuntary treatment for children and youth misusing drugs. Saskatchewan and Manitoba's laws provide avenues for a guardian or other significant person in a child's life to apply to court for an order to confine the child to a secure facility, sometimes called a "protective safe house."

Although it is possible to operate secure care as a stand-alone program, the accepted international best practice standard for child and youth services involves locating such programs within an integrated network of services. In the case of substance misuse, these networks would need to involve a series of interlinked community and residential-based interventions connected with mental health and health services that are capable of responding to the varied needs of young people. The most effective systems fit the needs of young people rather than having young people fit the system.

Source: Grant Charles (2016). *Secure Care Summary Report (Parts One and Two)*. Vancouver: School of Social Work and Division of Adolescent Health and Medicine Department of Pediatrics, Faculty of Medicine, University of British Columbia.

The Absence of Métis-Specific Substance Use and Youth Justice Services

Finding: Although Nick and his father are both Métis, the planning of Nick’s MCFD youth justice services did not adequately consider his Métis identity. This inattention to the need for culturally responsive services for Métis youth reflects a greater systemic lack of recognition of the rights of Métis children and youth to receive culturally appropriate services for substance use and youth justice involvement.

“When your clients are over-represented to the degree that Indigenous kids are in the youth justice system or the foster care system, then every single one of your employees, from the clerk at the front desk that signs the kid in, to the probation officer, to the senior managers, to the minister need to be culturally competent. It needs to be ingrained and weaved throughout.”

– Nick’s father

Métis-Specific Services in B.C.

There are currently several Métis organizations working on behalf of the Métis community in B.C., although there were very few services that would have been available to Nick or his family for their specific needs in their community. The organizations in B.C. include the Métis Commission for Children and Families of BC, a non-profit organization that works with children and families involved in the child protection system in B.C. They receive court documents, attend court, monitor MCFD compliance with legislation, policy and standards and support Métis families through the child welfare process. There are currently more than 800 Métis children in the child welfare system in B.C. The Métis Commission works to reduce those numbers through cultural connections and community caring options. Other organizations include: Métis Nation BC, the official governing organization for Métis people in B.C. that delivers programs and services to this population; BC Métis Federation, a non-profit association that works with Métis communities to ensure the well-being of its members; Métis Community Services Society of BC, which offers wrap-around family support services to Métis families in the Okanagan; Island Métis Community Service, which offers family services for Métis people on Vancouver Island; Métis Family Services out of Surrey; Kikino Métis Children and Families Services Society out of Prince George; and, Lii Michif Otipemisiwak Family and Community Services out of Kamloops.

In Canada, Métis people are recognized as unique and distinct rights-bearing Indigenous peoples. These rights are declared in subsection 35(2) of the *Constitution Act* (1982), which states, “*In this Act, ‘Indigenous peoples of Canada’ includes the Indian, Inuit and Métis peoples of Canada.*” Regardless of this declaration, the Métis people have frequently been overlooked by the government and by policy makers until recent years. This has led to a considerable absence of Métis-specific or Métis-appropriate services for youth and families in B.C.

One of the challenges in building services for Métis people is that the unique history and heritage of Métis people may not necessarily fit into the traditionally held understanding of what it means to be Indigenous. As a result, Métis peoples have struggled to have their rights and a unique identity recognized (Isaac, 2016). The need to work with Métis communities to develop Métis-appropriate services is even greater when one considers the number of Métis people in B.C. According to MNBC, there are almost 15,000 provincially registered Métis citizens in B.C. and a population of nearly 70,000 self-identified Métis people.

In recognition of the need to build a meaningful relationship with, and appropriate services for, Métis people, the province of B.C. signed a Métis Nation Relationship Accord in 2006, with objectives to strengthen existing relationships between the Métis Nation and the B.C. government, to improve coordination and collaboration, and to work to “close the gap on the quality of life between Métis people and other British Columbians” (Province of British Columbia, 2006).

Following that accord, in 2011 a Memorandum of Understanding was signed between Métis Nation BC, the Métis Commission for Children and Families of BC and MCFD. This memorandum suggested the need for a province-wide strategy with respect to services for Métis people and promised to facilitate the involvement of the Métis people of B.C. in the development of provincial programs and services for Métis children and families. While this memorandum was a positive step, unfortunately there appears to have been little focus on the fields of youth justice and child and youth mental health services. The memorandum also did not result in attention to Métis-appropriate youth substance use services, which fall primarily under the authority of the Ministry of Health.

A recent 2016 Supreme Court of Canada decision, *Daniels v. Canada (Indian Affairs and Northern Development)* also has an influence on the current landscape of service provision for Métis people. The decision stated that Métis people are included in section 91(24) of the *Constitution Act* (1867). Implications of this decision include that the federal government has a constitutional responsibility to fund services and programs for Métis people and to consult and negotiate with Métis people about matters respecting their rights and needs as Indigenous people. What this will mean for actual service delivery for Métis people in B.C. has yet to be seen.

As a result of the current absence of Métis-appropriate services, when Nick’s father reached out to MNBC for help with Nick’s substance use, the director he spoke with was unable to offer him assistance. She genuinely wanted to help Nick’s family but did not have access to any funding or services to do so. As she explained to the RCY investigators: “I would love to say that I oversee lots of wonderful programs, but I don’t. What I do is advocate for Métis people at public policy tables, at the national level, provincial level, [and] within the health authorities . . . trying to find opportunities for Métis

Métis Youth in B.C.

A recent report by the McCreary Centre Society, *Ta Saantii: A Profile of Métis Youth Health in B.C.*, outlines the current status of health care in B.C. for Métis youth. The B.C. Adolescent Health Survey found that three per cent of respondents identified as Métis. Among youth who identified as Aboriginal, almost one-third (32 per cent) reported they were of Métis heritage, which was an increase from 2008 (24 per cent). In comparison to non-Métis youth, Métis youth were more likely to have missed out on needed medical care and mental health care in the past year. Some respondents were also concerned about the lack of cultural awareness within the health care system and were cautious about approaching health care professionals for fear of encountering racism. They felt culturally specific services and the availability of health care professionals who identified as Métis would help to reduce their reluctance to seek help (McCreary Centre Society, 2016).

people to access programs and services they desperately need.” It was the experience of this service provider that Métis-specific services that are welcoming and culturally responsive are insufficient in B.C.

