



REPRESENTATIVE FOR  
CHILDREN AND YOUTH

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





*Representative for Children and Youth, Mary Ellen Turpel-Lafond, gathers with participants at the 2011 RCY Youth Summit.*

September 26, 2012

The Honourable Bill Barisoff  
Speaker of the Legislative Assembly  
Suite 207, Parliament Buildings  
Victoria, BC V8V 1X4

Dear Mr. Speaker,

It is my pleasure to present the 2011/2012 Annual Report and the 2012/13 to 2013/14 Service Plan of the Office of the Representative for Children and Youth to the Legislative Assembly.

This document reports on the period April 1, 2011 to March 31, 2012 and covers the period April 1, 2012 to March 31, 2014, and has been prepared in accordance with part 5, sections 17 and 19 of the *Representative for Children and Youth Act*.

Yours sincerely,

A handwritten signature in black ink that reads "mesturpellafond". The signature is written in a cursive, lowercase style.

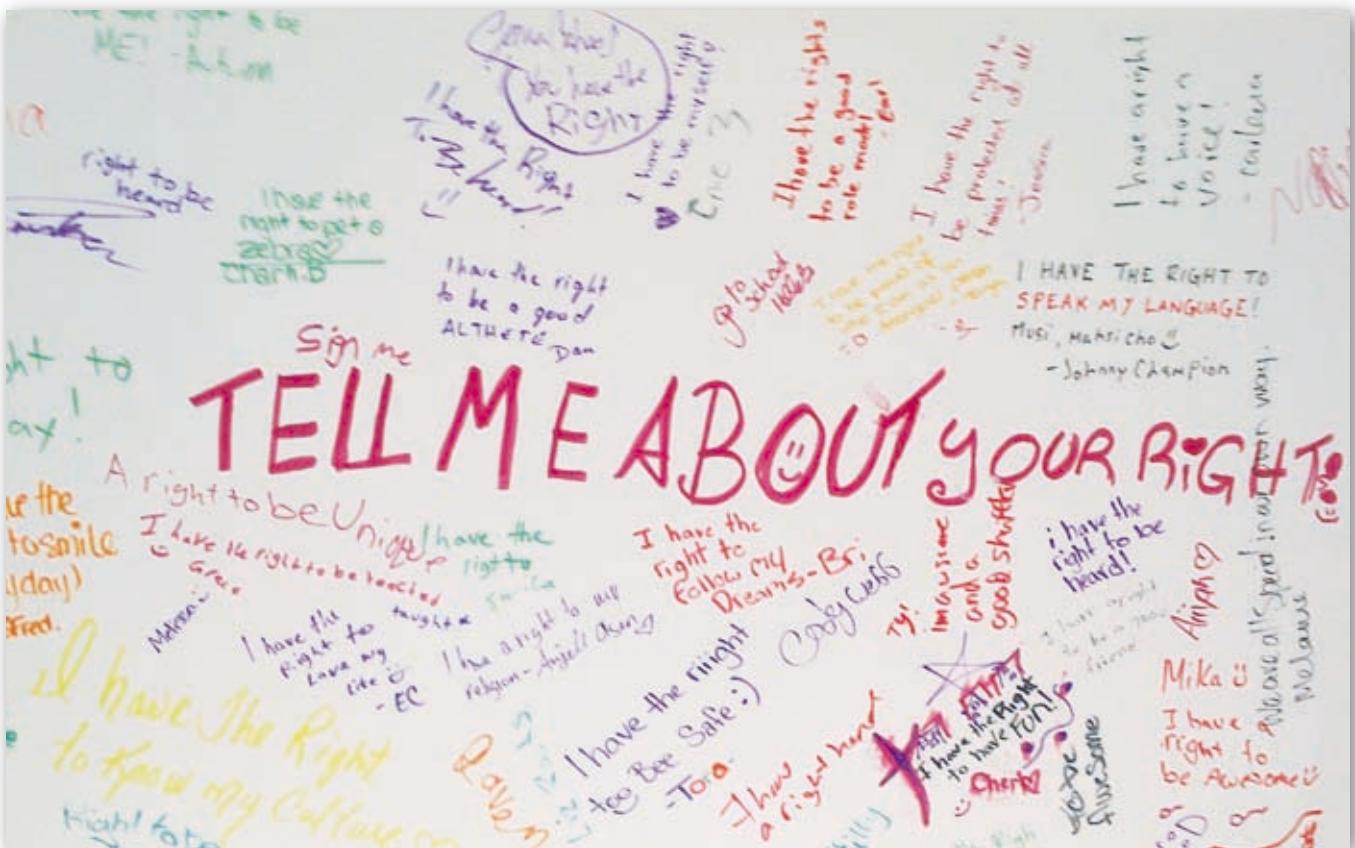
Mary Ellen Turpel-Lafond  
Representative for Children and Youth  
Province of British Columbia

pc: Mr. Craig James  
Clerk of the Legislative Assembly

Ms. Joan McIntyre, MLA  
Chair, Select Standing Committee on Children and Youth



Staff from the Representative's Office host information booths at various events across the province in an effort to increase awareness of the work of the Office and as an important part of RCY's advocacy work with children, youth and families.



Youth share their views about rights when RCY staff asked, "Tell me about your rights" at RCY's information booth during the Gathering Our Voices 2012 Youth Conference in Nanaimo.



## Contents

Message from the Representative.....	3
About the Representative's Office.....	5
Critical Injury and Death Reviews and Investigations.....	17
Advocacy.....	25
Research, Evaluation, Audit and Monitoring.....	36
Aboriginal and Community Relations.....	42
Youth Participation.....	43
Outreach and Communications.....	45
Organizational Effectiveness and Efficiency.....	48
Measuring Our Performance.....	50
Independent Auditor's Report.....	60
Appendices.....	62
Contact Information.....	inside back cover



Mary Ellen Turpel-Lafond and President of the First Nations Education Steering Committee Tyrone McNeil at the signing of a Memorandum of Understanding to focus on education priorities for First Nations children and youth in British Columbia.



## Message from the Representative



Since the Office of the Representative for Children and Youth was established in April 2007, the Office has made significant strides to put in place a solid framework of programs designed to meet its mandate. We are maintaining a focus on strong administrative and operational practice so we can manage an increased workload within our limited budget. I am fortunate to have an expert, hard-working staff whose dedication makes a daily difference in the lives of vulnerable children and youth, and whose contribution to promoting improvements to B.C.'s child- and youth-serving system must be recognized.

Over the next five-year period, I look forward to building on the solid framework established by my Office for supporting and speaking out for children and youth and their families. We are well positioned to respond to any changes in mandate that may result from the recent review of the Representative's functions under the *Representative for Children and Youth Act*.

The Advocacy program of my Office is expanding and responding to increasing demand for service to ensure that children and youth and their families across the province have access to information, advice and assistance in helping them to navigate and address issues and concerns with services. We are also reaching out and working with organizations and communities to enhance awareness and understanding of children's rights and building local advocacy services.

The Critical Injury and Death Reviews and Investigations program is continuing its vital work of reviewing, and when required, investigating the critical injuries and deaths of children receiving reviewable services. In addition, preparation of aggregate reviews of trends in critical injuries and deaths provide a critical window of examination into issues affecting the overall health and well-being of children in British Columbia.

We will also maintain our strong program of evidence-based, objective monitoring, research and assessment of the child- and youth-serving system through the Office's Research, Evaluation, Audit and Monitoring unit, with the goal to recommend improvements to support better outcomes for vulnerable children and youth. This team will also maintain research partnerships with academic and policy organizations on a range of topics aimed at understanding how our system of services and supports can be improved.

An important change in the months ahead is determined efforts to engage youth and encourage government and service providers to seek youth input, direction and knowledge. It is crucial to obtain child and youth input and feedback on the development and delivery of services and to empower government and service providers to take an active role to promote the rights of children and youth.

## Message from the Representative

And, of course, embedded in all our work is a special focus on addressing the circumstances of Aboriginal children and youth who are disproportionately represented in the child- and youth-serving system, and whose voices are seldom directly heard.

Looking forward, this document outlines a new approach to meeting my accountability to the public and the legislature to report on the activities of my Office and plans for future years. This document describes the activities of the Office during 2011/12 as well as outlines our planned strategic initiatives for 2012/13 and 2013/14. We provide a full and comprehensive picture of the Office's accomplishments over the past reporting period, our plans for future years and how our work to achieve our mandate, vision and goals will be measured.

Sincerely,

A handwritten signature in black ink that reads "melturpel-lafond". The signature is written in a cursive, lowercase style.

Mary Ellen Turpel-Lafond  
Representative for Children and Youth

September 2012





## About the Representative's Office

Since April 2007, the Representative for Children and Youth has been responsible for supporting children, youth and families who need help in dealing with the child- and youth-serving system, for advocating for improvements to the system and for providing oversight of the Ministry of Children and Family Development (MCFD).

The creation of the position of Representative for Children and Youth was a central recommendation of the April 2006 BC Children and Youth Review undertaken by the Honourable Ted Hughes, QC (Hughes Review). The Hughes Review examined and made recommendations for reforming the child- and youth-serving system, including recommending the establishment of the Representative to provide oversight and to "push for improvements to the child welfare system" in the province.

The *Representative for Children and Youth Act (RCY Act)* establishes the Representative as an independent Officer of the Legislature, reporting to the Legislative Assembly, the public, and the Select Standing Committee on Children and Youth (SSCCY).

### Representative's Reappointment

The Representative for Children and Youth is appointed by resolution of the Legislative Assembly based on the unanimous recommendation of a special committee of the legislature. The Representative is appointed for a five-year term and may be reappointed for a further five-year term. On November 15, 2011, the Special Committee to Appoint a Representative for Children and Youth reported its unanimous recommendation that the current Representative be reappointed for a further five years, and on that same day the Legislative Assembly approved the reappointment.

### The Representative

Mary Ellen Turpel-Lafond was appointed B.C.'s first Representative for Children and Youth in April 2007 and reappointed to a second five-year term extending to November 15, 2016.

Ms. Turpel-Lafond has devoted her career to listening to the voices of children and youth. She is a judge on leave from the Saskatchewan Provincial Court where she worked as a criminal law judge in youth and adult courts, with an emphasis on developing partnerships to better serve the needs of young people in the justice system. She holds a doctorate of law from Harvard Law School and a master's degree in international law from Cambridge University.

A member of Saskatchewan's Muskeg Lake Cree Nation, Ms. Turpel-Lafond is a mother of three daughters and a son.

### Statutory Review of the *Representative for Children and Youth Act*

The *RCY Act* contains a provision requiring that the Select Standing Committee on Children and Youth undertake a comprehensive review of the Act or portions of the Act to determine whether the functions of the Representative described in section 6 are still required to ensure that the needs of children are met. This review must be undertaken within five years of section 6 of the Act coming into force. In September 2011, the SSCCY commenced the statutory review. As part of the review process, the Representative made submissions to the Committee on October 6, 2011 and February 22, 2012.

As of March 31, 2012, the SSCCY had not yet reported to the Legislative Assembly on the results of the statutory review but subsequently announced its recommendations for changes to the *RCY Act*. These recommendations are discussed later in the section discussing future impacts on the Office.

### Representative's Mandate

**Critical Injury and Death Reviews and Investigations** – The Representative conducts reviews and may undertake investigations of critical injuries and deaths of children and youth who have received reviewable services. Based on these reviews and investigations, and working with other public bodies, the Representative identifies and makes recommendations for improvements to services to prevent similar injuries or deaths in the future.

**Advocacy** – Every child and youth in British Columbia has the right to be healthy, to be safe, to be educated and to be heard in decisions affecting them. The team of advocates in the Representative's Office is committed to providing information, advice and assistance to children and youth and their families who need help in dealing with designated services and programs provided or funded by government. The advocacy team also promotes and facilitates the development of advocacy services within communities through outreach, information, education and support.

**Research, Evaluation, Audit and Monitoring** – Ensuring children and youth across the province have access to the services and programs they need to support their health, safety, education and well-being is a critical focus of the Representative. The monitoring team researches, reviews and evaluates government-funded programs and services, reports publicly on their effectiveness and responsiveness, and makes recommendations for improvements with the objective of improving the lives of vulnerable children and youth.

#### Reviewable Services

are services provided under the *Child, Family and Community Service Act* and the *Youth Justice Act* (B.C.), mental health and addiction services for children, the Child in the Home of a Relative program, and additional designated services which include but are not limited to family support, adoption, guardianship, services for children and youth with disabilities, early childhood development and child care services and services for youth in their transition to adulthood.

# About the Representative's Office

## Our Vision

The Office of the Representative for Children and Youth is:

*An organization highly valued for championing the fundamental rights of vulnerable children and youth, and for promoting improvements in the delivery of services to children, youth and their families that result in better lives for children and youth.*

## Our Goals

1. Advocacy supports vulnerable children in having their rights and interests protected and upheld, having their voices heard and considered, and in being active participants in decisions affecting them.
2. The identification of opportunities for strengthening the child- and youth-serving system improves outcomes for vulnerable children and youth and the quality of services provided to them.
3. The examination of critical injuries and deaths contributes to ensuring that children and youth are safe from violence, abuse and neglect, and exposure to violence.
4. The capacity of the Office to meet its mandate is enhanced by effective operations and practices and an expert, competent and diverse staff.

## Fulfilling the Mandate

### Principles and Values

#### *Independence*

The independence of the Office is enshrined in the *RCY Act*, which establishes the Representative with independent oversight authority and the responsibility for advocating for children and youth and their families to ensure their rights are upheld, interests considered and voices heard by child- and youth-serving agencies in issues and decisions affecting them. The Representative does not report through a government ministry but is accountable to British Columbians, reporting to the Legislative Assembly and the Select Standing Committee on Children and Youth.

### *Child-Centred Focus*

The guiding principles governing the work of the Office of the Representative for Children and Youth are:

- Children and youth have a right to be protected and kept safe.
- The child or youth's needs and interests, now and in the future, are the focus.
- Children and youth are respected and valued as individuals in their own right, with their own interests and abilities.
- Children and youth have the right to participate and be heard in decisions affecting them.
- All children and youth are entitled to an equal standard of care and protection and access to consistent, timely and responsive services and supports.
- Children and youth have the right to reach their full potential.
- Society has a collective responsibility for providing resources and services for children, youth and their families, in particular supports for vulnerable children and youth, to ensure access to equal opportunities.

### *Values*

The effectiveness of the Office is dependent on how it carries out its duties and responsibilities. The values of the Office reflect its mandate and its vision to be an organization that is highly valued for the role it plays in upholding the rights of vulnerable children and youth and for promoting improvements in the delivery of services to children, youth and their families.

At all times, staff are guided by the highest standards of ethical and professional behaviour and are individually and collectively responsible for upholding the following values:

- *Respect* – Staff are respectful in all their dealings with others. They accept differing views and approaches and in interactions with children and youth strive to be accessible and easy to approach, calm, helpful and empathetic.
- *Integrity* – Staff are honest and open and conduct themselves in an unbiased and consistent manner. They demonstrate honesty and are trustworthy.
- *Fairness* – Staff ensure fairness by providing all those impacted by their work the opportunity to be heard and have their views considered.

## About the Representative's Office

- *Competence* – Staff are knowledgeable and have the required expertise, skills and understanding to effectively perform their work.
- *Critical Thinking* – Staff demonstrate an evidence-based approach to their work. They are critical thinkers who actively seek out facts and information, consider differing opinions, undertake a thorough analysis and remain open to new information.
- *Collaboration* – Staff endeavour to build a greater understanding of the B.C. child- and youth-serving system and identify opportunities for improving the system among all stakeholders.
- *Accountability* – Staff are clear about what they do, how they do it and how they will assess performance.

