

Annual Report

April 1, 2009
to March 31, 2010



REPRESENTATIVE FOR
CHILDREN AND YOUTH



Sept. 24, 2010

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

Dear Mr. Speaker,

It is my pleasure to present to the Legislative Assembly the 2009/10 Annual Report of the Office of the Representative for Children and Youth.

This report covers the period April 1, 2009 to March 31, 2010 and has been prepared in accordance with part 5, section 19 of the *Representative for Children and Youth Act*.

Yours sincerely,

A handwritten signature in black ink, reading "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. E. George MacMinn, QC
Clerk of the Legislative Assembly

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



With Books,

Oh the Places You'll Go!

The Representative visits a class at Cape Horn Elementary



REPRESENTATIVE FOR
CHILDREN AND YOUTH

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Message from the Representative

This Representative for Children and Youth's 2009/10 annual report marks 36 months of work since the establishment of our Office in 2007.

At the very heart of our work is the individual advocacy we do to assist those young ones who are struggling against poverty, abuse, addictions, family violence, isolation or other challenges. Many face an uphill battle but many are kids who just never got a chance.

Children need advocates. Far too often, they live in a world where adults make decisions about their lives. They have a voice but virtually no legal power to make anyone listen to that voice. Every day, our advocates speak with children and youth in the child and family services system who tell us they feel they have no say in what happens to them. It is immensely important to our Office to help change that.

Since we began providing advocacy services in April 2007, our Office has taken on more than 4,400 advocacy cases.

Year to year, due to growing public awareness of our Office and the number of children and youth we have helped, we see a substantial increase in the number of people asking for assistance from our experienced and dedicated advocates.

In 2009/10, we worked on almost 40 per cent more advocacy cases than we did in our first year of operation. As we have since day one, we remain committed to helping each and every child or youth see there is the possibility of a hopeful future. We remain focused on listening to young people and helping them get the information and support they need to speak up for themselves.

We couldn't have the success that we have had without the collaboration of the committed, courageous front-line social workers and remarkable foster parents who open their homes and hearts to these deserving children and youth. In every moment of reflection on our work, we return to appreciation of these people, along with offering sincere thanks to all those who work with children in the child-serving system, including the ministries, schools and the health care systems.

My staff and I serve British Columbians from the ages of birth to 19, and are particularly concerned that young people in government care – such as foster homes, group homes, youth custody or receiving other government services – get what they need to enable them to do well.



From the Representative

Although I am appointed by the Legislature, I am by legislation an independent and non-partisan Officer of the Legislature, mandated to work for the children and youth of the province and bring their voices and needs to the attention of government, so it can improve services for children and youth.

Advocating for change to public policy on behalf of the young people we serve is a major part of my Office's mandate. This year brought some hopeful signs, in terms of action on recommendations contained in my reports, and these positive developments are detailed in this report. The cooperation that some ministries and organizations have shown in making the necessary adjustments to their systems and practices has been tremendous, and they have our sincere appreciation.

That is not to say that challenges don't still exist. There is an inevitable tension that results from an independent office providing oversight to a government ministry. My Office provides oversight of government to identify and address challenges that exist in the system, through examination of policy and lessons learned. Our knowledge is also enhanced through in-depth research and sharing of information. Our Office, through its well-researched findings, challenges the system. We point out current practices, policies or legislation that are not meeting needs and expectations. We push for change, and change is not always easy for people and governments to accept.

Despite the difficulties this can present for government, it is always encouraging to witness the positive, respectful and effective working relationships between my advocacy staff, ministry social workers and field staff in the various ministries. These groups working together have moved mountains for the good of children, and we can all learn from their examples.

I also wish to underscore the incredible contributions made by my staff. Our Office has been extremely fortunate in attracting bright, capable people who demonstrate an unparalleled commitment to B.C.'s children and youth, through their dedication and professionalism.

In the coming year my Office will continue to build on its achievements. The fight for what's right for our children and youth is vitally important to all of us. I regard the work of our Office as essential to the safety, well-being and future of young British Columbians, and I am proud of the strides we have made, our accomplishments to date and our plans for the future.