One of the difficulties presented in Nick’s case is that many of the programs presently available to Métis youth in B.C. are framed under a general “Indigenous” context. In Canada when discussing Indigeneity, the terms “non-status” and “Métis” are often used synonymously. This matter is discussed in T. Isaac’s recent report, *A Matter of National and Constitutional Import: Report of the Minister’s Special Representative on Reconciliation with Métis* (2016). Isaac argues that these terms should not be used together and repeatedly intertwining these phrases upholds a common misunderstanding regarding the nature of Métis as distinct Indigenous peoples under Section 35. Isaac sternly suggests: “*It is in the best interests of Canada that it designate programs and services, or parts thereof, as may be appropriate, as Métis-specific so as to be able to track success on the road to reconciliation with Métis peoples and treat Métis as distinct Section 35 rights-bearing peoples*” (Isaac 2016, p. 25).

In light of Isaac’s report, the Representative would like to reinforce four key points that were put forth by the report:

1. There is a need for reconciliation between the Crown (federal and provincial) and Métis peoples
2. There is a need to increase general knowledge about Métis rights in B.C.
3. There is no doubt that the Crown’s duty to consult Indigenous peoples applies to Métis communities, and
4. There is a need to designate programs and services as Métis-specific.

Currently, MNBC is not sufficiently resourced to fulfil its mandate to develop and enhance opportunities for Métis communities by implementing culturally relevant social and economic programs and services. The organization’s funding is inconsistent and inadequate to allow for substantial program development. With the extreme paucity of resources to MNBC, it is challenging for staff to even find what may be available in the province. For example, one director at MNBC informed RCY investigators that MNBC used to have positions for staff members to work with each regional health authority on Métis programming, but that the funding for those positions disappeared which, in her words, left the 70,000 Métis people in B.C. asking: “*What about us?*” To support MNBC in fulfilling its mandate would require a meaningful commitment by both the federal and provincial governments to work with MNBC and other Métis organizations, such as the Métis Commission for Children and Families of BC, to develop programming with Métis-specific considerations in areas of health and substance use, education, justice and child and family services.

The MNBC director interviewed by RCY investigators made her expectations clear on what she would have preferred to have happen for Métis youth, explaining: “*I definitely want to see youth like Nick that were having problems, are identified as Métis, and that there’s services, that there’s staff at MCFD that are Métis that can work with them, they connect them to Métis community services, whatever that looks like, but that they can actually be addressed as Métis youth.*”

Although the youth probation officer with MCFD recognized that Nick was Métis, Nick's stated disinterest in engaging with his culture stopped any further investigation into the topic by the youth probation officer. Better practice by MCFD may be to ensure that all front-line MCFD staff, including youth probation officers, are adequately trained in the complexities of being Indigenous and Métis, the reasons that a youth may not want to discuss his or her cultural identity and how to approach that challenge, and to provide those front-line workers with information on Métis-specific resources for the children and families they engage with.

Nick's parents felt that although considerable attention was paid to Nick's Indigenous identity when he reached the full-time attendance program, prior to that MCFD did not stress the importance of Nick's Métis identity. To further support this perception, when asked by RCY investigators about receiving training specific to Métis populations, none of the front-line MCFD staff could recall any such programming offered by the ministry. Nick's parents would have liked to have seen meaningful attempts by MCFD staff members to engage Nick with his cultural heritage, such as offering access to elders or cultural programming in the community.

According to MCFD, the youth probation training program curriculum includes a seven-hour course on Indigenous youth in the justice system and staff are also encouraged to participate in non-mandatory culturally-based training sessions and events in their local areas. The Representative does not believe that this amount of training is adequate or appropriate given that approximately 38 per cent of youth involved with the justice system (community and custody) are Indigenous.

To offer Métis-specific training to its employees and Métis-appropriate programming support to youth and their families connected to youth justice or other MCFD services would be in keeping with youth justice core policy, which acknowledges the “*over-representation of Indigenous youth involved in the criminal justice system and contributing historical and systemic factors*” and recognizes the obligation of MCFD youth justice programming to “*consult with Indigenous communities and, subject to resources and community capacity, to incorporate Indigenous community participation in making services more relevant and responsive to Indigenous young offenders.*” As it is now, this essential, required step for youth justice and MCFD to collaborate with the Métis community is not taking place.

One example of Métis-appropriate programming for youth can be seen in the services Nick received from the full-time attendance program that he attended. The program follows a model known as the Circle of Courage approach, which is intended to empower youth using traditional Indigenous understandings. This approach incorporates

four key values: belonging, mastery, independence and generosity.⁷ Following these values, the program works to provide a strengths-based, safe, consistent and structured environment for all youth, regardless of their ancestry, with an Indigenous perspective woven into the daily operation of the program. The program also works with local elders and the local Métis political body in order to deliver culturally responsive services.

The Importance of Meaningful Support for Children, Youth and Families

Finding: Nick’s family and multiple community professionals recognized the need for him to receive support services and tried to connect him with those services. However, Nick did not receive the court-mandated ISSP worker who may have assisted him in the last month of his life, and few professionals recognized the need for Nick’s parents to also receive support, which left the parents feeling abandoned and alone in a time of family crisis.