### Focus on Aboriginal Children and Youth

Aboriginal children and youth are over-represented in B.C.'s child protection system and under-represented in many systems of support. They often have significant vulnerabilities resulting in social, educational and health challenges. The availability, accessibility, effectiveness and responsiveness of programs and services to meet the needs of Aboriginal children and youth is a focus of the Representative's Office.

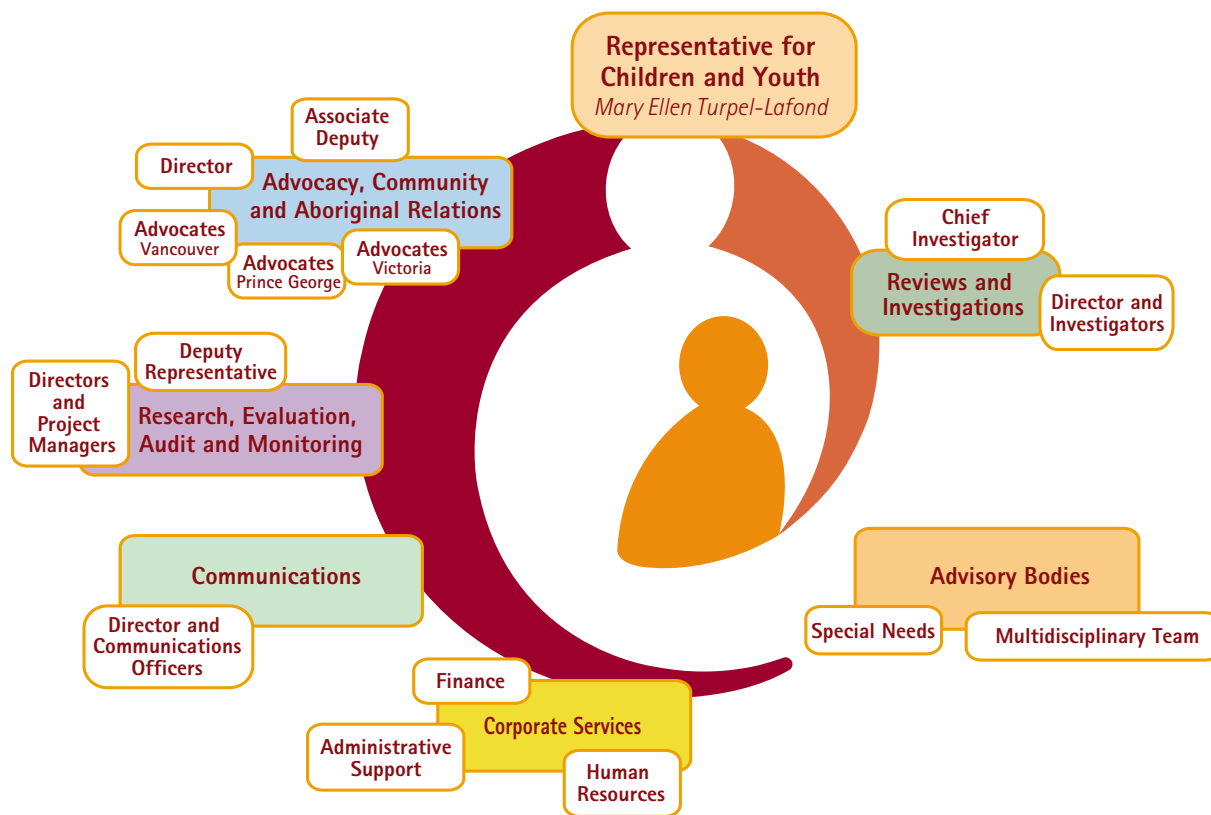
The Office collaborates with and establishes partnerships with Aboriginal communities to deliver outreach and advocacy services and provide support for initiatives that improve outcomes for Aboriginal children and youth. The Office also partners and works with the provincial and federal government to address issues related to Aboriginal children and youth receiving government services.

Enhanced engagement with Aboriginal children and youth, Aboriginal leadership, delegated Aboriginal Agencies, and Aboriginal community networks across B.C. will continue to be a priority for the Office over the coming years. Only through meaningful engagement with Aboriginal organizations across British Columbia will there be opportunities to collect and disseminate the required data and to address systemic barriers for the benefit of Aboriginal children and youth.



*The Representative and honoured guests slice the cake at the first proclaimed Child and Youth in Care Week in Vancouver, May 2011.*

## Representative's Office – Organizational Structure



Advocacy staff are located in offices in Victoria, Burnaby and Prince George and are accessible to children and youth across B.C. who need an advocate to support them and work with them directly to find resolutions to their problems. The Victoria office, in addition to advocacy program staff, includes the Critical Injury and Death Reviews and Investigations staff, the Research, Evaluation, Audit and Monitoring staff and Communications and Corporate Services staff.

### Reporting and Collaboration

The Representative and her staff work closely with a number of bodies and organizations to further the Office's mandate.

#### Select Standing Committee on Children and Youth

SSCCY, an all-party committee of the legislature, is empowered to foster greater awareness and understanding among legislators and the public of the B.C. child welfare system. The Representative reports to the SSCCY at least annually, and the Committee is responsible for:

- receiving and reviewing the annual service plan from the Representative
- referring the critical injury or death of a child to the Representative for investigation
- receiving and considering all reports and plans that have been delivered by the Representative to the Speaker of the Legislative Assembly of British Columbia.

In 2011/12, the Representative appeared before the SSCCY five times, providing updates on the work of the Office and answering questions from Committee members. The Representative's presentations included briefings on the 2011 Fresh Voices From Long Journeys: Insights of Immigrant and Refugee Youth Summit, and on the following reports that had been tabled in the Legislative Assembly:

- *Growing Up in B.C.*
- *Update: System of Services for Children and Youth with Special Needs*
- *Hearing the Voices of Children and Youth: A Child-Centred Approach to Complaint Resolution* (joint appearance with the Ombudsperson)
- *Fragile Lives, Fragmented Systems: Strengthening Supports for Vulnerable Infants*
- *Isolated and Invisible: When Children with Special Needs are Seen but Not Seen*
- *No Shortcuts to Safety: Doing Better for Children Living with Extended Family*
- *Service Plan 2012/13 to 2014/15*
- *Annual Report April 1, 2010 – March 31, 2011.*

The Representative also made two submissions to the SSCCY:

- Submission on the *RCY Act* in support of the Committee's deliberations
- Review of the *RCY Act* - Final Submission of the Representative for Children and Youth.

#### The Children's Forum

The Representative chairs the Children's Forum that was established in 2007 in response to a recommendation from the Hughes Review. The Forum's membership is comprised of the Chief Coroner, the Ombudsperson, the Public Guardian and Trustee, the Provincial Health Officer and senior leaders from MCFD and the Representative's Office.



The purpose of the Forum is to share information, coordinate efforts on behalf of and improve service to vulnerable children and youth in the province. In particular, the Forum provides an opportunity for discussion and collaboration on common matters regarding critical injury and death reviews and investigations involving children and youth, as well as broader systemic issues.

In the 2011/12 fiscal year there were a number of changes in members, with the appointment of a new deputy minister of MCFD, a provincial Director of Child Welfare, a new Public Guardian and Trustee and a new Chief Coroner.

### The Canadian Council of Child and Youth Advocates

The Canadian Council of Child and Youth Advocates is a national alliance of children's advocates appointed by provincial and territorial governments. As of April 1, 2012, there were advocates in nine provinces and one territory, and all were independent officers of the legislatures in their respective jurisdictions. The Representative is the current president of the Council.

In the absence of a national children's commissioner, the Council plays the important role of informing governments and the public about children's rights and the status and well-being of vulnerable children and youth on a national level.

In November 2011, the Council submitted a special report entitled *Aboriginal Children: Canada Must Do Better – Today and Tomorrow* to the United Nations Committee on the Rights of the Child and asked that this report be considered during its review of Canada's implementation of the UN Convention on the Rights of the Child in 2012.



*The Canadian Council of Child and Youth Advocates gathers in Victoria in June 2011 to address national issues affecting children and youth in Canada.*

### Advisory Committee on Services to Special Needs Children and Youth

The Advisory Committee on Services to Special Needs Children and Youth is comprised of individuals from across the province who have specialized knowledge or experience with services to children and youth with special needs. The membership is drawn from a variety of backgrounds, including individuals with experience in child development, pediatrics, social work, education, mental health, alcohol and drug addiction, policing and public policy, and from agencies that provide services to children and youth with special needs and developmental disabilities. The Committee provides invaluable advice to the Representative about current issues and helps inform the Representative's reports on related matters.

## Our Environment and the Context for Our Work

### Vulnerability of Youth

Most children and youth in British Columbia grow up in homes where they are safe and healthy, and where they experience a stable environment and circumstances that support their development. However, a significant proportion of B.C.'s children and youth are vulnerable due to the home or community environment they live in and the circumstance of their upbringing. Living outside the parental home, poverty, abuse, neglect, addictions or living with special needs can impact a child's safety, health and well-being.

In 2011/12, nearly 14,000 children in B.C. lived outside the parental home. Of this group, 8,040 were in care of the government; 56 per cent of whom were in the continuing custody of the province. Nearly 700 youth age out of care each year when they reach their 19th birthday.

**Table 1**

<b>Children Living Outside the Parental Home*</b>					
<b>13,746</b>					
Children in Care	Extended Family Program	Out of Care Options	Youth Agreements	Children in the Home of a Relative (CIHR)**	Child Out of Parental Home Program (COPH)***
<b>8,049</b>	<b>404</b>	<b>170</b>	<b>789</b>	<b>2,584</b>	<b>1,500</b>

\* Reported figures are at March 31, 2012 except for \*\*CIHR (February 2012) and \*\*\*COPH (estimated figure)

Although only eight per cent of B.C.'s child and youth population is Aboriginal, more than 55 per cent of children and youth in care are Aboriginal. This means that about one in 16 Aboriginal children are in care compared to one in 100 of the total B.C. child and youth population. Although the number of children and youth in care declined by 16 per cent between 2002/03 and 2011/12, the number of Aboriginal children and youth in care increased during this same 10-year period. Our collective inability to address the complex and troubling issues of abuse and neglect in Aboriginal communities continues to be an area of great concern.

Children and youth who are in care or receiving services from the child- and youth-serving system are more vulnerable than the general population. They are more likely to be less healthy; less educated; live in poverty; experience family violence and/or sexual and emotional abuse; have a higher incidence of special needs, behavioural issues or mental illness; experience a higher level of incarceration; and be dependent on income assistance. Again the situation is more profound for Aboriginal children and youth, as these trends are compounded. Aboriginal children and youth in care have poorer educational outcomes than non-Aboriginal children and youth in care and are more likely to become involved with the youth justice system than non-Aboriginal youth in care.

According to Statistics Canada, for most of the last several years, B.C. had the highest child poverty rate in Canada. In 2010, B.C. had the second-highest poverty rate at 10.5 per cent (behind Manitoba at 11.1 per cent), 2.3 percentage points above the national rate. Children in families coping with poverty are at a significant disadvantage. They may lack nourishing food, have poorer school performance and be challenged by impaired language development, reading and memory skills, and experience high degrees of stress and isolation. Often these children live in poor housing in impoverished neighbourhoods with few social supports. Poverty has a daily impact on their lives, on their relationships, on their health and on their future opportunities to succeed.

There is growing societal awareness of the rights and interests of children and youth with special needs and the requirement for sufficient, responsive and effective services to support these children and youth and their families and ensure their optimal development.

Particular attention is required by all levels of government to improve services and programs and enhance systems of support to address the plight of vulnerable children and youth, especially Aboriginal children and youth. We need to improve our understanding of the factors of vulnerability, the support needs of vulnerable children and youth, and what is working and what is not working in order to make changes to improve conditions, circumstances and ultimately outcomes for vulnerable children and youth in B.C. This will require integrated, coordinated and focused effort from all parties.

### **Effective Relationships with the Child- and Youth-Serving System**

As mentioned in RCY's 2010/11 Annual Report, during that timeframe RCY began to forge a more constructive relationship with government and MCFD following a change in leadership. Over the past year, this new relationship has been further consolidated. A solid foundation for an effective partnership between the Office and government is now in place based on a shared vision where children and youth are placed at the forefront and parties in the child- and youth-serving system work collaboratively in the way that the oversight function was originally foreseen.

Government continues to take action to implement recommendations from past reports and is open to gaining improved insight on issues of common interest and concern to improving the circumstances and outcomes for vulnerable youth. The Office will continue to work with MCFD to identify performance indicators and outcomes for assessing the impact of services and programs, and to collaborate with the Provincial Health Officer to monitor and track the health and well-being of B.C.'s children and youth. The Office also looks forward to further joint initiatives and ongoing working relationships with the ministries of Education, Health, Justice, Aboriginal Relations and Reconciliation and their service delivery partners.

The groundwork is in place to achieve real progress in meeting the vision of the Hughes Review – all parties in the child- and youth-serving system working together in a non-partisan way and through an evidence-based approach to improve outcomes for vulnerable children and youth.

### Preparing for an Expanded Mandate

The SSCCY's report on its review of the *RCY Act*, issued in May 2012, made seven recommendations "designed to enhance the functioning of legislation while the Representative continues to provide valuable services for children and youth and their families." The recommendations include:

- allowing for the appointment by the Lieutenant Governor in Council of an acting Representative if required when the House is dissolved and there is no SSCCY in place
- allowing the Representative to provide advocacy services to young adults between 19 and 24 years of age who are transitioning into the Community Living BC system and/or have received a reviewable service within 15 months of their 19th birthday
- requiring the SSCCY to complete a review of the Representative's monitoring functions by April 1, 2015
- authorizing the Representative to investigate the critical injury or death of a child on the request of and with the written consent of a public body
- allowing the Representative to disclose the results of an individual review with a public body or the director responsible for a reviewable service
- requiring the Representative to deliver the service plan to the Speaker of the Legislative Assembly before September 30 each year
- requiring the SSCCY to undertake a comprehensive review of the Act or portions of the Act every five years with the first five-year period beginning on April 1, 2012.

The Representative is awaiting the decision of the legislature on these recommendations and any subsequent changes to the *RCY Act*. If adopted, the recommendation to extend advocacy services will have an impact on advocacy program operations due to a general increased demand for service and the fact that services in this area are more time and resource intensive.