In the coming year, we will continue our advocacy and research and communicate our findings to British Columbians, to ensure we are having a significant influence in improving the well-being of B.C.'s most important resource – our children and youth.

With passionate and dedicated staff, coupled with strong stakeholder support, we will continue building on the inspiration we receive from the children we serve.

I encourage you to browse through our website at www.rcybc.ca now and in coming months, to read our reports and to learn more about our work.

I conclude by saying this – too many British Columbians know very little about the terrible plight that many of B.C.'s children face. At any given time in the past year, nearly 16,000 British Columbian children and youth lived out of the family home – more than half of them in the government's care, an essential but sometimes flawed system. Additionally, British Columbia has the highest child poverty rate in Canada, and it has been the highest for six years in a row. It is imperative that the public be educated on and actively discuss matters relating to the interests of children. This can be an impetus for improving service systems, and I'm pleased that my Office has a role in that.

Thank you for taking the time to read our annual report.

Sincerely,

A handwritten signature in black ink, reading "m. turpel-lafond". The signature is written in a cursive, lowercase style.

Mary Ellen Turpel-Lafond
Representative for Children and Youth

September 2010

From the Representative



Staff of the Office of the Representative for Children and Youth

Vision

The vision of the Representative's Office is to be 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.

Mandate

Advocacy – every child and youth in British Columbia has the right to be healthy, safe, educated and heard. The dedicated team of advocates in the Representative for Children and Youth's Office is committed to providing information, advice and support to vulnerable people under 19 years of age who need help dealing with the services or programs provided or funded by government.

Monitoring, Evaluation and Research – 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 significant focus for the Representative for Children and Youth. The monitoring team evaluates government-funded programs and services, publicly reports on them and performs research with the objective of improving the lives of vulnerable children and youth.

Reviews and Investigations of Critical Injuries and Deaths – if a child or youth receiving services reviewable under the Representative's legislation dies or is critically injured, the Representative can conduct reviews and investigations and work with other public bodies to recommend improvements to services to prevent similar injuries or deaths in the future.

The Representative for Children and Youth Act provides the Representative with independent powers of review, investigation, monitoring and reporting.

Reviews and investigations are done on reviewable services, which includes services provided under the *Child, Family and Community Service Act* and the *Youth Justice Act*, as well as mental health and addiction services for children, additional designated services prescribed under Section 29 (2)(b), and the Child in the Home of a Relative Program.

From the Representative

Designated services are government-funded services or programs for children and their families. These services include, but are not limited to, the following:

- family support
- child protection
- foster care
- adoption
- guardianship
- services for children and youth with disabilities
- early childhood development and child care services
- mental health and addiction services for children
- youth justice
- services for youth and young adults during their transition to adulthood.

Goals

The goals of the Office of the Representative for Children and Youth are supported by the objectives, strategies and performance measures published in the 2010/11 to 2012/13 service plan. The plan was presented to the Legislative Assembly and the Select Standing Committee on Children and Youth in November 2009. The goals of the Representative's Office are:

- Vulnerable children and youth have their rights and interests protected and upheld and their voices heard and considered.
- The work of the Office supports improved results and a stronger system of supports for vulnerable children and youth.
- The work of the Office supports the right of children to be safe from violence, abuse and neglect.
- The Office delivers its mandate in a child-centred, open, collaborative, accountable and responsive way.