In 1994, an independent inquiry was held by the provincial government in response to the death of a young child in northern B.C. whose family had extensive involvement with social services. The resulting report, *The Gove Inquiry into Child Protection in British Columbia* (1995), made sweeping recommendations that, once implemented, completely redesigned the child welfare system in B.C. It brought together many of the scattered responsibilities for child welfare into one ministry, now known as MCFD. Youth probation and community youth justice services, previously under the Ministry of the Attorney General, were now part of MCFD’s mandate. Other services that merged into MCFD included family support services, child protection services, special needs services, mental health services and various other services.⁸

The Gove Inquiry into Child Protection in British Columbia (1995) did not provide a rationale for why youth justice or several of the other services listed were to be brought into MCFD. However, it appears that one of the broader goals for this suggestion may have been to better coordinate and integrate services for youth and their families. The Representative’s investigation into Nick’s life found that, while the support services offered to Nick were generally well-coordinated, the supports offered to his family as a whole were lacking. This led to his parents feeling alone and essentially

“I looked two parents in the eyes that I know loved and cared for their child, and [Nick] portrayed this. I don’t think the parents have felt supported . . . I know as a site, we’re not there yet for the parent.”

– School Administrator

⁷ The value of *belonging* refers to the foundation of the program’s work, the belief that all youth need to feel like they belong, are valued and are important. An example of this was when the program took Nick out for breakfast on his first day. The value of *mastery* is shown through the program’s assumption that all youth are capable of learning and of success. The value of *independence* is highlighted by the program providing youth with the opportunity to build personal skills and work towards respect and making good decisions. Lastly, the value of *generosity* is demonstrated by providing youth with an opportunity to give back to the community.

⁸ This amalgamation is not complete. For example, although *The Gove Inquiry* recommended otherwise, the Ministry of Health continues to be the primary provider of alcohol and drug treatment services for children and youth.

abandoned by the MCFD system, which should have supported them through this family crisis.

Nick's school, community and family offered support to him with varying degrees of success. Although the various community service providers offered help for Nick, very few of them attempted to provide meaningful support to his parents who also needed help in this time of crisis.

In mid-2013, when Nick was 13-years-old, both the school district and his parents recognized that he was displaying concerning behaviours in the classroom, that he had an unhealthy preoccupation with illegal substances, and that he had a generally defiant attitude towards adults. Both Nick's parents were engaged with the school and they also hired a private counsellor to try to help their son achieve better outcomes educationally and socially. School staff interviewed by RCY investigators recognized that Nick's parents were trying their hardest to help their son. School staff also stated that Nick's parents were struggling with their own considerable challenges in parenting him.

From 2013 to mid-2014, preventative support services for Nick and his family, such as parenting support programs or early-intervention substance use programs, could have been ideal, and they may have altered the tragic course of the next couple of years. Working with the family also would have allowed the parents to gain support and skills to manage Nick's behaviours early on, even when Nick himself was not willing to speak with any service providers. There are family support services available in Nick's community, and those services may have made a significant difference in reducing the risk for Nick's later decline.

This lack of focus on parental supports when youth are not engaging with services was apparent again in January 2015, when Nick's mother reached out to her local MCFD office to ask for help with Nick. At that point, his mother was not aware that he had been using methamphetamine. Her concerns were based on Nick's refusal to follow rules, attend school and meet with any service providers, as well as his marijuana use. For the child protection social worker who met with Nick's mother, the concerns presented were outside of her mandate. It was her perception that Nick's parents were functioning, caring and appropriate.

Although the conference call the social worker facilitated with both parents was a reasonable action taken to address the presenting concerns, an opportunity was again missed to offer the parents meaningful parental support. Just because their son was refusing to engage with support services at that time did not mean that Nick's parents would have been unwilling to work with support services. Nick's father told RCY investigators about his frustration with the lack of attention to their own need for support, explaining that he wished there was a group that he could have gone to in order to help him through the challenges. As he stated to RCY investigators: "*All I wanted was 'Point me in the right direction' and I'll do it . . . I never got that at all.*"

The importance of parent and caregiver supports within the system of care for children is highlighted in the Representative's report, *A Review of Youth Substance Use Services in*

B.C. (2016). The report found that there can be complex reasons why youth may not want to engage with services, and that when youth do not want to engage, supports for parents become a necessary aspect of the larger social response to the child's needs.

The Representative's joint special report with the Provincial Health Officer, *Kids, Crime and Care – Health and Well-Being of Children in Care: Youth Justice Experiences and Outcomes* (2009) states that the youth justice system has been constructed as part of the overall child and youth development system. Research has shown that early-intervention efforts are essential within this system. Outreach support to children, youth and families can help to stabilize parent and family situations. School-based intervention programs have also been found to be effective at reducing delinquent behaviour. Overall, early intervention from multiple systems yields significant results in the prevention and reduction of delinquency and criminality.

Meaningful early intervention for a youth such as Nick would mean that, prior to youth justice involvement, professionals from community agencies, child welfare, mental health and education services would purposefully coordinate their services and work *with* families before the child's behaviour gets to a state of crisis. All of these services are most effective when collaboratively applied throughout the life of a child – from the earliest prenatal stages, supporting pregnant mothers and families, to infant and preschool supports, through the school system to the transition from youth to adulthood. Investing in a range of social supports for children and youth is, in itself, an effective youth crime prevention strategy (Representative for Children and Youth, 2009).

Once Nick and his parents were actively involved with MCFD through youth justice in April 2015, all support services and programming again focused solely on Nick and his needs. Although communication between the youth probation officer and Nick's parents was considerable, both parents felt that they received no support while they waited for Nick to go to the program. Providing these services to parents may fall outside the scope of the traditional role of youth probation officers, who are mandated to be primary case managers for youth and are officers of the court. However, youth justice falls within MCFD for a reason, and it should be sufficiently resourced to offer wrap-around service to families. The MCFD manager for Nick's region made it clear that all family support services within his region should be available to families within youth justice. He stated that the region has a strong community model that allows for contracts with community service providers for family support services and youth workers. The waiting list is reviewed monthly in collaboration with the local DAA to prioritize referrals. It is this manager's understanding that if youth justice clients need support services, a probation officer can make referrals and they would be considered in the same way as other MCFD service providers. It does not appear to the Representative that front-line youth probation officers share this understanding that they can connect parents to any family support services in their community.