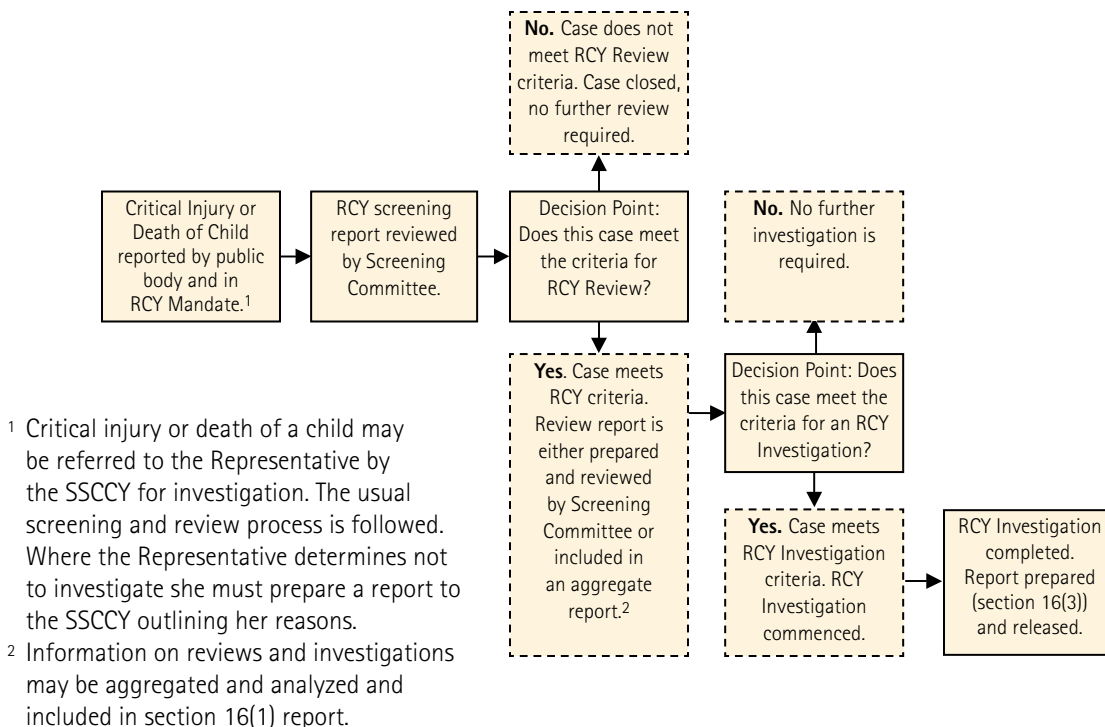
## Critical Injury and Death Reviews and Investigations

When a child dies unexpectedly or suffers a critical injury, along with the heartbreak come difficult questions. Why did this happen? What were the circumstances? And what, if anything, can be done to prevent this kind of tragedy from happening again?

In cases where the child or family had been receiving "reviewable" public services – including those related to child welfare, mental health, addiction and youth justice systems – those deeply personal questions take on an added, public dimension. That is where the Representative's Office comes in, providing independent, arm's-length oversight and seeking to ensure that, wherever possible, the understanding of service providers and society about the needs and realities of vulnerable children and families is advanced.

Under the *RCY Act*, the Representative has a mandate to review the deaths and critical injuries of children and youth who had at any time in the previous year received reviewable services. The review and investigation work of the Representative's Office may result in recommendations for improvements to service, practice or policy aimed at preventing future tragedies.

### The Review and Investigation Process



# Critical Injury and Death

## Reports to the Representative's Office

Public bodies providing reviewable services report the critical injury or death of a child or youth receiving services from them to the Representative's Office.

## Screening

Each report is screened based on established criteria to determine if service delivery issues may have been a factor in the death or critical injury. Where such concerns are identified, the case becomes the subject of a more intensive review.

In about 50 per cent of cases, no service delivery issues are identified. These cases include situations where, for example, the child was medically fragile and the death was expected or the cause was clearly accidental. Some of these cases may be flagged for inclusion in an aggregate review, which is designed to identify broad trends and patterns that can inform improvements to the child- and youth-serving system.

## Conducting Reviews

All cases reported to the Representative's Office where service delivery issues may have been a factor in the death or critical injury are reviewed to determine if they warrant a full investigation. The process is rigorous and requires great care.

Each review involves the analysis of information in files from the public body that referred the case, which in many cases include thousands of pages, as well as any relevant files from police departments, health care providers, contracted service providers and others involved with the child or family. Case reviews may also include analysis of regional and provincial policies and standards, consultation with the BC Coroners Service and discussions with service providers or caregivers.

A small number of cases are selected for full investigation. This more in-depth process is initiated at the Representative's discretion, typically when a review determines that:

- the circumstances are suspicious
- the death or critical injury was self-inflicted or inflicted by someone else
- abuse or neglect may have been a factor
- services the child or family received may have played a part in the injury or death.

## Conducting Investigations

Investigations by the Representative's Office thoroughly and rigorously examine the system of supports up to and including the time of the death or injury. They are carried out by a team of investigators and research analysts. The team's broad knowledge and expertise, coupled with excellent research skills, allows them to analyze and understand the myriad nuances of complex cases.

Subject matter experts are retained when specific knowledge and expertise are needed (for example, a case involving a child with special needs or a significant medical condition).

As part of an investigation, all case-related records are reviewed, along with relevant legislation, policies and standards. Typically, numerous individuals are formally interviewed under oath. Interviews are recorded and transcribed.

Members of the child's community may also be consulted. For example, in cases involving Aboriginal children, community members and leaders are engaged to ensure that their voice is heard and that their unique history with the child- and youth-serving system is respected and considered. The Representative and her staff work closely with the First Nations Directors Forum, the First Nations Leadership Council, and other Aboriginal organizations to keep them informed and engaged in this work.

Section 20 of the *RCY Act* empowers the Representative to make special reports when she considers it necessary to do so. Special reports may contain recommendations. The process is different from the investigation process outlined above. The focus may be on a specific issue or on a case that does not involve a critical injury or death but illustrates an issue the Representative believes should be reported to the legislature and the public.

Draft reports are reviewed by the Representative's Multidisciplinary Team, which brings together expertise from the following areas and organizations:

- policing
- BC Coroners Service
- B.C. Injury Research Prevention Unit
- Aboriginal community
- pediatric medicine and child maltreatment/child protection specialists
- nursing
- education
- pathology
- special needs and developmental disabilities
- public health
- MCFD.

Once the Multidisciplinary Team has provided input, the draft report is sent confidentially to those organizations and individuals who have been interviewed or are otherwise affected. They review the draft for administrative fairness, and their input is considered in developing a final report.

The final report, including recommendations for improvements to the child- and youth-serving system, is then released publicly by the Representative. Recommendations are monitored over time as part of the accountability process.

## Summary of Activities in 2011/12

### Reports and Reviews

Prior to 2011/12, the Office received about 225 reports annually of critical injuries and deaths of which 100-120 were selected for review to determine if they warranted a full investigation. Due to a change in reporting by public bodies to better align practice with the original intention of ensuring that all critical injuries and deaths of children receiving reviewable services were reported and subject to review, the number of reports increased dramatically in 2011/12.<sup>1</sup>

During the period covered by this report, 101 deaths and 415 critical injuries of children and youth were reported to the Representative's Office. As shown in Table 2, after their initial screening a total of 268 cases (29 deaths and 239 critical injuries) met the criteria for further review.

**Table 2**

Reports and Reviews						
	Reported to RCY			Selected for Review		
	2009/10	2010/11	Current 2011/12	2009/10	2010/11	Current 2011/12
Critical Injuries	137	136	413	63	82	237
Deaths	93	88	101	37	34	29
Total	230	224	514	100	116	266

Critical injuries selected for review during 2011/12 included those caused by accidents, attempted suicides, exposure to or involvement in high-risk situations, or being a victim of sexual assault or other forms of violence. Deaths selected for review included suicides, homicides and accidental deaths.

As shown in Table 3, the majority of critical injuries involved children and youth in care of MCFD. By contrast, most of the deaths that were reviewed involved children and youth who were not in government care but who had received MCFD services.

<sup>1</sup> Change in reporting policy and practice by public bodies resulted from the Representative's December 2010 report, *Reporting of Critical Injuries and Deaths to the Representative for Children and Youth*.



**Table 3**

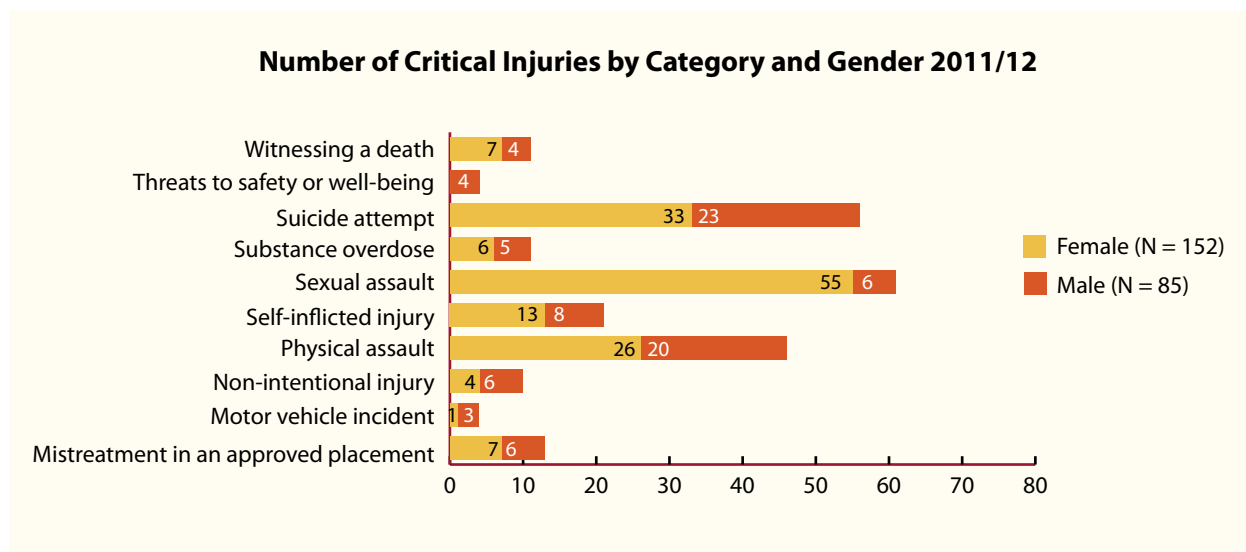
Further Detail on Cases Selected for Review 2011/12				
	Critical Injuries		Deaths	
	Non-Aboriginal	Aboriginal	Non-Aboriginal	Aboriginal
Not in Care	30	19	13	10
In Care	89	99	2	4
Total	119	118	15	14

Of the 266 cases selected for review, 132 involved Aboriginal children, reflecting their over-representation in the child welfare system.

## Causes and Gender Distribution

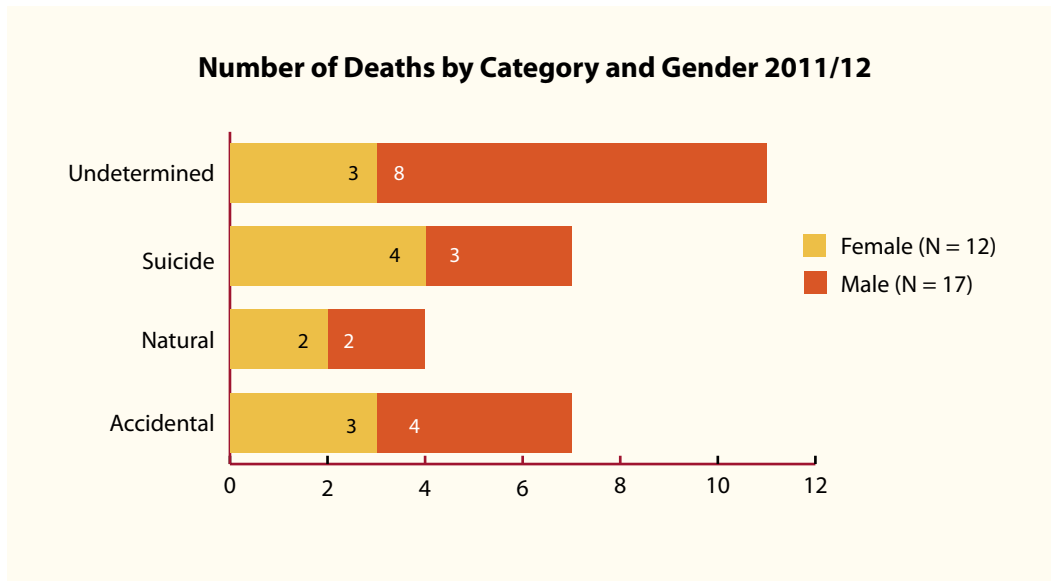
Tables 4 and 5 provide detail on causes of the critical injuries and deaths reviewed, as well as their gender distribution.

**Table 4**



# Critical Injury and Death

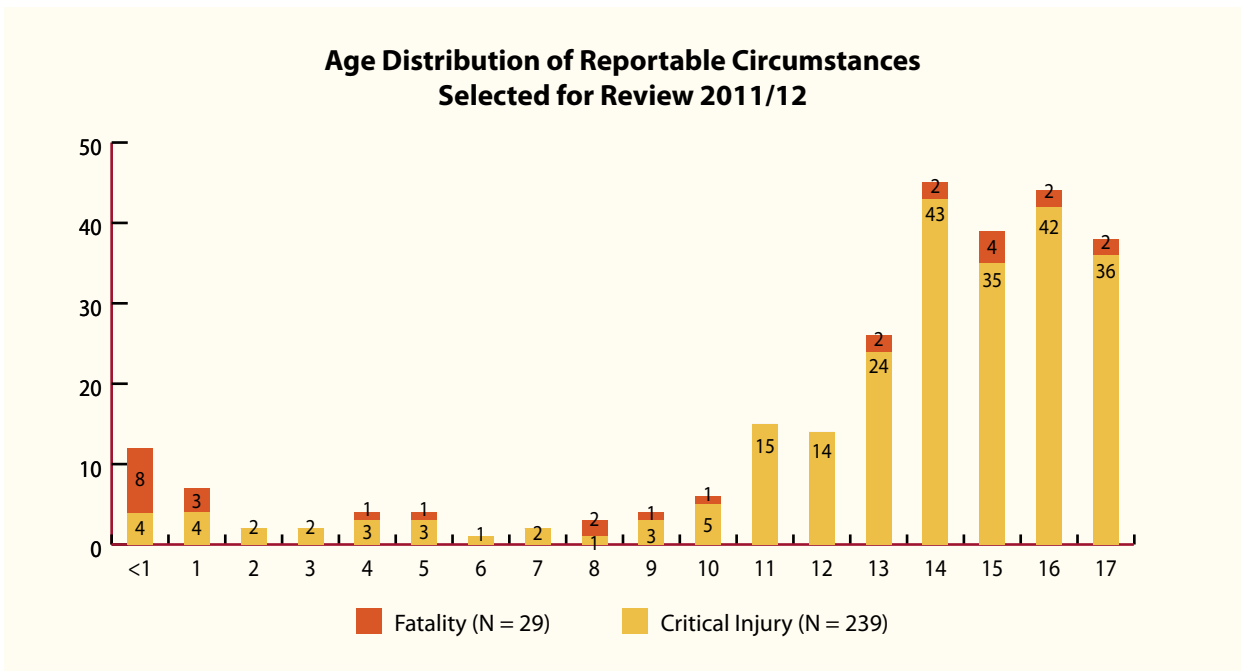
**Table 5**



## Age Distribution

Consistent with historical trends, most of the cases reviewed were infants or teenagers (see Table 6). Both of these groups have particular vulnerabilities. Very young children are completely dependent on caregivers and are not able to speak for or defend themselves, while teenagers are more likely than any other age group to engage in risky behaviours.

**Table 6**



## RCY Investigations and Special Reports in 2011/12

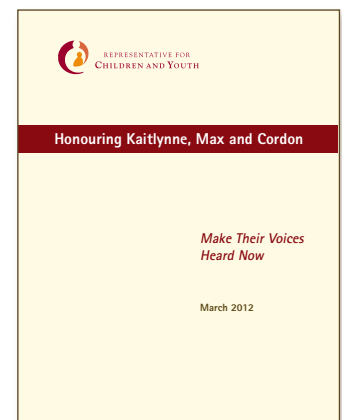
### Special Report: The Impact of Criminal Justice Funding Decisions on Children in B.C.