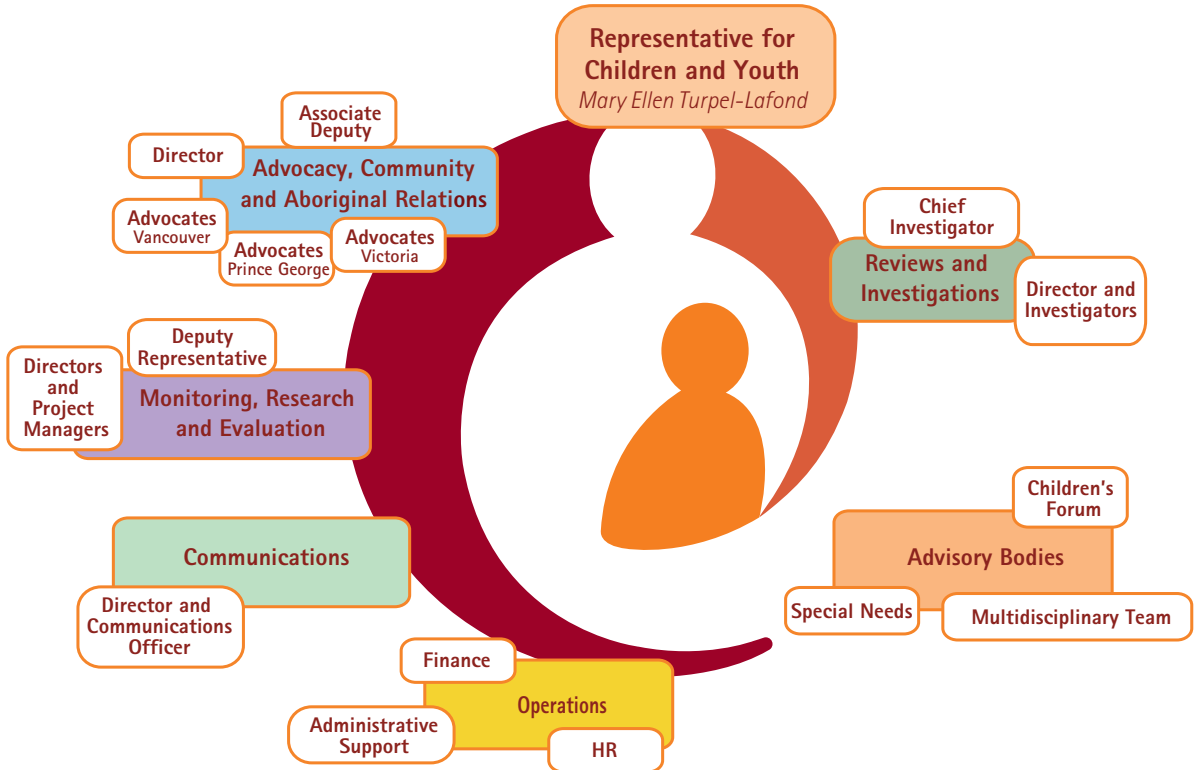
The Representative

The Representative for Children and Youth is Mary Ellen Turpel-Lafond. She was appointed B.C.'s first Representative in 2006, and took up her duties as Representative in April 2007. She is an Independent Officer of the Legislature, which means she doesn't work for the government, but instead for the children and youth of the province, by bringing their voices and needs to the attention of the government so it can improve its services.

Before she became the Representative, she was a judge in the Saskatchewan Provincial Court. She has also been a tenured professor of law at Dalhousie University and holds a doctorate of law from Harvard Law School, a master's degree in international law from Cambridge University and a law degree from Osgoode Hall. Throughout her career, she has placed an emphasis on developing partnerships to better serve the needs of young people in the justice system, particularly sexually exploited children and youth, and children and youth with disabilities, such as those who suffer from fetal alcohol spectrum disorders.

The Representative is a member of the Muskeg Lake Cree Nation in Saskatchewan and the proud mother of four young children.

The RCY Office – Organizational Structure



The Select Standing Committee on Children and Youth

The Representative for Children and Youth works with a committee of the Legislature, the Select Standing Committee on Children and Youth (SSCCY), in a variety of ways.

The Terms of Reference of the Committee empower it to:

- receive and review the Representative's annual service plan
- have the Representative report to it at least annually
- refer critical injuries or deaths of children to the Representative for investigation
- receive and consider all reports and plans delivered by the Representative to the Speaker of the Legislative Assembly.

As set out in the *RCY Act*, the Representative must provide reports of aggregate reviews and investigations to the committee. Over the time period covered by this annual report, the Representative appeared before the committee twice in public proceedings recorded in Hansard.

Due to the legislative calendar and the May 2009 election, the committee met less frequently than in the previous year. In addition to formal presentation of reports, the Representative also provided updates for committee members on her ongoing work and briefings on specific topics.