The youth justice process can be a confusing, overwhelming and frightening period for the parents of justice-involved youth (Hillian & Reitsma-Street, 2003). This is likely most true in a case such as Nick's, where his mother was also the victim of the crime

he committed. Although youth need to be adequately supported throughout the youth justice process, so do involved parents. In Nick's case, he had two capable and willing parents who wanted to be a meaningful part of the youth justice process and should have received the support they needed to do so. Family engagement is an essential part of achieving successful outcomes for justice-involved youth (Friesen et al., 2005).

Many of the existing parent support groups in B.C. are tailored for younger youth experiencing behavioural challenges. These parent support groups often don't address the severity of youth justice-involved parents' situations. Involving parents as natural supports requires a shift away from historical research and practices that have blamed

Youth Justice by the Numbers

There are currently more than 1,200 youth in B.C. being supervised in communities by youth probation officers and approximately 50 youth in custody. Approximately 36 per cent of youth being supervised in communities identify as Indigenous. This is a vast overrepresentation considering that, in 2011, only about nine per cent of the total child and youth population in B.C. identified as Indigenous.

The average youth probation officer's case load is between 15 and 17 youth. Nick's youth probation officer's case load in April 2015 included 23 clients.

ISSP services are delivered throughout the province by either custody-based ISSP workers or contracted agency staff. Custody-based ISSP workers are youth custody staff who have been redeployed to do community ISSP work in the Lower Mainland, Prince George and South Vancouver Island. There are currently about 130 youth supervised by custody-based ISSP staff. MCFD also funds 47 ISSP workers in various communities across the province in the Interior, the North, Vancouver Island and the Lower Mainland. There is no centralized data capturing the number of youth supervised by these contracted agency ISSP staff.

Wait times for ISSP workers fluctuate depending on multiple variables, including the number of youth requiring services in a given community and the time of year.

parents for their children's problems and toward embracing parents as partners in supporting their children's development (Friesen et al., 2005). Support services for parents of justice-involved youth ought to be tailored to their specific needs and responsive to the severity of their situation.

Throughout Nick's life, it is clear that, although he could be challenging to reach, he did form deep, trusting relationships with some professionals. Initially, those connections could be seen in the school environment with his elementary school principal, his school counsellor and his middle school Indigenous worker. While Nick struggled to adapt to school systems, these professionals provided him with positive, adult support and maintained trust with him to try to work toward a better outcome.

Even when he was heading toward a crisis point in late 2014 to early 2015, Nick remained closely connected to his former tutor and alternative school teacher. That teacher performed outreach that went well beyond a traditional teaching position, driving Nick to class every day and maintaining text message connections with him even when he would not attend school. She made considerable efforts to connect Nick to the local youth substance use worker, to a counsellor, and to bring him back into the school environment. Although the youth substance use worker never managed to meet Nick, she had spoken about him with school staff and later with Nick's youth probation officer.

Recognizing the value of a one-to-one support worker for a youth such as Nick, the youth justice courts placed him on an ISSP order. His youth probation officer promptly filled out a request for

Nick to receive an ISSP worker. As has been previously addressed in the chronology of this report, the role of an ISSP worker is distinct from that of the youth probation officer. Where the youth probation officer is primarily an officer of the court with a mandate to supervise and plan for rehabilitating the youth, the ISSP worker's role is to support and facilitate a youth's participation in activities and programs directed at his or her individual needs, facilitating reintegration of the youth into the community and reducing the risk of recidivism.

After being sentenced, Nick was willing to begin working with a one-to-one support worker. Even though Nick was prepared and the court had mandated an ISSP worker to work with him, there was no ISSP worker provided for Nick. While the Representative cannot determine with certainty whether an ISSP worker would have changed the outcome for Nick, he did respond well to one-to-one support from dedicated professionals at multiple points in his life. A skilled ISSP worker may have greatly assisted in bringing Nick to the available community support services and in supporting Nick to comply with his court-mandated conditions. ISSP workers try to connect with youth every week for several hours and help them with their various needs. Their case loads are kept small so that they are able to dedicate a lot of time to youth as needed.

MCFD is currently partnering with Simon Fraser University to assess the effectiveness of ISSP services but, anecdotally, both youth and youth probation officers place a high value on these programs. This is echoed in research conducted in B.C. on youth in custody. The youth interviewed stated that they found ISSP workers to be helpful and supportive, that ISSP workers aided youth in connecting with service providers, and that support to ISSP programming can assist youth in achieving more successful and healthy lifestyles (Creedon, 2011).

The failure of MCFD and youth justice to provide Nick with an ISSP worker resulted in a significant lack of support for Nick in the month between his sentencing and his attendance at the full-time attendance program. In Nick's community, ISSP services are provided through the youth custody services centre. Although ISSP services should be offered year-round to the communities served by the youth custody services centre, in an effort to reduce overtime costs during the summer holiday period, ISSP staff are diverted from communities to work in the local youth custody centre. For a community such as Nick's, which only has one dedicated ISSP worker, this means that youth could have upwards of two months in the summer without these extremely valuable services.

When interviewed by the RCY investigators, the MCFD manager for Nick's region discussed his ongoing frustration with this situation, explaining:

“Locally I was trying to get ISSP workers – year-round ISSP workers – because we’re the only community this close to Vancouver that doesn’t have contracted ISSP workers, we just have correctional ones and . . . they get called back to the correctional centre in the summer. I’ve made several different formal pitches that that can’t happen, that we need ISSP workers year-round. Contract-wise, there’s been no new money for me to contract an ISSP worker.”

In MCFD's review of Nick's death, the ministry stated its plan to address this gap in service provision by having youth probation officers provide ISSP services while waiting for an ISSP worker to be assigned. The Representative believes this to be a woefully inadequate response. Youth probation officers have a clearly defined role, and it is unreasonable to expect them to provide intensive support services. Where ISSP workers' primary responsibility is to support youth, probation officers are first and foremost officers of the court charged with ensuring a youth's compliance to court orders.