This report, released March 29, 2012, reviewed the decisions that led to a stay of proceedings in the prosecution of a father charged with multiple offences, including sexual assault, against his daughter. The stay of proceedings was the result of a failure to translate statements of the victim and the accused, made in languages other than English, because of the high cost of translation services. The report highlighted how the changing composition of B.C.'s population is placing new demands on the criminal justice system and the need to ensure that immigrant and refugee communities are receiving appropriate access to justice services. Recommendations focused on placing accountability for decisions impacting children being reviewed by senior Crown Counsel, and ensuring police had access to translation and interpretation services during an investigation.



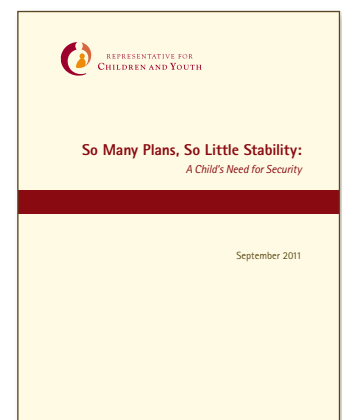
### Honouring Kaitlynn, Max and Cordon: Make Their Voices Heard Now

This report, released March 1, 2012, examined the events preceding the murder of Kaitlynn, Max and Cordon by their father in April 2008. The report found that child protection, income assistance, justice and mental health services failed to act effectively to safeguard the children. The report's recommendations included immediate action to ensure that awareness of the risks posed by untreated parental mental illness were better understood by professionals and that government demonstrate a renewed and serious commitment to protect children living with domestic violence. Government response included the creation of the Provincial Office of Domestic Violence.



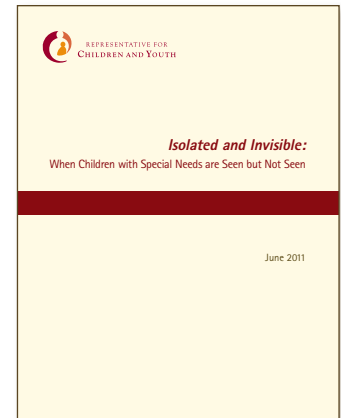
### So Many Plans, So Little Stability: A Child's Need for Security

This report, released September 13, 2011, focused on the circumstances surrounding the death of a four-month-old First Nations infant. The report identified troubling inadequacies in planning, case management and decision-making. Multiple placement plans for the infant's care were created and then abandoned as the file was transferred five times between the ministry and a delegated Aboriginal Agency. Three recommendations were made, focusing on accountability, clearer expectations and actions when frequent changes occur in a child's status or location, and changes to the then-proposed *Family Law Act*. The Act, which has been passed by the legislature and is anticipated to be implemented in March 2013, provides clear direction that the child's best interests is the only factor to be considered when decisions respecting a child are made. The Act includes important protections for children and new requirements about information to be provided to the court in non-parent guardian applications.



### **Isolated and Invisible: When Children with Special Needs are Seen but Not Seen**

This report, released June 27, 2011, concerned a young girl with special needs who was alone with the body of her dead mother for days before being discovered. The report found that there was no comprehensive plan to meet the girl's development needs or for her future and that the piecemeal provision of poorly monitored care and support resulted in the absence of meaningful assessment or planning. The report recommended, among other things, a detailed strategy to ensure that children and youth with special needs are receiving required services, and a review of the plans for all children and youth transferred from Community Living BC to MCFD.



### **Strategic Initiatives Underway and Planned for 2012/13 and 2013/14**

In 2012/13, the Office has two aggregate reviews underway: one of suicide deaths and self-harm injuries and the other of group homes. The first report, to be released in the fall of 2012, examines the characteristics of youth who attempt or complete suicide or engage in self-harming behaviours, their family circumstances and their pathways of entry into the service system. The group home review, begun in June 2012, is examining factors relating to children and youth who reside in group homes, factors relating to the group home itself, and the monitoring and oversight of these resources by MCFD.

Two formal investigations are also underway: one that examines issues relating to child safety in the context of adult substance abuse and another related to a youth with a long history of involvement with MCFD.

The Office will continue to work collaboratively with MCFD and other public bodies to promote an integrated and accountable approach to reporting and reviewing child deaths and injuries and learning from reviews and investigations. The Representative and her staff will work with public bodies and agencies and keep abreast of recent developments and best practices to inform its child critical injury and death reviews and investigations process and to provide advice to other public bodies.



## Advocacy

### Advocacy Support to Children, Youth and their Families

Navigating government services and processes is often difficult and challenging for children and youth and their families. Even at the best of times it may be confusing and frustrating not knowing what services they are entitled to and what recourse is available, let alone knowing how to access these services and feeling at a disadvantage given a lack of experience and knowledge of the system. Imagine the added layers of complexity for a young child, or for a child or youth who has a disability, is suffering from abuse or neglect, or lives in a small, remote community.

The advocacy team responds to requests for help from children, youth and families by providing information, support and advice in dealing with the province's child- and youth-serving system and by advocating directly for children and youth as required. Staff encourage and support vulnerable children and youth to speak for themselves, and work with child- and youth-serving organizations to ensure the views and opinions of children and youth are not only sought but actually heard and taken into consideration on issues that affect them. In some instances children and youth are unable to speak for themselves, and advocacy staff directly advocate for the young person, helping them to work through the complex systems of support and ensure that their views are considered.

#### Case Profile: Safety in a Foster Home

##### *Issue*

Four siblings had been living with a foster family for several years. There was a difficult history with the children's biological family, and the foster family's home had been vandalized several times since they began caring for the children. Following one particularly frightening incident where several men appeared demanding to see the oldest sibling, the foster parent requested that MCFD pay for a security system so that the home would be monitored and the entire family could feel safe.

##### *Action*

The foster parent contacted the Representative's Office, expressing frustration that MCFD would not pay for the security system and was not offering any alternatives to ensure that the family felt safe. The Representative's staff raised concerns that fears about safety could ultimately lead to the breakdown of a very stable, successful placement if MCFD did not take action to ensure that the siblings and foster family felt safe in their home. Staff of the Representative's Office requested a meeting with all involved parties to discuss the concerns.

##### *Outcome*

Ultimately, MCFD appreciated the foster parent's concerns and agreed to pay for a security system for the home. The foster parent felt validated, and the children were able to remain in the stable home.

### Case Profile: Children's Rights and Supporting Children's Views

#### *Issue*

A youth in continuing custody had lived in four different foster placements prior to contacting the Representative's Office because he was unhappy with his current foster placement. He wasn't sure who his social worker was and indicated that he had had four social workers over the last six months. He had requested from one social worker to live at his friend's parents' home, but this request was denied. He had also had his personal computer taken away (as a consequence) and had been told he couldn't have any electronics. The youth told the advocate he felt he did not have privacy in his foster home and that he felt isolated in the home with little access to his friends because the social worker had denied him a bus pass and his access to Skype/Facebook had been taken away.

#### *Action*

The advocate discussed with the youth his rights under the UN Convention on the Rights of the Child and his rights as a child in care, specifically his rights to have his opinion taken seriously, to have his placement reviewed, to know the standard of behaviour expected of him and the consequences of not meeting such expectations, and to have reasonable possession of his personal belongings. The advocate also advised the youth of MCFD's complaints process in case he wanted to file a complaint. The advocate gathered details about the youth's concerns and then discussed with the social worker the decision-making around the youth's placement, possession of his computer and request for a bus pass. During these discussions the advocate also ensured that the youth's views were presented to the social worker.

#### *Outcome*

The social worker met with the youth and discussed his concerns in detail. During their discussion it was determined that the youth also had a number of health issues that needed to be addressed. The social worker also completed a review of his file. The youth's request to move to his friend's home was approved. He received a bus pass and had his computer returned to him. The youth's social worker assisted him in getting fitted for and ordering orthotics as well as setting up physiotherapy for him, and they made plans for him to see a physician for back x-rays and issues around sleep.

The advocacy team also promotes awareness across the province of the services available to vulnerable children and youth and facilitates and encourages the development of community advocacy organizations through outreach, information, education and support.

## System Advocacy

The Representative's Office plays a key role in informing the public and promoting awareness about the rights of children and youth. The Office builds understanding of the rights of children and youth through working with other child rights organizations to undertake child rights awareness campaigns, disseminate information and publications, and host events in communities and with child and youth organizations.

The Office's "systemic" advocacy team, comprised of staff from the three RCY program areas – Critical Injury and Death Reviews and Investigations; Advocacy; and Research, Evaluation, Audit and Monitoring – identifies and considers emergent issues and themes arising from reviews and investigations of critical injuries and deaths, individual advocacy cases and monitoring activities. The objective is to use an efficient and standardized methodology to assess and categorize issues, identify overarching themes and develop strategies or make recommendations for addressing the issues, including raising public awareness and working collaboratively with the child- and youth-serving system to develop solutions.

The Representative also takes opportunities to inform the public and policy-makers about current issues and legislative proposals in order to bring forward perspectives from her vantage point of advocacy for children and youth and their rights.

## Summary of Activities in 2011/12

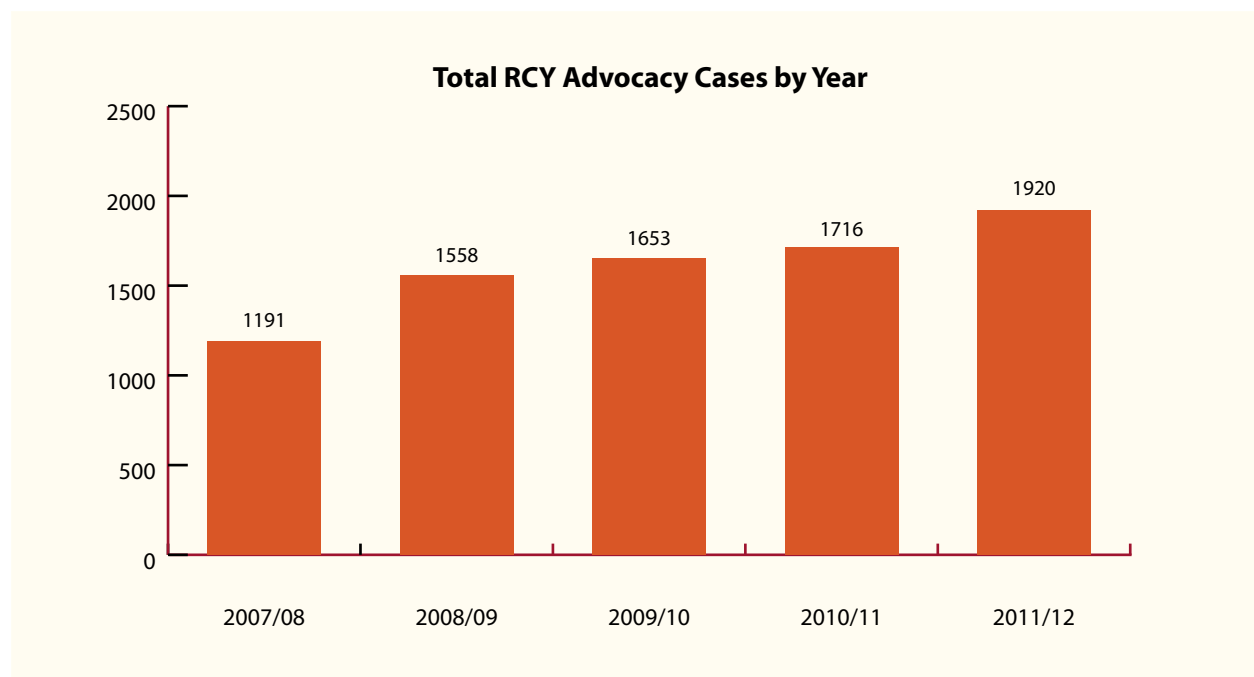
### Advocacy Cases and Trends

Between April 1, 2011 and March 31, 2012, the Representative's advocacy team dealt with 1,920 cases. This is an increase of 204 cases (11 per cent) from the previous year (and an increase of more than 61 per cent over the five years of operation of the Office), mainly due to growing awareness of the Representative's Office and the services it offers children and youth, including advocacy.

Since the Office's inception in April 2007, RCY advocates have taken on 8,038 cases.

The advocacy team also responds to queries from individuals who are seeking help with issues that are outside the Office's mandate. Advocacy staff will provide information and links to other resources and help people to identify options that may be available to address their concerns.

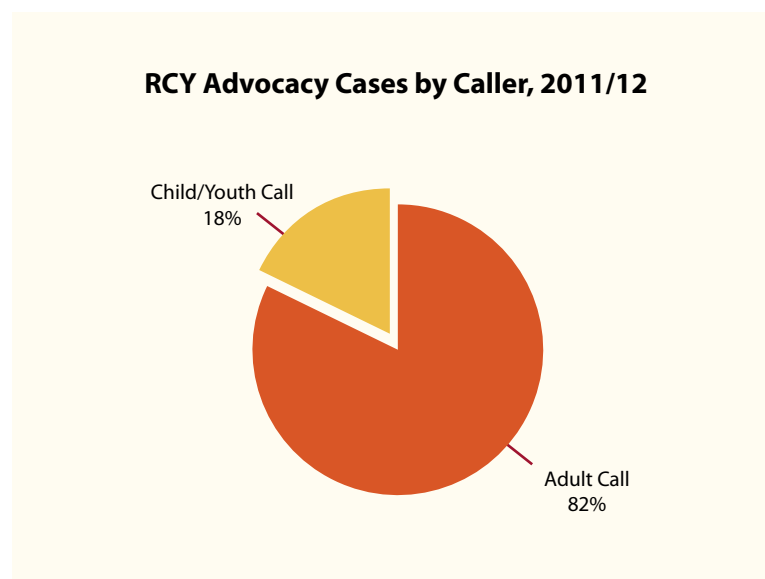
Table 7





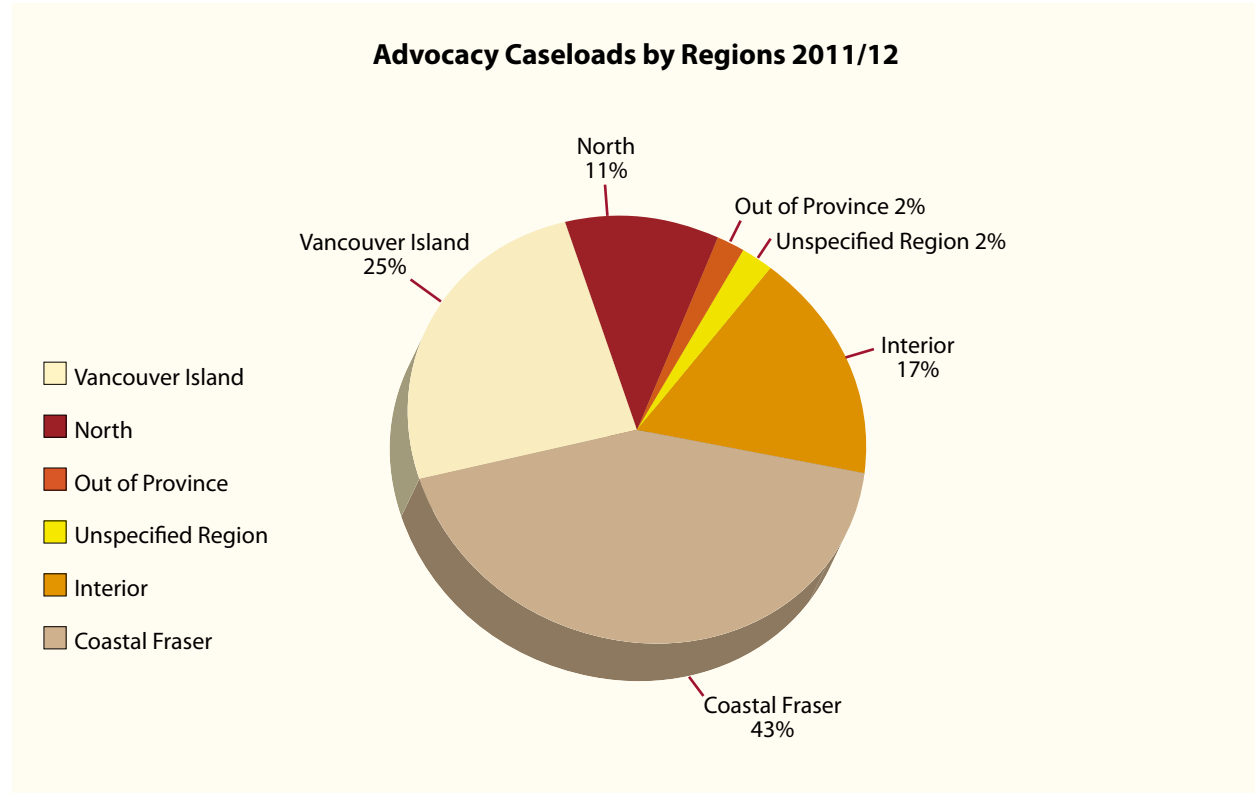
There has been a change in the nature and complexity of cases. The percentage of calls made by children and youth has also steadily increased from approximately 13 per cent in 2008/09 to nearly 18 per cent in 2011/12. The percentage of child and youth calls received by the Representative's Office is an important indicator of workload as child and youth calls tend to result in advocates taking on a direct advocacy role rather than the information, support, advice and referral services usually offered to adults calling on behalf of children and youth.