In November 2009, the Representative made formal presentations of the 2008/09 annual report, and the 2010/11 to 2012/13 service plan for the Office. At this meeting, the committee also referred five child deaths and one critical injury for review / investigation.

In January 2010, the Representative made formal presentations on two reports which had been released to the public: *Kids, Crime and Care: Health and Well-Being of Children in Care* and *Housing, Help and Hope: A Better Path for Struggling Families*.





Critical Injuries and Deaths – Reviews and Investigations

The screening, review and investigation processes

A key component of the Representative's mandate is the review and investigation of critical injuries and deaths of children and youth who received reviewable services at the time of or in the year previous to the critical injury or death. The purpose of this function is to assess whether the child-serving system may have contributed in any way to the injury or death. Based on the conclusions of this work the Representative may make recommendations to inform improvements to services, practices or policies to aid in the prevention of similar injuries or deaths in the future.

The Representative, her Chief Investigator and a dedicated staff of investigators and research analysts fulfill this critical function. Subject matter experts are retained as necessary when specific knowledge and expertise is required. The Representative's Office works collaboratively with other public bodies such as the Ministry of Children and Family Development (MCFD) and the BC Coroners Service to promote an integrated and accountable systemic approach to reviewing child deaths and injuries in British Columbia.

The Representative's Office receives reports from MCFD of critical injuries and deaths of children and youth who received reviewable services at the time of death or injury, or within the previous year. Each report is screened to determine if the critical injury or death is within the Representative's mandate and if there may be any initial issues related to service delivery. Each year over 200 reports of critical injuries or deaths are screened by the Representative's Office. Every four months, the Representative posts on her website an update regarding the number of new reports of critical injuries and deaths, and if some will be reviewed further.

An internal review is undertaken when the screening process identifies potential issues related to service delivery. Approximately 100 critical injuries and deaths are identified for review each year. The purpose of the review is to examine if there are service delivery issues or other circumstances that would require an investigation. When a review suggests the circumstances of a critical injury or death are suspicious, self-inflicted, inflicted by someone else or when there are questions as to whether abuse or neglect was a factor, or services the child or family received may have played a part in the injury or death, the Representative may initiate an investigation.

Critical Injuries and Death

Another part of this work is aggregate reviews. Cases that share common elements are identified and analyzed as a group to ascertain recurring circumstances and trends. Aggregate reviews result in a public report which may include recommendations to inform improvements to the effectiveness and responsiveness of the child-serving system.

Reviewing critical injuries and deaths of children is multifaceted, labour-intensive work. Each review involves reviewing and analyzing several ministry files, which in many cases can be thousands of pages, as well as any relevant files from police departments, health care providers, contracted service providers and others. In addition, applicable regional and provincial policies and standards may also be reviewed and analyzed. In some circumstances, consultation with the B.C. Coroners Service and discussions with service providers, caregivers and parents also occurs.

A review may recommend that a further full-scale investigation be undertaken by the Representative's Office. These investigations are thorough, rigorous examinations of the broad system of services and supports provided to a child or their family up to and including the time of the death or injury.

The Representative's investigation function includes significant responsibilities, which are outlined in the *Representative for Children and Youth Act*. The Act specifies that an investigation by the Representative's Office cannot proceed until police investigations and criminal court proceedings are completed. If there are no criminal proceedings, the RCY investigation can proceed when other processes, such as ministry reviews or coroner's inquests, are completed, or one year after the incident, whichever is earlier.

The investigation process is complex. All case-related records and relevant legislation, policies and standards are reviewed to develop a broader understanding of the circumstances. Interviews are conducted with numerous individuals under oath. The interviews are recorded and transcribed. In addition to case-specific information, relevant legislation, policies and service standards are fully reviewed. All of this information forms the basis for the analysis, findings and recommendations.

The Representative makes a point of consulting with community members and leaders when an investigation involves an Aboriginal child, to ensure that their voice is not disregarded, and that their unique history and experience with the child-serving system is respected and considered. In addition, the Representative and her staff work closely with the First Nations Director's Forum, the First Nations Leadership Council, and other Aboriginal organizations to keep them informed and engaged in this work.