While it is impossible to know what difference the support of an ISSP worker would have made for Nick in the month between sentencing and his full-time attendance program, the budget-driven decision-making that led to him not receiving an ISSP worker continues to leave prominent service gaps that must be addressed by MCFD. The Representative would like to emphasize that simply not providing youth with an ISSP worker is not an option. Legislation states that MCFD must advise the courts if ISSP services are not available. It is MCFD's duty to ensure that these essential services are provided to youth, in keeping with the youth's court order.

Communication and Information-Sharing

Findings: Problems with communication and information sharing impeded effective case management. In particular, at several key points in Nick's last year of life, professionals did not appropriately recognize and respond to the challenge of engaging both of his estranged parents.

The Representative has pointed to shortfalls in information-sharing between ministries and within ministries in several previous reports. Despite ongoing efforts to improve communication and information-sharing, shortfalls remain.

In Nick's case, the communication and collaboration between service providers in his community was, for the most part, strong and productive. The MCFD offices are co-located, meaning that multiple service providers are located in the same building (child and youth workers, child protection, child and youth mental health and youth justice, as well as contracted psychiatric services), which has led to increased collaboration. In addition, the community holds regular meetings for all service providers to discuss serious cases and general trends, and various individual service providers reached out to other professionals for their assistance in helping Nick. However, when gathering information on Nick for his service plan, the youth probation officer felt limited by the privacy constraints of the *YCJA*, and so he missed out on the opportunity to speak with school staff and learn about their considerable knowledge of Nick's case. The information he gathered was limited to what he received from Nick and Nick's parents. As noted previously, he also did not review the police report, although his access to that was unhindered. At the time,

“Children need their parents, they need to connect with them, they need to hear their voices, they need to know they're there, and that was taken away from me for two weeks. And my child wasn't even taken away from me. I was seeking help, and somehow MCFD still managed to exclude me.”

– Nick's mother

the youth probation officer was the only probation officer in a team of social workers and was supervised by a team leader who had no background in youth justice. Although a regional consultant was available to assist the probation officer, she was not engaged in day-to-day practice supervision. Since Nick's death, dedicated youth justice supervisors have been implemented across the province to provide more expert supervision and better support for front-line workers.

One of the intentions of the *YCJA* is to allow for the reintegration of youth into a community without the stigma that can come with having committed an offence. In keeping with this principle, the *YCJA* has strict provisions for the privacy of youth involved in the justice system. These include forbidding the publication of the name of young people dealt with under the *YCJA* and forbidding anyone who is not authorized to do so from giving information that would identify a young person as being involved with the justice system.

The *YCJA* includes provisions regarding those with whom information may be shared regarding a young person involved with the justice system. Such information can be shared with certain parties, including schools. These are described in s. 119 of the *YCJA*, and include parents, peace officers, youth probation officers and “*a member of a department or agency of a government in Canada . . . engaged in the supervision or care of the young person.*” As well, S.125(6) of the *YCJA* permits the disclosure of information in a youth record to any professional or other person engaged in the supervision or care of a young person – including a school – where the disclosure is necessary to ensure compliance with a court order to ensure safety, or to facilitate rehabilitation of a young

person. These sharing provisions allow for collaboration between professionals in order to better help the youth involved.

Unfortunately, because of valid privacy concerns relating to youth and the *YCJA*, many professionals, including youth probation officers, are sometimes afraid to share information about youth. In Nick's case, although the school had valuable information, the youth probation officer did not believe he would be allowed to call the school as Nick had not signed a release form for that information and he was not currently attending the school.

The youth probation officer told the RCY investigators that he feels “*handcuffed*” by his understanding of the limitations of sharing set out by the *YCJA*, and that the current understanding between schools and youth justice is that details of the youth's involvement is only shared if the youth has court-imposed conditions involving the school (for example, that he must attend), or if the youth signs a consent form.

Information-Sharing Protocols

One example of a positive approach for managing the balance between youth privacy and the need for information sharing can be seen in Alberta where, in 2004, a comprehensive information-sharing protocol was created between the school system and youth justice. Included in this protocol was a clear statement, which would have been helpful in Nick's case, that: “*Youth workers may disclose information where it is necessary to facilitate the rehabilitation of the young person. A youth worker will contact a school official to set up an education program for a youth being released to the community from young offender custody or for a youth under supervision in the community, i.e., probation.*”

The Representative believes that more clarity from the provincial government about what information can be shared is required to allow these busy front-line service providers to do their best for the children and families they serve. One professional noted to RCY investigators that he wishes they had *“better communication between all disciplines, whether it’s a school board, whether it’s [MCFD]. I think we get so tied up with confidentiality of our youth, but we’re all working together on the same youth with the same goal.”*

Confidentiality will always be a challenge when balancing privacy and the best interests of the child, but professionals deserve more clarity on this issue than they currently have.

What is more concerning to the Representative than the lack of collaboration between the school and MCFD in Nick’s case is the uneven communication by professionals with his parents when Nick was in crisis between late 2014 and June 2015. Professionals in various organizations routinely communicated with only one parent, apparently not recognizing that the parents’ relationship was not always conducive to sharing information. Although better communication with both parents instead of just one may not have changed what happened to Nick, it would have meant that his parents felt more respected, valued and involved in decisions affecting their child’s life. It also may have allowed the parents to reach an agreement about their plan for Nick and to work together toward a better outcome for their son, rather than serving to exacerbate their existing discord.

Prior to Nick’s involvement with youth justice, his school was well aware of the growing concerns about Nick’s behaviours, learning outcomes and substance use. When Nick’s parents divorced in mid-2014, they agreed to share custody of their sons and to both continue as legal guardians. This legal guardianship did not change simply because Nick chose to live with his mother, but the choice to move Nick to the alternative school was made without the knowledge or agreement of Nick’s father. When Nick was not doing well at the alternative school, both in terms of behaviour and attendance, his teacher communicated these concerns primarily to Nick’s mother as the parent Nick was living with. This led to Nick’s father believing that the teacher was favouring Nick’s mother over him and the resulting request by Nick’s father that Nick receive a new teacher. This interruption in the relationship between Nick and his teacher exacerbated Nick’s already sporadic attendance.