**Table 8**



In 2011/12, in response to the increased workload of the advocacy team, internal reallocation and year-end funds provided temporary additional staffing resources to the team (a full-time advocate and full-time intake analyst position).

Table 9



The RCY advocacy team is contacted about a wide array of issues related to the child- and youth-serving system. In 2011/12, the concern most frequently brought to the attention of advocates was disagreement with service system planning processes. Individuals were also concerned that their views were not considered in planning, that planning or decision-making was taking too long, that a plan did not exist or that service was being denied altogether. Other frequently raised issues included staff practice in relation to the delivery of services, individuals' belief that they were not treated with dignity and respect, and custody and access matters (which are outside the mandate of RCY). RCY advocates also received numerous requests for information about policy and/or legislation.

## Operational Enhancements

Individuals who have contacted the Representative's Office requesting advocacy assistance are surveyed to assess their satisfaction with the information, support and advice provided by the advocacy team. Based on survey feedback, in 2011/12 the Representative's Office modified its intake process to increase efficiency and improve data collection to allow accurate recording of performance measurement data regarding response time to clients (children and youth within 24 hours and adult callers within three business days).

## Advocacy Protocol with MCFD

On April 4, 2011, the Representative and MCFD signed an Advocacy Protocol that outlines a shared commitment to promoting and supporting effective advocacy on behalf of B.C. children and youth receiving or requesting government services. The Protocol clarifies the roles of both organizations relating to the provision of advocacy services by the Representative's Office, including that MCFD will inform children and youth in care about the Representative's services and assist them in contacting the Office. The first phase of implementation to inform and orient all MCFD staff about the Protocol was completed in spring 2012.



*Associate Deputy Representative for Children and Youth Andrew Robinson, Representative for Children and Youth Mary Ellen Turpel-Lafond, Honourable Minister Mary McNeil and Deputy Minister Stephen Brown sign the Advocacy Protocol on April 4, 2011.*

## Case Profile: Placement of a Youth with Special Needs

### *Issue*

A youth with a significant history of drug use and mental health issues had been placed in care under a Voluntary Care Agreement. The youth left his rural community foster home as he felt quite isolated, and ended up in hospital, committed under the *Mental Health Act*. Upon discharge from hospital, the youth moved in with grandparents, though no one felt that this was an ideal placement based on the youth's high level of needs and his grandmother's grave health condition. However, MCFD had no suitable homes for the youth in his home community, and he was not eligible for a Youth Agreement.

### *Action*

Both the youth and his mother contacted the RCY regarding planning. Staff followed up with the youth's social worker, Child and Youth Mental Health clinician and MCFD resources to discuss placement options for the youth. RCY attended several meetings and suggested that Adult Mental Health services be brought in to discuss planning as the youth was 18. RCY encouraged MCFD to explore new and creative options to ensure the youth's needs were being met.

### *Outcome*

MCFD ultimately developed a specialized home specifically for the youth. The home was staffed 24 hours a day, and the youth was the only individual in that placement. Adult Mental Health became involved in longer-term planning. Upon last update from the youth's mother, he was doing well in his new placement and starting courses at a local college.

## Building Awareness

### Work with Youth Custody Centres

In 2011/12, the Representative's Office began an initiative to visit each youth custody centre on a monthly basis. Visiting the centres in person allows advocates to build relationships with centre staff and engage youth directly to ensure they know about the Representative's services. Extra effort is needed with this group of youth given their often higher rates of vulnerability and risk and their isolation.

Advocates visited the Burnaby Youth Custody Centre 11 times and the Prince George Youth Custody Centre 14 times in 2011/2012. Establishing regular visits to the Victoria Youth Custody Centre was delayed due to a range of administrative issues, including renovations, staff turnover and staff layoffs at the Centre. The visits have full support of custody staff and are proving to be effective in engaging youth to ask questions and to speak up about issues they are concerned with, including access to information, release planning, lack of contact with social workers, transfer of services from Victoria and Prince George to Burnaby for female youth and ineffective internal complaints procedures.

### Champions for Change – A Guide to Effective Advocacy for Youth and the Adults Who Support Them

The youth-friendly Champions for Change Guide is intended to provide individuals with information about the Representative for Children and Youth's mandate, advocacy principles and the rights of children and youth in B.C. The guide was created to empower individuals to advocate from a child-centred approach, placing the child's rights, voice and interests front and centre. This guide has been widely distributed throughout the province and has been positively received by youth, service providers, parents, caregivers, foster parents and front-line MCFD staff.



*Cake shared at the International Youth Day Celebration event and in recognition of the RCY Champions for Change advocacy guide, launched in Abbotsford on August 11, 2011.*

### Child Rights Campaign

The Child Rights Public Awareness Campaign is a multi-phase project led by the Society for Children and Youth BC in partnership with the Representative's Office, the BC Centre for Safe Schools and Communities and Reel Youth. The purpose of the campaign is to promote the understanding of child rights and the use of the United Nations Convention on the Rights of the Child as a unifying framework for programs, services and supports to children, youth and families.

The focus of the campaign for 2011/12 was profiling child rights and building public awareness through a multimedia initiative including public transit ads, poster distribution and radio public service announcements. In 2011, the Child Rights Public Awareness Campaign received a Celebration of Community Award from the United Way of the Lower Mainland.

## Communities visited by RCY in 2011/12



### Speaking Up on the National Stage

As part of her broader advocacy role in speaking up and providing input on issues of significance to the rights and interests of children and youth, the Representative made the following presentations and appearances in 2011/12:

- a submission to the House of Commons Select Standing Committee on Justice and Human Rights regarding Bill C-10, an omnibus Bill containing proposed amendments to the *Youth Criminal Justice Act*
- appeared as a witness before the Senate Committee on Legal and Constitutional Affairs regarding Bill C-10
- appeared as a witness before the Senate Committee on Human Rights with respect to Bill S-2, speaking about matrimonial rights in homes on reserve lands and the impact on children who are living in situations of domestic violence.

The Representative also provided input to the National Panel on First Nations Elementary and Secondary Education.

### Strategic Initiatives Underway and Planned for 2012/13 and 2013/14

#### Addressing Increased Demand for Advocacy

The Representative's advocacy program will continue to experience pressures related to the increased demand for services and greater complexity of cases. Further pressures will result if planned legislative changes to expand the mandate of the Office are passed. The Office is continuing to explore strategies to enhance the efficiency and effectiveness of its advocacy program delivery.

#### Youth Survey

The RCY has initiated a youth survey project for the purposes of evaluating and improving advocacy services for youth ages 12–18. An advisory committee was formed and comprehensive research was conducted into advocacy organizations across Canada and internationally, looking at the most effective methodologies for reaching out to youth. This work indicates that the Office will be breaking new ground with its online youth survey.

Survey questions were developed with assistance and input from youth, and privacy and confidentiality issues were addressed through the survey design and methodology. The youth survey will be piloted beginning in 2012/13.

Questions to be covered in the youth survey include:

- Do youth feel that they have a better understanding of their rights after interacting with the RCY Office?
- Do youth have more confidence in their ability to advocate on their own behalf after interacting with the RCY Office?
- Do youth feel that the RCY Office assisted them in having their voice heard by decision-makers?

### **Collaboration and Building Awareness**

The Representative's advocacy team will continue to work with MCFD, its delegated Aboriginal Agencies and child- and youth-serving organizations to ensure that consideration of the rights of children and youth is integrated into policies and practices and that children and youth are active participants in the decision-making process. The Representative will work with MCFD on the effective second phase implementation of the MCFD and Representative's joint Advocacy Protocol to ensure that children and youth in the care of government are informed of their rights and about the advocacy role of the Representative's Office.

The engagement initiative with Youth Custody Centres is continuing. Regular monthly visits to the Victoria Youth Custody Centre began in April 2012.

The advocacy team will continue to visit communities throughout the province and reach out to community organizations to promote awareness about children's rights and the services of the Office and to build capacity in communities. The Office will continue to work with its partner agencies in the Child's Rights Awareness Campaign. The focus of the Campaign for 2012/13 is expansion of the campaign's website, [www.everychild.ca](http://www.everychild.ca), and multimedia campaign, and supporting youth-led child rights community forums.



## Research, Evaluation, Audit and Monitoring

Staff in the Research, Evaluation, Audit and Monitoring program work to translate individual issues, reviews and circumstances into a larger understanding of how the system of supports works for children, youth and families. This program ties together the strands of individual cases, as well as the work of the Representative's Office with outside agencies, and provides important insight into how well the government is serving British Columbia's young people. It also plays a key role in gathering data, reviewing relevant literature and supporting the other units of the Office in their work.

The Office reports publicly on broadly defined or systemic issues, including issuing update reports. In addition, the Representative closely monitors a broad range of issues that emerge from meetings, correspondence and public engagements. These are all opportunities to "take the temperature" of the systems of support for vulnerable children and youth.

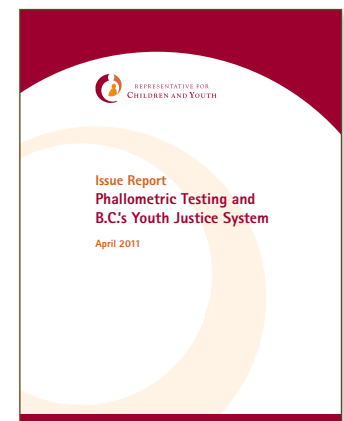
### Summary of Activities in 2011/12

#### Monitoring Reports

##### **Phallometric Testing and B.C.'s Youth Justice System (April 14, 2011)**

In summer 2010, concerns were raised from the public about the use of phallometric testing on B.C. youth involved with the Youth Sex Offender Treatment Program of MCFD's Youth Forensic Psychiatric Services (YFPS). Although the minister for MCFD initially suspended and then ordered the permanent cancellation of phallometric testing at YFPS, the Representative decided that an independent review was necessary given the nature of the concerns raised and the potential for the cancellation decision to be reconsidered.

An Issue Report was released in April 2011 indicating that the Representative did not support the use of phallometric testing based on the evidence reviewed. The Representative recommended that phallometric testing should not be reinstated and that a comprehensive policy and program review of the Youth Sex Offender Treatment Program should be undertaken. In addition, the Representative recommended that the current YFPS approval process for research activities be reviewed and changes made as required to ensure it meets ethical research standards. MCFD accepted all of the review's recommendations and has acted upon them in a timely manner. The use of phallometric testing has not been reinstated at YFPS.





### Ongoing Monitoring and Analysis of Critical Issues and Areas of Oversight

#### Court Delays in Child Protection Cases

The Provincial Court of British Columbia has identified that the requirement under the *Child, Family and Community Service Act (CFCS Act)* that decisions about child protection cases be made in a timely manner is not being met. Delays in court proceedings for *CFCS Act* matters mean children are spending more time in temporary care arrangements before being placed with more permanent caregivers and families are in limbo waiting for decisions about their lives.

The Representative has begun work with the ministries of Justice and Children and Family Development and the Provincial Court of British Columbia to examine the reasons for delays in court decisions regarding children and youth, specifically court proceedings provided for under the *CFCS Act*.

#### MCFD's New Child Protection Response Model

In 2008, MCFD initiated a process to review all programs from a collaborative, strengths-based, developmental perspective. As part of that process, certain limitations and lack of supporting tools to respond to concerns about child abuse and neglect were identified in B.C.'s child protection decision-making framework, the BC Risk Assessment Model. In response, MCFD designed a new framework and tools for child protection assessment and intervention to support social workers in engaging families in the identification of risks, needs and strengths and the development of plans to ensure the safety and well-being of children.

The Representative's Office, as part of its ongoing monitoring function, has participated in update meetings on the development of the new Child Protection Response Model, which includes an actuarial risk assessment and vulnerability assessment. The Representative has raised concerns about the training aspect of the new tool, the reporting and monitoring of child protection response, and the validity and design of the response tools. The Representative will continue to monitor the implementation of the new Child Protection Response Model.

#### Integrated Case Management System

In 2008, the provincial government began the process of developing a new software application, the Integrated Case Management (ICM) system, to support the work of the Ministry of Social Development and MCFD. As part of the Representative's ongoing monitoring functions, the Office receives updates on the development of ICM for child welfare services. The new system was scheduled to be implemented April 1, 2012, and RCY received a number of status updates throughout 2011/2012, including demonstrations of the application. During these ICM update meetings, RCY raised concerns about the application's ability to successfully support social workers in their work, in particular as it related to child protection practice. RCY will continue to monitor the implementation and the next phases of the ICM system.

## Research, Evaluation, Audit and Monitoring

### Extended Family Program

The Extended Family Program became effective April 1, 2010, and provides supports to children, families and caregivers to meet the needs of the child living with a relative or close family friend when their parents are temporarily unable to provide care. Implementation of the program is occurring in two phases. Under Phase 1 an interim policy was passed implementing the program, with Phase 2 involving further consultation and discussion with MCFD staff and key stakeholders to finalize the policy and procedures and respond to emergent issues. The Representative continues to monitor caseloads, services and budget for the program and will work with government to ensure that services offered to caregivers are supported.

### Child Poverty

The Representative continues to advocate for a provincial child poverty plan. In December 2011, MCFD and the Union of British Columbia Municipalities' Healthy Communities Committee announced they were working together to develop an initiative focusing on poverty-reduction strategies at the community level. Seven communities were selected in early 2012 to pilot strategies that target the unique needs of families living in poverty. Successes from pilot communities are intended to provide insight into strategic approaches for other B.C. communities. The Representative will continue to monitor the progress and outcomes of this pilot project.

