



News Release

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MINISTRY MUST ACT TO PREVENT REPEAT OF THIS VULNERABLE CHILD'S STORY

The provincial government must fulfill its role as prudent parent and immediately take steps to ensure that British Columbia children in its care who have complex special needs are provided with residential settings that meet those needs, Representative Mary Ellen Turpel-Lafond said today.

Establishing a continuum of suitable residential care for such children is the key recommendation made in: *Who Protected Him? How B.C.'s Child Welfare System Failed One of Its Most Vulnerable Children*, a critical injury investigation report released by the Representative.

The report centres on the life circumstances of one child with complex special needs, whose story reflects significant shortcomings in the Ministry of Children and Family Development's (MCFD's) residential care system.

The report also documents serious errors made by MCFD's child protection system that left this child subject to abuse and neglect, both in his birth home and in subsequent residential placements by the ministry.

"The ministry's involvement with this child and his family falls well below the standard any reasonable person would expect," Turpel-Lafond said. "It has failed to provide this child with safe, therapeutic care and supportive behavioural interventions. Instead, he has been re-traumatized and harmed, and his basic human rights have been minimized and even ignored.

"This case is among the most difficult we've reported on, but sadly it is not the only one in which a safe and therapeutic residence has been unavailable for a child in care who has complex special needs."

The Aboriginal child who is the subject of this report was the focus of media attention after he was Tasered by police in April 2011. Although the location of that incident and the identity of some individuals and agencies associated with the child's care were reported at the time, the Representative strongly believes that the privacy of this child and his family should be protected and urges the media to refrain from reporting details that could identify them.

The purpose of this report is to shed light on B.C.'s child-serving system and recommend systemic improvements to ensure that this child's experiences are not repeated in serving other vulnerable children with complex special needs.

The Representative has determined that this child's basic rights to safety, education, health care, socialization and cultural identity were not provided by the ministry. A child with an aversion to sudden change was subjected to 15 moves after entering into the care of the ministry in 2001 and police were called too many times to assist with controlling his behaviour. He was effectively cut off from important relationships in his life and placed in residential facilities with staff who couldn't meet his needs.

The Representative's report finds the Taser incident, and indeed most of the 22 critical injuries reported about this child, could have been prevented had the ministry invested in a proper residential care system with trained and qualified staff, behaviour therapy and other supports to give this child an opportunity to develop and recover from the trauma of his early years.

The Representative's investigation shows child protection standards that should have resulted in the child being removed much earlier from his birth home and from a subsequent abusive foster home placement were not followed. It also shows that residential placements in which the child has lived since the age of eight have featured a so-called "safe room," in which the child has often been isolated. There is no legislation or policy in place to permit this practice, and seclusion in a locked room has repeatedly re-traumatized this child.

The Representative recommends that MCFD immediately discontinue the use of isolation and restraint as behavior management strategies for children in care and that any future use of restraint to protect a child or those around him in crisis situations be reported to the Representative as critical injury incidents.

The Representative also recommends that MCFD implement a system of senior management oversight for all cases of children with complex special needs and that the ministry develop an internal clinical unit to deliver training and support on how to work with such children to residential care staff, social workers and policy makers.

"In this child's case, it was clear that decisions were made for bureaucratic reasons or to manage a crisis and not in his best interests," Turpel-Lafond said. "His care has been a virtual round of crisis management, demonstrating again the lack of capacity of MCFD to meet the needs of children who have developmental delays, experience abuse, and who have been traumatized. I urge the ministry to implement the recommendations of this report and begin to provide for these children as a prudent parent should."

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