The school made steps to address this communication lapse in early 2015 by including the father in meetings about Nick, but by then it was too late. By February 2015, Nick had stopped attending the school altogether and he never returned.

When Nick became involved with youth justice, he began living with his father. Communication from professionals switched to being primarily with the father, with Nick’s mother now left uninformed about the majority of the planning.

Current supervision policy for youth such as Nick is a minimum of six contacts in a month, which may include one in-person contact and one caregiver contact. Nick’s youth probation officer went beyond what is expected by policy in his communication with Nick’s

parents, keeping in frequent contact with them by text. However, he made the majority of the plans for Nick's service with Nick's father, which resulted in Nick's mother feeling cut out of the planning process. This outcome was particularly unfortunate given that one of the youth probation officer's main goals with Nick was to help repair his relationship with his mother. Although the youth probation officer exceeded the amount of contact with Nick and his family that is required by policy, the Representative believes that, systemically, youth justice should place greater weight on in-person contact and communication with youth than the existing expectation of once a month.

When the full-time attendance program received the referral for Nick, it was not informed that both of his parents were legal guardians. Program staff knew only that Nick lived with his father and believed that his mother was not involved. As a result, they did not contact her during the intake process for Nick. Nick's mother also did not receive the information package on the program that outlined the care home structure and the fact that Nick was allowed to communicate with her once he was in the program. RCY investigators were unable to confirm how Nick's mother came to understand that she was not allowed to speak to Nick for his first few weeks in the program. It appears that miscommunication occurred in conversations between the youth probation officer, Nick's father and Nick's mother. However, this belief likely would have been dispelled had she been contacted by the program, if the program been informed that she was a legal guardian.

Instead, Nick's mother felt forced to ignore her son's calls while he was at the program, because she was dedicated to do what she believed was best for his success there. She did not know that she could call the program, and she did not know that Nick was allowed to call her. When she finally found out, it was too late.

Professionals working with children and families must remember that even if a child lives with only one parent, both parents may remain legal guardians. This is made clear in Division 2 of B.C.'s *Family Law Act*, which states, "*Where a child's parents are living together and after the child's parents separate, each parent of the child is the child's guardians . . . each child's guardian may exercise all parental responsibilities with respect to the child in consultation with the child's other guardians*" (2011). Professionals must not assume that two parents are communicating with each other and must do their part to ensure that all of a child's legal guardians are involved in decisions that affect their children.

Recommendations

Recommendation 1

As previously recommended in RCY's reports, including *A Review of Youth Substance Use Services in B.C.* (May 2016), that the provincial government create, appropriately fund and maintain a comprehensive system of substance use services that consistently meets the needs of youth and their families in communities across the province. A comprehensive system includes both specialized residential and community-based youth substance use services, harm-reduction services for families or caregivers, as well as prevention and early-intervention supports.

Details:

This system should include:

- community based and residential treatment services up to and including secure care
- sufficient staffing and resourcing to ensure that services and facilities are available across the province
- services that are culturally appropriate and responsive.

Province to present a draft plan for the system by May 1, 2017.

Recommendation 2

In the spirit and acknowledgement of Canada's responsibility toward reconciliation, that the provincial government, in partnership with Métis leadership, coordinate the development and implementation of a strategic plan to deliver culturally responsive services for Métis children and families as rights-bearing people in Canada.

Details:

This strategic plan should include:

- meaningful collaboration and consultation with Métis communities in developing and implementing the plan
- services specific to the unique needs of Métis children and youth in the areas of youth justice, substance use, mental health, child and family supports and education supports
- service-delivery support, including policy development, professional support and training initiatives for front-line workers and their supervisors.

Province to present a draft plan to the Representative by May 1, 2017.

Recommendation 3

Building on a recommendation in *A Tragedy in Waiting: How B.C.'s mental health system failed one First Nations Youth* (September 2016), that the Ministry of Education, the Ministry of Children and Family Development and the Ministry of Health prepare an immediate plan to co-locate mental health and substance use supports in schools to increase the ability of youth to engage with services and to help support early identification and intervention for mental health and substance use problems. This plan should include a particular focus on supporting the rights and needs of all Indigenous children and youth.

Province to present draft plan by April 1, 2017.

Recommendation 4

That the Ministry of Children and Family Development ensure Intensive Support and Supervision Program (ISSP) workers are available to provide year-round ISSP service, rather than the current practice of relying on probation officers to assume these additional responsibilities in the absence of an ISSP worker. In particular, ISSP workers should not be removed from their roles to cover absences in custody centre staffing.

Recommendation 5

To improve planning and service coordination for youth in conflict with the law, the Ministry of Children and Family Development and Ministry of Education work together to provide clear guidelines on what information can be shared with schools regarding youth with youth justice involvement.

Province to present draft guidelines to the Representative by Feb. 1, 2017.

Glossary

Crystal Methamphetamine: This term refers to an illicit drug which is a powerful central nervous system stimulant. It gives the user a sense of euphoria soon after taking the drug. The drug may have profound effects on the user's emotional and cognitive functioning.

Full-Time Attendance Programs: Full-time attendance programs are court-ordered alternative to custody programs for youth that are intended to provide a structured living environment which affords support and supervision to youth in conflict with the law.

Intensive Support and Supervision Program Orders: ISSP Orders are a sentencing option under the *YCJA* that are intended to enhance the safety of the community the youth resides in by supporting and facilitating the youth's participation in activities and by monitoring compliance with court orders and conditions of release from custody. The intention is to reduce the risk of re-offending and promote greater accountability in the youth.

Métis: This term refers to a cultural identity of a person with European and First Nations ancestry, who define themselves as Métis, and who have connection to a Métis community.

Métis Nation British Columbia: This is the official political body representing Métis people in B.C.

Restorative Justice Programs: This term refers to facilitated programs which may be offered as an alternative to the traditional court process and are intended to hold offenders accountable for the harm they have caused by committing crimes while also addressing the needs of victims and the community.

Reviewable Service: This term refers to services or programs under the *Child, Family and Community Service Act* (1996), services under the *Youth Justice Act* (2003), mental health services for children, and addiction services for children.