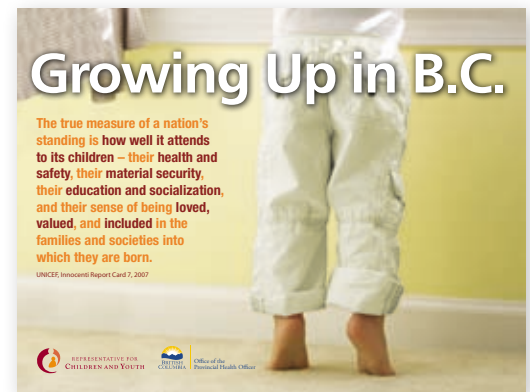
### Collaboration and Joint Activities

#### Update of Growing Up in B.C.

Research shows that schooling and the acquisition of foundational skills such as reading, writing and numeracy are key to a young person's long-term health and well-being. Not completing high school is linked to higher unemployment incidence, lower health status and lower lifetime satisfaction. Children and youth who are vulnerable due to their environment and the circumstance of their upbringing face greater challenges in successfully engaging in learning opportunities than those young people in the general population.

The Representative and the Provincial Health Officer are particularly concerned that young people be supported in their learning opportunities. During 2011/12, the Representative and the Provincial Health Officer began work on a follow-up report to their joint 2010 *Growing Up in B.C.* report with the goal of better understanding the learning experiences of young people in B.C.

Work has also continued on the *Growing Up in B.C.* report itself. The Representative hopes to make data used in the development of the report available online for the public to access. During the past year, the Research, Evaluation, Audit and Monitoring team has been researching and exploring the possibility of developing a web-based tool that will permit anyone to retrieve *Growing Up in B.C.* data for specific geographic areas.



### **Pathways to Over-representation of Aboriginal Children in Care in B.C.**

In 2011/12, the Office of the Representative and the Faculty of Social Work, University of Toronto, continued to collaborate on a joint research study to examine factors that contribute to the over-representation of Aboriginal children in care in British Columbia. In an effort to better understand risk factors that contribute to the over-representation of Aboriginal children in care in B.C., this research study attempts to model and examine the pathways Aboriginal children and families encounter in child welfare services in B.C.

### **Updates on the Implementation of Previous Report Recommendations**

All of the reports issued by the Representative contain recommendations for action or suggestions for improvements and enhancements to the child- and youth-serving system. It is the Representative's intention to make practical recommendations that will lead to real improvements to the system. The recommendations provide a roadmap for tracking progress as well as a stimulus for debate and critical analysis. Although it is recognized that different approaches may sometimes be required than those originally recommended, it is the Representative's hope that the issues being raised in these reports will be addressed, raising public awareness and resulting in change and improvements for vulnerable children and youth.

The Representative's Research, Evaluation, Audit and Monitoring staff follow up with public bodies to track responses to recommendations. As part of the tracking process, considerable time is devoted to assessing the quality and timeliness of responses and determining what progress has been made.

In October 2011, MCFD informed the Representative that it was reviewing all RCY reports and recommendations from 2007 through 2010. The intent of this process is to discuss with the Representative's Office the findings, themes and status of the approaches to responding to the Representative's reports and recommendations. The Representative is pleased with MCFD's willingness to review previous report findings and with the collaborative approach it is taking in doing so. The process began in fall 2011 and continues.

One policy change resulting from this review and reconsideration of recommendations was MCFD's decision to expand screening effective September 2011 to include unscreened caregivers to ensure that children are living in a safe and caring home as recommended in the Representative's June 2010 report *No Shortcuts to Safety – Doing Better for Children Living with Extended Family*.

### Strategic Initiatives Underway and Planned for 2012/13 and 2013/14

#### Research, Evaluation, Audit and Monitoring Initiatives

The Research, Evaluation, Audit and Monitoring program will continue to monitor a number of critical issues and areas described previously, including court delay in child protection cases, MCFD's new Child Protection Response Model, the status and implementation of the Integrated Case Management System, the Extended Family Program, and action on child poverty. As these issues progress and evolve, more specific and directed action by the Representative may be warranted. Additional critical issues requiring ongoing monitoring by the Office may also be identified by stakeholders and through the work of the Office in providing oversight to the system.

In addition to these oversight and ongoing monitoring activities, work will continue or be completed on a number of specific reviews and audits currently in process.

#### Plan of Care Audit

In British Columbia, every child entering care must have a plan of care. This plan is intended to provide an assessment of the child's needs and outline the services in place to support the outcome-focused goals for the child. The purpose of the plan of care audit is to review the quality of both the planning and the execution of plans of care and to ensure key MCFD standards are met. The audit aims to support and improve practice and will provide an independent and systematic review, identifying areas where practice requires strengthening or where barriers to good practice exist in planning and assessment for children in care.

During summer 2011, the Representative completed a file review of 100 children in care to assess how well plans of care are developed, reviewed, monitored and meet MCFD standards. Consultations have been held with front-line workers to understand their perspectives and experiences with care planning and assessment and to discuss what is working well or not working on the front line. The Representative is partnering with the Federation of BC Youth in Care Networks to consult with youth in and out of care to gain their perspective on care planning. An online youth survey is under development for release in summer 2012. A report on the plan of care audit will be completed and released in 2012/13.

#### Review of MCFD Adoption Services

Adoption is an important outcome in child welfare – a permanent family home for those children who would otherwise remain in care until they reach adulthood. In past reports the Representative has described the negative outcomes for children who "age out" of foster care. The adoption program review is being undertaken within the broader context of permanency planning and how well the adoption program is meeting the goal of seeking permanency for children in care.

Over the past year, a comprehensive review of ministry policies and standards, discussions with MCFD staff regarding the adoption program, and an analytical review of adoption data to examine client characteristics and performance measures of the program, such as the length of time to adoption placement, were completed. Work is underway to understand the perspectives and experiences of MCFD direct service workers – what is working well and what needs to be improved. The Representative is partnering with the Adoptive Families Association of BC to seek the input of youth about their perspective and experience with the MCFD adoption program. An online youth survey is under development. A report on the review of adoption services will be completed and released in 2012/13.

### **Review of Youth Mental Health Services**

During 2011/2012, the Representative received an increasing number of calls from the public regarding the responsiveness of the mental health system of services for young people. Given the nature of the concerns raised and based on the experience of the advocacy team and findings of critical injury and death reviews and investigations, the Representative decided to embark upon a review of mental health services for youth. The Representative's youth mental health project seeks to better understand how mental health services for youth ages 16–18 are delivered and how well services are communicated and coordinated when youth are transitioning between different services.

Over the past year, literature and jurisdictional research has been conducted to understand recent developments in child and youth mental health. Information is being gathered through surveys, focus groups and interviews with practitioners, youth, parents and caregivers. A report on the mental health system of services for young people will be completed and released in 2013.

### **Joint Initiatives**

The Representative's Office will continue to seek partnerships and collaborate with experts in other organizations, including Simon Fraser University, the University of Victoria, the University of British Columbia, the University of Toronto, the University of Western Ontario, the Child Welfare League of Canada, the McCreary Centre Society, on researching issues significant to the lives of young people. Such partnerships broaden and strengthen the research capacity in the Office and produce valuable research, advice and insight. A secondary benefit of such initiatives is that they provide an opportunity for post-secondary students to become engaged in the child- and youth-serving field and thus strengthen future research capacity.



## Aboriginal and Community Relations

Outreach to Aboriginal communities is a priority for the Office. It helps to inform the development and implementation of strategies to better support vulnerable Aboriginal children and families in B.C. This is done in partnership with Aboriginal leadership, Aboriginal communities and other partners. Community outreach work has enabled strong partnerships with the First Nations Directors Forum (comprised of directors of delegated Aboriginal Agencies), the First Nations Education Steering Committee and several other Aboriginal organizations.

The Office also works with the provincial and federal governments to address issues related to Aboriginal children and youth receiving government services.

### Summary of Activities in 2011/12

In 2011/12, the Representative's Office maintained active communication with stakeholders, including significant Aboriginal organizations in B.C. such as the First Nations Summit, the Union of British Columbia Indian Chiefs, and the Métis Nation British Columbia, as well as federal partners that include Aboriginal Affairs and Northern Development Canada and the First Nations and Inuit Health Branch at Health Canada. In addition to this ongoing work, the Office:

- engaged with the First Nations Directors Forum in the development of a collaborative working group to develop and implement strategies to improve outcomes for Aboriginal children and youth
- developed a joint work plan with the First Nations Education Steering Committee to identify initiatives that will support Aboriginal children and youth in their educational goals.

### Strategic Initiatives Underway and Planned for 2012/13 and 2013/14

The Office will continue to work in partnership with delegated Aboriginal Agencies, First Nations communities and Aboriginal youth to develop initiatives relating to issues of importance to Aboriginal children, youth and families. Specific initiatives underway and planned include:

- working with Aboriginal leadership and communities to identify a domestic violence strategy for Aboriginal communities
- developing an Aboriginal outreach strategy with Aboriginal communities, leadership, youth and organizations
- developing a working relationship with the University of Victoria's First Nations Child Welfare Research group to identify current research and best practices in First Nations child welfare.



## Youth Participation

Hearing directly from youth about their concerns and obtaining their input on how child and youth services can be made more responsive and effective is fundamental to the work of the Office. The Office seeks out and engages youth directly and obtains their input and feedback on the development and delivery of services, benefiting both the work of the Office and the personal development and capacity of the youth.

### Summary of Activities in 2011/12

In 2011/12 specific youth participation activities included hearing directly from youth on the plan of care audit and the adoptions review. The Office also participated in the 2012 Aboriginal Youth Conference, *Gathering our Voices*, organized by the BC Association of Friendship Centres, held a youth-centred Champions for Children and Youth Summit and released a video in support of the It Gets Better project.

### Champions for Children and Youth 2011 Summit

The 2011 Summit, *Fresh Voices from Long Journeys: Insights of Immigrant and Refugee Youth*, held in Vancouver October 13–14, 2011, focused on hearing the voices of immigrant and refugee youth. More than 120 young people shared their views with politicians and business leaders from across B.C. on a wide range of issues and the barriers they face as they build new futures in British Columbia.

Organized in collaboration with the Vancouver Foundation and an advisory team of more than 20 immigrant and refugee youth living in the Lower Mainland, the Summit was an opportunity to explore practical, concrete ways to improve the experience of immigrant and refugee youth.

The 2011 Summit was the third Champions for Children and Youth Summit held by the Representative.



*The 2011 Summit Youth Advisory Team and special guest spoken-word poet Shane Koyczan (far right) during day one of the Summit.*

### ***It Gets Better Video***

In November 2011, the Representative's Office released a video in support of the It Gets Better project, aimed at supporting lesbian, gay, bisexual and transgender (LGBT) youth to focus on a positive future ahead. The video highlights the experiences of a variety of British Columbians in dealing with bullying, homophobia, discrimination and being different.

The It Gets Better campaign was launched in the U.S. in 2010 in response to an epidemic of suicides by LGBT youth. Campaign supporters emphasize that every video can change a life. Thousands of video clips have been submitted by politicians, celebrities, organizations, activists and youth from around the world.

### **Strategic Initiatives Underway and Planned for 2012/13 and 2013/14**

Key activities to promote and enhance youth participation include:

- continued consultation with youth-serving organizations to identify best practices and effective approaches to youth participation
- development and implementation of a youth participation strategy for the Office, in partnership with youth and youth-serving organizations
- development and implementation of an Aboriginal youth-led strategy for youth participation
- continued partnership with youth and youth organizations to ensure the youth voice is considered in the development of child- and youth-serving system policies and programs
- continued work with immigrant and refugee youth communities to ensure services and systems of support are relevant and responsive
- ongoing collaboration and information-sharing with other governments and organizations to identify best practices and effective youth participation strategies and/or models.

Planned partnerships include:

- partnering with the Federation of BC Youth in Care Networks
- working with the Vancouver Foundation to maintain a collaborative relationship with the Champions for Children youth advisory group
- developing relationships with the BC Association of Friendship Centres' youth leaders
- partnering with the MCFD Youth Engagement team to identify opportunities for joint initiatives in supporting youth participation
- engaging with the Ministry of Aboriginal Relations and Reconciliation youth leadership group
- continuing to meet with the Assembly of First Nations BC Youth Representatives to identify priorities at the national and provincial level.





## Outreach and Communications

Outreach and Communications supports the Representative and program areas to raise public awareness of the Office's work and the services offered to children, youth and families.

### Summary of Activities in 2011/12

#### Community and Stakeholder Engagement

The Representative and staff from her Office take part in major community events to help raise awareness of their work and the services they offer to children, youth and families. In 2011/12, staff set up information booths, talked with the public and distributed materials at 13 major events and conferences (a list of events and conferences is included in appendix 1).

#### Outreach

In continuing efforts to increase awareness of the Representative's work, 400 information packages were mailed to the following organizations and offices during the period of this report:

- B.C. RCMP detachments
- B.C. police chiefs at municipal detachments
- B.C. school liaison RCMP officers
- B.C. pride societies
- B.C. Chambers of Commerce.

In addition to the normal publication distribution process, and in an effort to share the knowledge learned, the following RCY reports were shared with key stakeholders:

- *Isolated and Invisible: When Children with Special Needs are Seen but Not Seen*, an investigative report that examined the services a young girl with special needs and her family received and whether they were appropriate and responsive to the child's situation, was distributed to MCFD offices throughout B.C., Superintendents of Schools, British Columbia Association of Community Living and the Executive Directors at Child Development Centres across the province.
- CCCYA's report *Aboriginal Children: Canada Must Do Better – Today and Tomorrow* that outlined significant issues affecting Aboriginal children was sent to the Union of BC Indian Chiefs, First Nations Summit, Métis Commission for Children and Family Services, Aboriginal Infant Development Program and Assembly of First Nations.

## Outreach and Communications

- *Honouring Kaitlynn, Max and Cordon: Make Their Voices Heard Now*, an investigative report into the lives and deaths of three B.C. children killed by their father in April 2008, was distributed to BC Principals' and Vice Principals' Association, British Columbia Teachers' Federation, BC Mental Health Foundation, College of Physicians & Surgeons of BC, health authority directors and RCMP detachments and police chiefs across the province.

### Media Requests

The Representative and staff responded to well over 200 requests from the media for interviews and information throughout the year. Topics included individual reports, high-profile issues involving children and youth, domestic violence, the process for reporting critical injuries and deaths and potential changes to the *RCY Act*. These interviews help increase awareness of the Representative's work and build public confidence in the child- and youth-serving system.

### Social Media

Outreach through social media platforms is an important part of the Representative's interaction with children, youth and other interested British Columbians.

In 2011/12, the number of Representative's Facebook page followers increased by 200 per cent, and there was significantly increased interaction with the Office's stakeholder audience.

The Representative's YouTube page also showed an increase in viewers, and the *It Gets Better* video had more than 1,200 views.

### Representative's 2011 Awards of Excellence

The Representative for Children and Youth's annual awards recognize and encourage excellence in British Columbia's child- and youth-serving systems. Individuals and organizations whose work contributes to improving the lives of children and youth in B.C. are honoured and acknowledged at an awards ceremony in the fall. The recipients of the 2011 awards of excellence were:

- Youth Leadership Award (co-winners) - Samantha Claver and Lilia Zaharieva, Victoria
- Service Provider Award - Mary Manning Centre, Victoria
- Cultural Heritage and Diversity Award - Aboriginal Infant Development Programs of B.C.
- Advocacy Award - Dawn Johnson, MCFD, Vancouver
- Innovative Services Award - Burnaby Board of Education and MCFD
- Mentoring Award - Constable Richard Lavalley, Vancouver
- Lifetime Achievement Award - Tracy Porteous, Vancouver.

### **RCY Meetings and Speaking Engagements**

The Representative and her staff meet with a variety of stakeholders each year on a range of topics relating to the work of the Office and to keep up to date on the child- and youth-serving system. The Representative and senior staff of the Office are also available to speak about the work of the Office at various stakeholder initiatives. In 2011/12 the Office met with more than one hundred individuals, organizations, institutions and offices (a list of meetings and speaking engagements is included in appendix 1).

### **Initiatives Underway and Planned for 2012/13 and 2013/14**

The emphasis on outreach and increasing public awareness will remain a focus of the Representative's Office in the coming years. Information booths will be set up at conferences and other public events, the RCY Facebook page will continue to be active and attract followers, information materials will be distributed to organizations, and the Representative will maintain an active role in speaking engagements and media interviews. In addition, the Representative's Annual Awards of Excellence will be held in the fall of 2012 and in future years, and the Office will continue to look for ways to engage with children and youth.



## Organizational Effectiveness and Efficiency

To be effective in meeting its mandate, the Office needs the trust and confidence of the legislature, the public and stakeholders. Trust and confidence is built and maintained by the Office achieving high standards of quality in service delivery through a competent and expert staff supported by efficient operations.

### Human Resources

The effectiveness of the Office is dependent on its staff, a competent and diverse group of employees who are in turn supported by the Office to be innovative, to pursue continuous learning and professional development and to achieve the highest standards of excellence in their work.

The Representative's Office staff are highly qualified individuals from a variety of educational and employment backgrounds who represent the diversity of the population served by the Office. RCY employees bring a broad range of experience and expertise to their work. They come from backgrounds in law, social work, education, youth justice, child and youth mental health, community public sector advocacy, law enforcement, justice administration, and social policy research and analysis. In an effort to ensure employees represent the diversity of the population the Office serves, most job postings indicate that preference may be given to applicants who are of Aboriginal or Métis descent or members of ethno-cultural minority communities.

The Representative's Office encourages and enables staff to pursue professional development opportunities, either directly related to their current work or that will prepare them for advancement in the public service. Training and development activities may be formal, classroom-based or online courses and workshops, or informal arrangements such as independent study or mentorship arrangements and participation in conferences.

### Corporate Services

The efficiency of the Office is supported by its Corporate Services unit, which provides the backbone for program operations – human resources, information technology, finance, facilities and administrative services.

Corporate Services maintains the independent nature of the Office while ensuring the Office is aligned with core government policies, standards and practices. The Office uses central government shared services in order to be integrated with other public service offices and to maintain effective communication and partnerships. The Office is also subject to rigorous oversight through annual audits conducted by the Office of the Auditor General, and staffing decisions are subject to annual reviews by the Office of the Merit Commissioner.

The Office's operational policies and procedures meet or exceed central government policies and procedures. Where necessary, given the nature of the work of the Office, these policies and practices are supplemented. For example, given the independence and objective oversight role of the Office and the degree of public accountability required, employees of the Representative's Office must meet the B.C. government standards of conduct as well as an internal ethics and conduct policy that requires additional care be taken to demonstrate integrity and professionalism, maintain high ethical standards and avoid behaviour that could harm the reputation of the Office.

### Summary of Activities in 2011/12

In 2011/12, in addition to the provision of ongoing services, the Corporate Services area undertook the following specific projects or initiatives:

- achieved a full staff complement in all program areas according to current budget allocations
- undertook a major facilities expansion and renovation project to accommodate office space and records storage needs required as a result of increased staffing in the Critical Injury and Death Reviews and Investigations program
- developed advanced reports to support each program area's data analytic needs.

### Strategic Initiatives Underway and Planned for 2012/13 and 2013/14

Continuing through 2012/13 and into 2013/14, the Office will address a number of critical Corporate Services issues, including:

- Recruitment and succession planning – planning for the departure and replacement of the Deputy Representative and the Manager, Finance and Facilities who will be retiring in 2013, and preparing for any required staffing that may result from expansion to the Office's mandate and services through change to the *RCY Act*.
- Employee development – a review of the current employee performance and development plan to make the process more meaningful for staff and the plan more effective as a work planning and development instrument, and development of enhanced internal training and orientation programs to ensure that employees new to RCY are well grounded in the legislation, policies and procedures governing work in all program areas to enable greater cross-program area learning, communication and collaboration.
- Operational and management information systems enhancement – the planning, design and implementation of data analytic tools to support the systemic advocacy work of the Office and the planning and implementation of an enhanced intranet system.



## Measuring Our Performance

### Our Strategic Framework

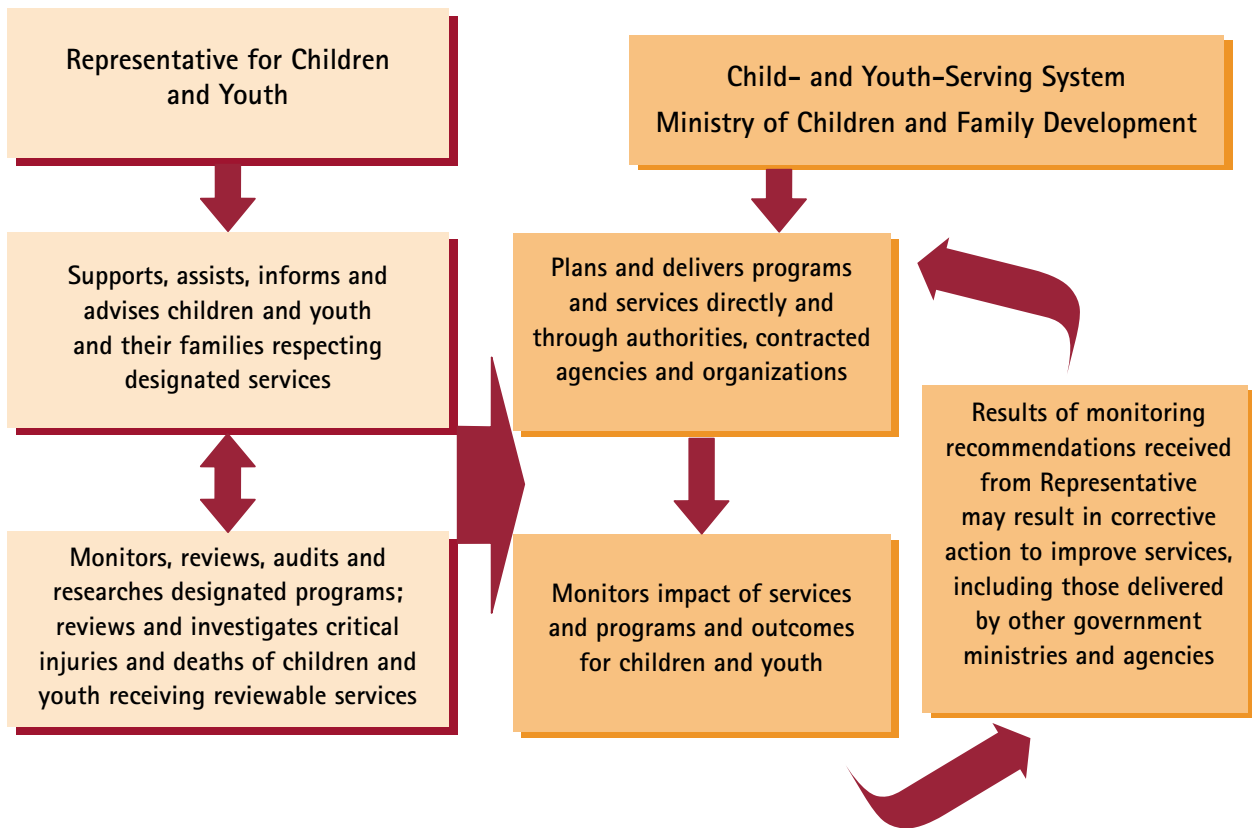
The mandate of the Representative for Children and Youth is to provide support to children, youth and their families in dealing with the child- and youth-serving system and to make recommendations to the system on changes to improve the effectiveness and responsiveness of designated and reviewable services.

#### **Representative's Mandate** (*RCY Act, Section 6*)

The representative is responsible for performing the following functions in accordance with this Act:

- (a) support, assist, inform and advise children and their families respecting designated services, which activities include, without limitation,
  - (i) providing information and advice to children and their families about how to effectively access designated services and how to become effective self-advocates with respect to those services,
  - (ii) advocating on behalf of a child receiving or eligible to receive a designated service, and
  - (iii) supporting, promoting in communities and commenting publicly on advocacy services for children and their families with respect to designated services;
- (b) monitor, review, audit and conduct research on the provision of a designated service by a public body or director for the purpose of making recommendations to improve the effectiveness and responsiveness of that service, and comment publicly on any of these functions;
- (c) review, investigate and report on the critical injuries and deaths of children as set out in Part 4;
- (d) perform any other prescribed functions.

This mandate, and the Office's vision, goals and principles, establish the guiding framework for the Office of the Representative. They set the foundation for how the Office measures its performance and how it is accountable to the legislature and the citizens of British Columbia in meeting its legislated mandate to advocate for children and youth and provide independent oversight to the child- and youth-serving system.



### Outcomes, Key Performance Indicators and Targets

The Representative's Office measures its performance in meeting its mandate and achieving its vision and goals through assessing these outcomes:

- Relevance
- Responsiveness
- Accountability
- Excellence.

Each of these outcomes is measured by key performance indicators (KPIs) and associated performance targets. The following factors were considered when establishing these KPIs:

- the relationship of the indicators to the Office's mandate, vision and goals
- their validity
- their clarity
- the availability and reliability of the data required to provide comparisons over time.

The data used by the Office to measure performance comes from internal management information systems, publicly available reports and third-party survey data.

In addition to the KPIs, the Office also tracks a number of secondary indicators for each outcome as discussed below.

### Relevance

#### Definition

Relevance means that the Office:

- addresses issues and areas of concern within its mandate and of interest to the legislature and the public
- is aware of and reacts readily and appropriately to issues brought to its attention through its monitoring, review and investigation activities, its liaison and collaboration with public bodies, and by legislators, stakeholders and the public
- produces reports that are useful to, accessible and understood by the public, stakeholders and the legislature
- makes recommendations to enhance the effectiveness and responsiveness of designated programs and reviewable services with the goal of improving the child- and youth-serving system.



## Targets and Performance

### *Key Performance Indicator*

A key aspect of the Office's mandate is to provide independent oversight to the child- and youth-serving system. Indicative of the degree to which the Office is relevant in meeting its oversight and public accountability role is the number of times the work of the Office is in response to a concern or matter arising from an external party or source, illustrating that it is alert to issues, remains in touch with the system and stakeholders, and reacts appropriately.

The KPI the Office uses for determining relevance is the proportion of reports undertaken by the Office in response to issues raised, matters brought to the Office's attention or questions from MLAs, the public and stakeholders. Reports includes all reports, audits, monitoring briefs, issue reports, submissions and updates generated by work of the Office other than its child injury and death reviews and investigations work.

Not all issues brought to the Representative's attention are pursued. Some are outside the scope of the Representative's mandate, are inconsistent with the issues and emerging concerns identified through the Office's own monitoring and research efforts, or are addressed through other avenues.

For 2012/13 and 2013/14, the Office's performance target for relevance is that 40 per cent of work undertaken by the Office (other than its child death and investigations work) is in response to questions, issues and matters raised by external parties.

### *Other Indicators*

The Office also tracks and considers a number of secondary indicators of relevance such as:

- *public accountability for the review and investigation of critical injuries and deaths* – through the regular preparation and production of public updates every four months outlining the number of reports received, reviews undertaken and cases identified for investigation by the Representative. These reports demonstrate the Office's accountability to the public for meeting its mandated function to receive and readily review all reports of the critical injury or death of a child or youth receiving reviewable services
- *progress on recommendations* – through ongoing monitoring and tracking of action taken on all recommendations made to public bodies by the Office on suggestions for improvements and enhancements to child- and youth-serving services and programs. The relevance of the Office's work can also be considered in the context of action taken by public bodies in response to recommendations. The Representative's goal is to make practical recommendations aimed at improving services and programs to children and youth. Recommendations made by the Office are intended to stimulate consideration of the need for change with the goal of enhancing outcomes. Not all recommendations will be adopted, and sometimes a different approach is taken to address an identified issue. Appendix 2 provides a list of recommendations by reports for the 2007/08 to 2011/12 period indicating the status of all recommendations.

## Measuring Our Performance

- *relevance to the public* – to help monitor whether the public considers that work of the Office is relevant, the number of times each of the Office's reports is viewed from the Representative's website is recorded. The number of times a report is viewed is an indicator of relevance in that it demonstrates the interest of the public in the Office's work. In 2011/12, there were 30,000 unique downloads of "resources" posted on the Office website, and resources were viewed more than 500,000 times (resources include reports, papers and submissions, statements, fact sheets, photos, protocols and media releases).
- *relevance to stakeholders* – through assessing the percentage of stakeholders who are knowledgeable about the Office and who perceive that the Office addresses issues of significance that fall within the Representative's mandate and that the Representative's reports are credible, independent and objective.

### Responsiveness

#### Definition

Responsiveness means that the Office:

- addresses requests from children and youth and their families for support, assistance, information and advice in a timely and sensitive way
- analyzes and takes timely and appropriate action in relation to reported critical injuries and deaths of children and youth receiving reviewable services
- reaches out to children, youth and their families, the child- and youth-serving system and communities to build awareness of the rights of children and youth and the services of the Office.

#### Targets and Performance

##### *Key Performance Indicator*

The Office is accountable for supporting, assisting, informing and advising children and their families respecting designated services, including how to effectively access services, how to effectively advocate for themselves and, in some cases, advocating directly on behalf of a child or youth. Given the nature of the circumstances and issues, timely response is critical.

Another key accountability of the Office is to receive and address reports from public bodies of the critical injury or death of a child or youth receiving reviewable services. It is essential that the Office readily react to and review reported cases in order to fulfill its mandate in this area.

The KPIs for assessing responsiveness are:

- the percentage of cases in which the Office responds to requests for advocacy services within the established three-day response timeline. For 2012/13 the target is 90 per cent, and for 2013/14 the target is 95 per cent
- the percentage of screening and review dispositions of reports of child and youth critical injuries or deaths reported to the Office that are completed by the Office within the established two-month timeframe. For 2012/13 the target is 85 per cent, and for 2013/14 the target is 90 per cent.

### *Other Indicators*

The Office also tracks a number of other secondary or associated indicators of its responsiveness. These include:

- *Advocacy*
  - percentage of youth requests for service responded to within 24 hours. The goal is to ensure that all youth in contact with the Office receive an initial response to their request for service within this period
  - percentage of those served who rate their satisfaction with the response time as satisfactory or better. The goal is to ensure that all requests for service are dealt with in a timely way. The target rate for satisfaction with response time is 75 per cent.

Based on the targets achieved, modifications to operations and advocacy program delivery may be taken.

- *Community Relations and Stakeholder Engagement*
  - the number of appearances or presentations by Office staff at stakeholder and community events, the number of community relations and engagement activities and the number of communities visited.
- *Aboriginal Relations*
  - the number of collaborative efforts or initiatives with Aboriginal communities and organizations on mutually identified issues of shared concern.
- *Youth Participation*
  - the number of interactions and engagement activities with youth to raise awareness of youth about their rights and the services of the Office. The goal, over time, is to steadily increase the awareness of youth through increased youth events and interactions.

# Measuring Our Performance

## Accountability

### Definition

Accountability means that the Office:

- reports regularly and in an open and transparent way about its activities to the legislature and British Columbians
- provides information on its plans, activities and performance to the SSCCY for review and scrutiny.

### Targets and Performance

#### *Key Performance Indicator*

The Office is accountable for commenting and reporting publicly on advocacy services for children and their families with respect to designated services, the findings of its monitoring, research, evaluation and audit activities on ways that the effectiveness and responsiveness of designated services can be improved, and its reviews and investigations of reported child and youth critical injuries and deaths.