Self-asphyxiation: An activity in which strangulation is inflicted by oneself or another person to achieve a brief period of euphoria due to a lack of oxygen in the brain. The goal of this activity is not to intentionally cause death, although brain damage and death are inherent risks of this activity.

Undertaking Before a Judge: This is a release document for a youth who has been charged with a criminal offence issued by a judge or justice of a youth justice court. It requires that youth appear in court as directed and may impose other conditions.

Youth Criminal Justice Act: The *YCJA* is the law that governs Canada's youth justice system. It applies to youth who are 12- to 18-years-old who are alleged to have committed criminal offences.

Youth Probation Officers: Youth probation officers are officers of the court responsible for supervising young people in conflict with the law.

Appendix A: Representative for Children and Youth Act

Part 4 – Reviews and Investigations of Critical Injuries and Deaths

Section 11 – Reviews of critical injuries and deaths

- (1) After a public body responsible for the provision of a reviewable service becomes aware of a critical injury or death of a child who was receiving, or whose family was receiving, the reviewable service at the time of, or in the year previous to, the critical injury or death, the public body must provide information respecting the critical injury or death to the representative for review under subsection (3).
- (2) For the purposes of subsection (1), the public body may compile the information relating to one or more critical injuries or deaths and provide that information to the representative in time intervals agreed to between the public body and the representative.
- (3) The representative may conduct a review for the purpose of identifying and analyzing recurring circumstances or trends to improve the effectiveness and responsiveness of a reviewable service or to inform improvements to broader public policy initiatives.

Section 12 – Investigations of critical injuries and deaths

- (1) The representative may investigate the critical injury or death of a child if, after the completion of a review of the critical injury or death of the child under section 11, the representative determines that
 - a. a reviewable service, or the policies or practices of a public body or director, may have contributed to the critical injury or death, and
 - b. the critical injury or death
 - i. was, or may have been, due to one or more of the circumstances set out in section 13 (1) of the *Child, Family and Community Service Act*,
 - ii. occurred, in the opinion of the representative, in unusual or suspicious circumstances, or
 - iii. was, or may have been, self-inflicted or inflicted by another person.
- (2) The standing committee may refer to the representative for investigation the critical injury or death of a child.
- (3) After receiving a referral under subsection (2), the representative
 - a. may investigate the critical injury or death of the child, and
 - b. if the representative decides not to investigate, must provide to the standing committee a report of the reasons the representative did not investigate.
- (4) If the representative decides to investigate the critical injury or death of a child under this section, the representative must notify
 - a. the public body, or the director, responsible for the provision of the reviewable service, or for the policies or practices, that may have contributed to the critical injury or death, and
 - b. any other person the representative considers appropriate to notify in the circumstances.

Appendix B: Documents Reviewed for the Representative's Investigation

BC Coroners Service Records

- Kimble report for Nick
- Coroner's report for Nick

Full-Time Attendance Program Records

- Contract with MCFD
- Internal review of the death
- Internal emails regarding Nick
- Nick's full-time attendance program file

Law Court Records

- Nick's Youth Justice Provincial Court records, including court proceedings and release documentation

Legislation, Regulations, Standards, and Policy

- British Columbia Association of Clinical Counsellors. (2010). Standard for the Content of Clinical Records.
- British Columbia Ministry of Children and Family Development. (2012). Child Safety and Family Support Policies.
- British Columbia Ministry of Children and Family Development. (2012). Community Youth Justice Programs Operations Manual.
- British Columbia Ministry of Children and Family Development. (2015). Youth Justice Bail Beds & Full Time Attendance Program Directory.
- *Criminal Code* (1985). Retrieved from the Department of Justice Canada Website: <http://laws-lois.justice.gc.ca/eng/acts/C-46/page-1.html#h-1>
- *Child, Family and Community Service Act* (1996). Victoria, B.C. Queen's Printer.
- *Coroners Act* (2007). Victoria, B.C. Queen's Printer.
- *Family Law Act* (2011). Victoria, B.C. Queen's Printer.
- Full-Time Attendance Program Manual (2015).
- Full-Time Attendance Program Caregiver Manual (2015).
- Full-Time Attendance Program Employee Handbook (2015).
- Full-Time Attendance Program Parent and Guardian Handbook (2015).
- Full-Time Attendance Program Youth Handbook (2015).
- *Mental Health Act* (1996). Victoria, B.C. Queen's Printer.
- *Representative for Children and Youth Act* (2006). Victoria, B.C. Queen's Printer.
- *School Act* (1996). Victoria, B.C. Queen's Printer.
- *Victims of Crime Act* (1996). Victoria, B.C. Queen's Printer.

- *Youth Criminal Justice Act* (2002). Retrieved from the Department of Justice Canada Website: <http://laws-lois.justice.gc.ca/eng/acts/y-1.5/>
- *Youth Justice Act* (2003). Victoria, B.C. Queen's Printer.

Medical Records

- Nick's medical records from one hospital
- Withdrawal management records regarding Nick

MCFD Records

- Computer records for service requests to MCFD regarding Nick and his family
- Critical incident response file
- Case management review of the death
- Reportable circumstance report
- Nick's youth community justice file

Ministry of Education Records

- Internal emails regarding planning for Nick
- Nick's school records, Kindergarten to Grade 9

RCMP Records

- Records from three communities regarding Nick

Appendix C: Interviews Conducted during the Representative's Investigation

- Family members (4)
- Community mental health counsellor (1)
- Community addictions counsellor and addictions program manager (2)
- Full-time attendance program staff members (9)
- MCFD child protection and management staff members (2)
- MCFD youth justice staff members (4)
- Métis Nation British Columbia staff members (1)
- RCMP staff member (1)
- School staff members (7)

Appendix D: Multidisciplinary Team

Under Part 4 of the *Representative for Children and Youth Act* (see Appendix A), the Representative is responsible for investigating critical injuries and deaths of children who have received reviewable services from MCFD within the 12 months before the injury or death. The Act provides for the appointment of a Multidisciplinary Team to assist in this function, and a Regulation outlines the terms of appointment of members of the Team.