A broad measure of how the Office is accountable to the public is the number of reports and papers released and the number of public comments and statements (including media releases) made each year.

The number of reports and public comments and statements made varies year by year. In 2011/12, the Office released eight reports (issues and updates), made 13 public comments about issues that needed to be brought to the attention of the legislature and British Columbians, made three submissions and distributed four publications.

In each of 2012/13 and 2013/14 it is expected that the Representative will release up to five reports (issues and updates); the number of other public comments, statements and submissions will depend on emerging issues.

#### *Other Indicators*

The Office also monitors its achievement in meeting its accountability outcome through:

- internal tracking and production and regular updates about trends in critical issues and areas of oversight to the Representative and executive staff
- the number of appearances at the SSCCY. In 2011/12, the Representative appeared before the Committee five times, presented on eight reports released by the Representative and reported on several ongoing initiatives.

## Excellence

### Definition

Excellence means that the Office meets high standards of professional and corporate conduct through:

- a competent, ethical and diverse staff
- rigorous application and compliance with established requirements in all its operations.

### Targets and Performance

#### *Key Performance Indicator*

Excellence in service delivery is achieved and maintained through competent and skilled staff. A key indicator of the Office's achievement of excellence is the level and degree of ongoing professional development to ensure that staff stay current and up to date on emerging issues and trends, expand their knowledge and skills base and promote their own personal development.

In 2011/12, 75 per cent (35 out of 45) of permanent full- and part-time staff participated in professional development, including attendance at conferences, workshops and academic and technical courses. For 2012/13, the target is that 78 per cent of permanent full- and part-time staff will participate in professional development, and in 2013/14, the target is 80 per cent. The ultimate goal is that all permanent staff engage in some form of professional development each year.

#### *Other Indicators*

The Office also measures excellence in terms of its corporate operations through a number of other indicators, including:

- the degree to which staff feel engaged in their work and that they contribute significantly to the achievement of the Office's mandate. Beginning in 2013/14, the Office will undertake an employee contribution survey evaluating measures related to the staff's view of their contribution to meeting the mandate of the Office (the survey will be developed in 2012/13)
- its initiatives and activities to address the health, safety and well-being of employees. All health and safety matters are dealt with immediately and effectively in a way that meets or exceeds workers compensation legislation requirements. For example, staff working alone or travelling to remote destinations are required to check in regularly with designated contacts or report to a call-in service that they have reached their destination safely. In addition to having access to the Employee and Family Assistance Program, Office staff are eligible for specialized counselling services to support them in dealing with issues or trauma resulting from their work. Lunch and Learn sessions are held focusing on wellness topics such as work/life balance, mental health awareness and keeping healthy
- its ongoing compliance with applicable Office policies and procedures and core government policies, standards and practices, and meeting budgeting and audit standards and requirements.

## Measuring Our Performance

OVERVIEW – Strategic Performance Measurement Framework					
Mandate	Values and Principles	Immediate Outcomes	Key Performance Indicators	2012/13 target	2013/14 target
<i>Representative for Children and Youth Act</i>	<p><i>Principles:</i></p> <ul style="list-style-type: none"> <li>• Independence</li> <li>• Child-centred</li> <li>• Focus on Aboriginal children and youth</li> </ul> <p><i>Values:</i></p> <ul style="list-style-type: none"> <li>• Respect</li> <li>• Integrity</li> <li>• Critical thinking</li> <li>• Collaboration</li> <li>• Accountability</li> </ul>	<ul style="list-style-type: none"> <li>• Relevance</li> </ul>	<ul style="list-style-type: none"> <li>• proportion of reports undertaken by the Office in response to issues raised, matters brought to the Office's attention, or questions from MLAs, the public and stakeholders</li> </ul>	40 per cent	40 per cent
		<ul style="list-style-type: none"> <li>• Responsiveness</li> </ul>	<ul style="list-style-type: none"> <li>• per cent of cases in which the Office responds to requests for advocacy services within the established three-day response timeline</li> </ul>	90 per cent	95 per cent
			<ul style="list-style-type: none"> <li>• per cent of screening and review dispositions of reports of child and youth critical injury or deaths reported to the Office that are completed by the Office within established two-month timeframe</li> </ul>	85 per cent	90 per cent
		<ul style="list-style-type: none"> <li>• Accountability</li> </ul>	<ul style="list-style-type: none"> <li>• number of reports released by Representative</li> </ul>	5 reports	5 reports
		<ul style="list-style-type: none"> <li>• Excellence</li> </ul>	<ul style="list-style-type: none"> <li>• per cent of permanent full- and part-time staff who participate in professional development activities</li> </ul>	78 per cent	80 per cent

### Financial Note

In fiscal year 2011/12, the Office received a small increase to the annual budget that allowed the Office to address the rising number of advocacy cases and the growing volume of critical injury and death reviews and investigations by hiring two additional staff. This not only enabled the Office to address the increased volume of work, but with prudent fiscal management the Office also expanded its outreach services and the work with youth to better understand their experiences with designated services. Through careful review of spending trends and a realignment of operating costs, the Office was also able to renovate and lease the third floor of the existing Victoria office, permitting the move of the reviews and investigations staff to more secure and confidential office space.



## INDEPENDENT AUDITOR'S REPORT

*To the Representative for Children and Youth*

### **Report on the Statement of Expenditures**

I have audited the statement of expenditures of the Office of the Representative for Children and Youth ("ORCY") for the year ended March 31, 2012. The statement of expenditures has been prepared by management using the government's Core Policy and Procedures Manual.

### **Management's Responsibility**

Management is responsible for the preparation of the statement of expenditures in accordance with government's Core Policy and Procedures Manual described in Note 1, and for such internal control as management determines is necessary to enable the preparation of the statement of expenditures that is free from material misstatement, whether due to fraud or error.

### **Auditor's Responsibility**

My responsibility is to express an opinion on the statement of expenditures based on my audit. I conducted my audit in accordance with Canadian generally accepted auditing standards. Those standards require that I comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the statement of expenditures is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the statement of expenditures. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the statement of expenditures, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to ORCY's preparation and fair presentation of the statement of expenditures in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of ORCY's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates, if any, made by management, as well as evaluating the overall presentation of the statement of expenditures.

In my view, the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

### **Opinion**

In my opinion, the financial information in the statement of expenditures of the Office of the Representative for Children and Youth for the year ended March 31, 2012, is prepared in all material respects, in accordance with government's Core Policy and Procedures Manual.

### **Basis of Accounting**

Without modifying my opinion, I draw attention to Note 1 to the statement of expenditure, which describes the basis of accounting. The statement of expenditures is prepared to provide information to the Province of British Columbia. As a result, the statement may not be suitable for another purpose.

*Victoria, British Columbia*  
August 28, 2012


John Doyle, MAcc, CA  
Auditor General



**Fiscal Year 2011/2012 Statement of Expenditures**

<b>Expense Type</b>	<b>2011/12 Estimates \$</b>	<b>2011/12 Actual \$ Note 1</b>	<b>2010/11 Actual \$</b>
Salaries of permanent and temporary employees	3,948,000	3,695,799	3,417,359
Employee Benefits	972,000	853,535	875,387
Travel	202,000	229,838	215,828
Professional services	512,000	561,373	584,466
Information systems	428,000	419,704	448,893
Office and business expenses	373,000	422,194	419,195
Informational advertising/publications	-	-	4,947
Utilities, materials and supplies	14,000	7,760	7,338
Operating equipment and vehicles	13,000	4,898	5,636
Amortization	66,000	69,047	61,301
Building occupancy	725,000	666,816	569,983
Transfers-General	60,000	378,000	325,000
Interest Costs-Non Public Debt	1,000	550	639
Other expenses	3,000	950	1,128
<b>Total Expenses</b>	<b>7,317,000</b>	<b>7,310,464</b>	<b>6,937,099</b>

Approved on behalf of the Office:

  
 \_\_\_\_\_  
 Signature

August 3, 2012  
 \_\_\_\_\_  
 Date

Note 1 - The statement of expenditures is presented in accordance with the B.C. Government's financial and management policy outlined in the Core Policy and Procedures Manual at: <http://www.fin.gov.bc.ca/ocg/fmb/manuals/CPM/CPMtoc.htm>

**FINAL VERSION**

Received by the Office of  
 the Auditor General of BC  
 on August 27, 2012

## Appendix 1 – List of Outreach and Communication Activities

### Community and Stakeholder Events and Conferences

National Aboriginal Days, Trout Lake, Vancouver (June 2011)	BC Association of Social Workers Annual General Meeting, Vancouver (November 2011)
First Call, Talk to Action, Vancouver (June 2011)	First Nations Education Steering Committee, Annual Conference, Vancouver (November 2011)
International Foster Care Organization, Biennial Conference, Victoria (July 2011)	UBC Early Years Conference, Vancouver (February 2012)
Victoria Pride (July 2011)	Community Networking Fair, Victoria (February 2012)
Vancouver Pride (August 2011)	Gathering our Voices Provincial Aboriginal Youth Conference, Nanaimo (March 2012)
Union of B.C. Municipalities Annual Conference, Vancouver (September 2011)	4th International Fetal Alcohol Spectrum Disorder Conference, Vancouver (March 2012)
BC School Counsellors Association, Annual Conference, Vancouver (October 2011)	

### Meetings

#### Child and Youth Serving Organizations

Adoptive Families Association of BC	Interim First Nations Health Authority
BC Association of Child Development & Intervention	International Foster Care Organization conference
Caring for First Nations Children Society	McCreary Centre Society
Child Welfare League of Canada	Vancouver Aboriginal Child and Family Services Society
Federation of BC Youth in Care Networks	Vancouver Foundation
Federation of Community Social Services of BC	Youth Housing Network (Victoria)
First Nations Directors Forum	

#### Aboriginal Leadership/Organizations

Aboriginal Life in Vancouver Enhancement Society	National Child Welfare, Juvenile and Family Law Conference
First Nations Child and Family Caring Society	Okanagan Nation Alliance
First Nations Education Steering Committee	Saskatchewan First Nation Child and Family Services
First Nations Partnership Forum	Siem Smuun'eem Indigenous Child Welfare Research Network
First Nations Native Courtworker and Counselling Association of BC	Snuneymuxw First Nation
First Nations Well-Being Indicators Gathering - Ktunaxa Nation	Union of BC Indian Chiefs
Métis Women of BC	

## Government Organizations

Aboriginal Affairs and Northern Development Canada (formerly, Indian and Northern Affairs Canada)	Community Living BC
BC Ministry of Aboriginal Relations and Reconciliation	Coroners Service of BC
BC Ministry of Children and Family Development	Office of the Auditor General of BC
Ministry of Children and Youth Services Crown Ward Review Unit (Ontario)	Office of the BC Ombudsperson
BC Ministry of Education	Office of the Information and Privacy Commissioner for BC
BC Ministry of Health	Office of the Provincial Health Officer
BC Ministry of Housing and Social Development	Provincial Court of BC
BC Ministry of Justice	Public Guardian and Trustee of British Columbia
BC Justice Reform Initiative	Supreme Court of BC
Canadian Institute for Health Information	Union of British Columbia Municipalities
City of Vancouver	Vancouver Island Health Authority Mortality Review Committee
	BC Vital Statistics Agency

## Academic

Simon Fraser University	University of Toronto
University of British Columbia	University of Victoria
University of Ottawa	University of Western Ontario

## Other

Alliance for Children at Risk (Australia)	Office of the Children's Advocate (Manitoba)
BC Government Employees Union	Office of the Child & Youth Advocate (Alberta)
Children's Aid Society of Toronto	Office of the Child and Youth Advocate (Newfoundland & Labrador)
Child and Youth Advocate (New Brunswick)	Office of the Ombudsman, Youth Services (Nova Scotia)
Commission de droits de la personne et des droits de la jeunesse (Quebec)	Office of the Provincial Advocate for Children and Youth (Ontario)
Ending Violence Association of BC	Ombudsman of West Australia (Australia)
Gathering Our Voices 2012 conference	Ray-Cam Co-operative Centre
Living Wage for Families Forum	Saskatchewan Children's Advocate Office
National Panel on First Nations Elementary and Secondary Education Secretariat	United Way of the Lower Mainland
Network of Inner City Community Services Society	Victoria Foundation
NSW Commissioner of Children and Youth (Australia)	Victoria Police Department
	Yukon Children and Youth Advocate Office

# Appendices

## RCY Speaking Engagements

### Child- and Youth-Serving Organizations

BC Association of Child Development  
and Intervention  
Caring for First Nations Children Society

Federation of Community Social Services of BC

### Aboriginal Leadership/Organizations

BC Indigenous Women's Gathering

Snuneymuxw First Nation Family &  
Child Regional Conference

### Government Organizations

BC Children's Hospital, Division of  
Adolescent Medicine  
Ministry of Children and Family Development –  
Youth Justice Forum

Union of British Columbia Municipalities –  
Child Poverty Session

### Other

BC's Non-Profit Partnerships Summit  
Burnaby School District #41 – Child Poverty  
Forum with Students  
International Forum for Child Welfare  
North Island College  
North Shore Congress

University of British Columbia – School of  
Psychology  
University of Saskatchewan – College of Law  
Vancouver Institute  
University of Victoria – Law School  
University of Victoria – Child and Youth Care

## Appendix 2 – Reports by Year

Reports by Year	Number of Recommendations	Fully or substantially implemented	Partially implemented	Action does not meet intent of Recommendations	No substantial action
2011/12					
Special Report: The Impact of Criminal Justice Funding Decisions on Children of B.C. – March 2012	3				3
Honouring Kaitlynne, Max and Cordon: Make Their Voices Heard Now – March 2012	8		1		7
So Many Plans, So Little Stability: A Child's Need for Security – September 2011	3	1	2		
Isolated and Invisible: When Children with Special Needs are Seen but Not Seen – June 2011	4		4		
Issue Report: Phallometric Testing and B.C.'s Youth Justice System – April 2011	3	3			
2010/11					
Fragile Lives, Fragmented Systems: Strengthening Supports for Vulnerable Infants – Aggregate Review of 21 Infant Deaths – January 2011	6		6		
Special Report: Reporting of Critical Injuries and Deaths to the Representative for Children and Youth – December 2010	1	1			
Issue Report: Sexual Abuse Intervention Program – September 2010	5	5			
No Shortcuts to Safety: Doing Better for Children Living with Extended Family – June 2010	10	6			4

## Appendices

Reports by Year	Number of Recommendations	Fully or substantially implemented	Partially implemented	Action does not meet intent of Recommendations	No substantial action
2009/10					
Hearing the Voices of Children and Youth - A Child-Centred Approach to Complaint Resolution - January 2010	7	3	2	1	1
Honouring Christian Lee - No Private Matter: Protecting Children Living with Domestic Violence - September 2009	5	1	2		2
Housing, Help and Hope: A Better Path for Struggling Families - July 2009	3	1	2		
2008/09					
Kids, Crime and Care: Youth Justice Experiences and Outcomes - February 2009	7	4	1	1	1
Issue Report: Medical Assessments in B.C.'s Youth Justice System - September 2008	4	4			
Amanda, Savannah, Rowen and Serena: From Loss to Learning - April 2008	11		7	4	
2007/08					
Monitoring Brief - System of Services for Children and Youth with Special Needs - February 2008*	12*				
Health and Well-being of Children in Care in B.C. - Educational Experiences and Outcomes - May 2007	9	3	1	1	4

\*Outstanding issues will be addressed through appropriate responses to the recommendations provided in the report *Isolated and Invisible: When Children with Special Needs are Seen but Not Seen*.

# Contact Information

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REPRESENTATIVE FOR  
CHILDREN AND YOUTH