The purpose of the Multidisciplinary Team is to support the Representative's investigations and review program, providing guidance, expertise and consultation in analyzing data resulting from investigation and reviews of injuries and deaths of children who fall within the mandate of the Office, and formulating recommendations for improvements to child-serving systems for the Representative to consider. The overall goal is prevention of injuries and deaths through the study of how and why children are injured or die and the impact of service delivery on the events leading up to the critical incident. Members meet at least quarterly.

The Multidisciplinary Team brings together expertise from the following areas and organizations:

- Ministry of Children and Family Development, Child Protection
- Policing
- BC Coroners Service
- BC Injury Research Prevention Unit
- Aboriginal community
- Pediatric medicine and child maltreatment/child protection specialization
- Nursing
- Education
- Pathology
- Special needs and developmental disabilities
- Public health

Following is the list of members that comprised the team when the report was last reviewed:

Cory Heavener – Ms. Heavener is Assistant Deputy Minister and Provincial Director of Child Welfare for the Ministry of Children and Family Development. She is the former head of the Provincial Office of Domestic Violence. She was previously the Director of Critical Injury and Death Reviews and Investigations for the Representative for Children and Youth. Cory has a lengthy career in child welfare in British Columbia and began her career as a child protection social worker 25 years ago.

Beverley Clifton Percival – Ms. Percival is from the Gitksan Nation and is a negotiator with the Gitksan Hereditary Chiefs' Office in Hazelton. She holds a degree in Anthropology and Sociology and is currently completing a Master of Arts degree at UNBC in First Nations Language and Territory. Ms. Percival has worked as a researcher, museum curator and instructor at the college and university level.

Sharron Lyons – With 32 years in the field of pediatric nursing, Ms. Lyons currently works as a registered nurse at the BC Children's Hospital, is past president and current treasurer of the Emergency Nurses Group of BC and is an instructor in the provincial Pediatric Emergency Nursing program. She has also contributed to the development of effective child safety programs for organizations such as the BC Crime Prevention Association, the Youth Against Violence Line, the Block Parent Program of Canada and the BC Block Parent Society.

Dr. Ian Pike – Dr. Pike is the Director of the BC Injury Research and Prevention Unit and an assistant professor in the Department of Pediatrics in the Faculty of Medicine at the University of British Columbia. His work has been focused on the trends and prevention of unintentional and intentional injury among children and youth.

Dr. Dan Straathof – Dr. Straathof is a forensic pathologist and an expert in the identification, documentation and interpretation of disease and injury to the human body. He is a member of the medical staff at the Royal Columbian Hospital, consults for the BC Children's Hospital and assists the BC Coroners Service on an ongoing basis.

Dr. Christine Hall – Dr. Hall is the Medical Director of Trauma Services for the Vancouver Island Health Authority, an associate professor at the University of Calgary and a clinical assistant professor at the University of B.C. In addition to her training in emergency medicine, Dr. Hall has a masters degree in clinical epidemiology.

Deputy Chief Derren Lench – Derren Lench is currently with the Central Saanich Police Service where he is Chief Superintendent, Deputy Criminal Operations Officer in Core Policing. He recently joined the municipal service after 35 years with the RCMP. Deputy Chief Lench is the outgoing President of the BC Association of Chiefs of Police.

Margaret Colbourne, MD, FRCPC – Dr. Colbourne is a clinical associate professor in the Dept. of Pediatrics at UBC and Director of the Child Protection Service Unit [CPSU] at BC Children's Hospital. Margaret has worked both as a Pediatric Emergency Physician and a CPSU pediatrician since joining the hospital staff at BC Children's Hospital in 1994. She has served as a committee member of the Royal College of Physicians and Surgeons of Canada's Pediatric Emergency Medicine Examination Board and holds a Founder designation in Pediatric Emergency Medicine. Margaret is actively involved in many aspects of medical education and clinical research. Her areas of interest including topics in both pediatric emergency medicine as well as child maltreatment.

Dave Attfield – RCMP Chief Superintendent Attfield is the Deputy Criminal Operations Officer for Core Policing in B.C. This area includes oversight of our provincial programs relating to children and youth which are delivered through “E-Division” Crime Prevention Services. Dave serves on several BCACP committees including Violence Against Women; Mental Health and Addictions; and Crown-Police Liaison.

Deb Whitten – Deb Whitten is currently an associate superintendent of schools in the Greater Victoria School District (SD 61). Prior to this role, she was the District Principal of Student Services where she worked closely with students and families in supporting their educational goals. Deb is an advocate for youth as they transition through our schools and into adulthood. Deb has been working collaboratively with community stakeholder groups to address mental health concerns and continuity of support and services.

Dr. Rachelle Hole – Dr. Hole is an associate professor at UBC’s School of Social Work in the Okanagan and co-director of the Centre for Inclusion and Citizenship at UBC. Dr. Hole’s research includes a focus on human rights and social inclusion, supports and services for individuals with intellectual disabilities and their families, and transitioning youth with disabilities. Prior to pursuing her academic career, Dr. Hole was a community mental health worker and a family support worker.

Michael Egilson – Michael Egilson is the Chair of the Child Death Review Unit for the BC Coroners Service. Michael has worked in the public sector for the past 30 years in various capacities related to the health and well-being of children and youth. Over the past three years, he has convened seven child death review panels culminating in public recommendations to improve public safety and prevent similar deaths in the future.

Kate Hodgson – Kate is the Coordinator at Ray-Cam Co-operative Centre, one of the key partners in Our Place – a collaboration of residents, community organizations, local business and community leaders in Vancouver’s Inner City committed to ensuring that our children and youth have every opportunity for success. She has extensive experience working in Vancouver’s Downtown Eastside/Strathcona neighbourhood over the past 16 years, including as the Executive Director for the Network of Inner-City Community Services Society. She has been a director on the board of the Federation of BC Youth in Care Networks and an advisor to the Vancouver Foundation’s Youth Homelessness Initiative.

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