Draft materials are reviewed by the Representative's Multidisciplinary Team for advice and guidance about findings and recommendations prior to the completion of an investigation. The Multidisciplinary Team meets at least quarterly, and 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
- Ministry of Children and Family Development, Child Protection

In some instances, other external experts are also consulted. When the draft report is completed it is sent, on a confidential basis, for an administrative fairness review by organizations and individuals who have been interviewed or who are affected. The results of this process are considered prior to finalization of the investigation report.

Once an investigation is complete the Representative produces a public report that includes recommendations for improvements to the child serving system. These recommendations are monitored for implementation on an ongoing basis.

Critical Injuries and Deaths: April 1, 2009 – March 31, 2010

The Representative issued updates in July and November 2009 and in March 2010 on the number and status of critical injuries and deaths reported to her (see www.rcybc.ca, under the Resources link).

During the period covered by this annual report, the Representative's Office received reports on 137 critical injuries and 93 deaths of B.C. children and youth who were in care or who were receiving reviewable services within the previous year. All have had an initial screening to ensure they fall within the Representative's mandate.

Critical Injuries and Death

RCY Reviews

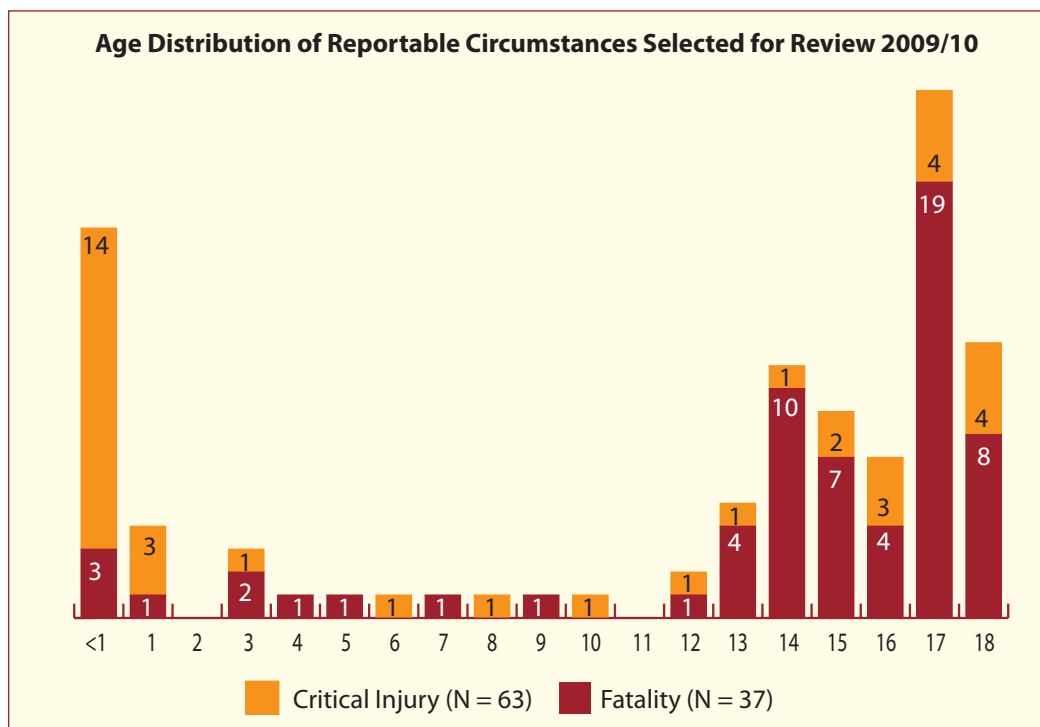
Summary of Critical Injuries and Deaths Selected for Review

Of the 137 critical injuries reported, 63 met the criteria for further review and of the 93 deaths reported, 37 met the criteria for further review.

Critical injuries selected for review included accidents, attempted suicides, exposure to or involvement in high-risk situations such as sexual assaults or being a victim of violence or major property damage.

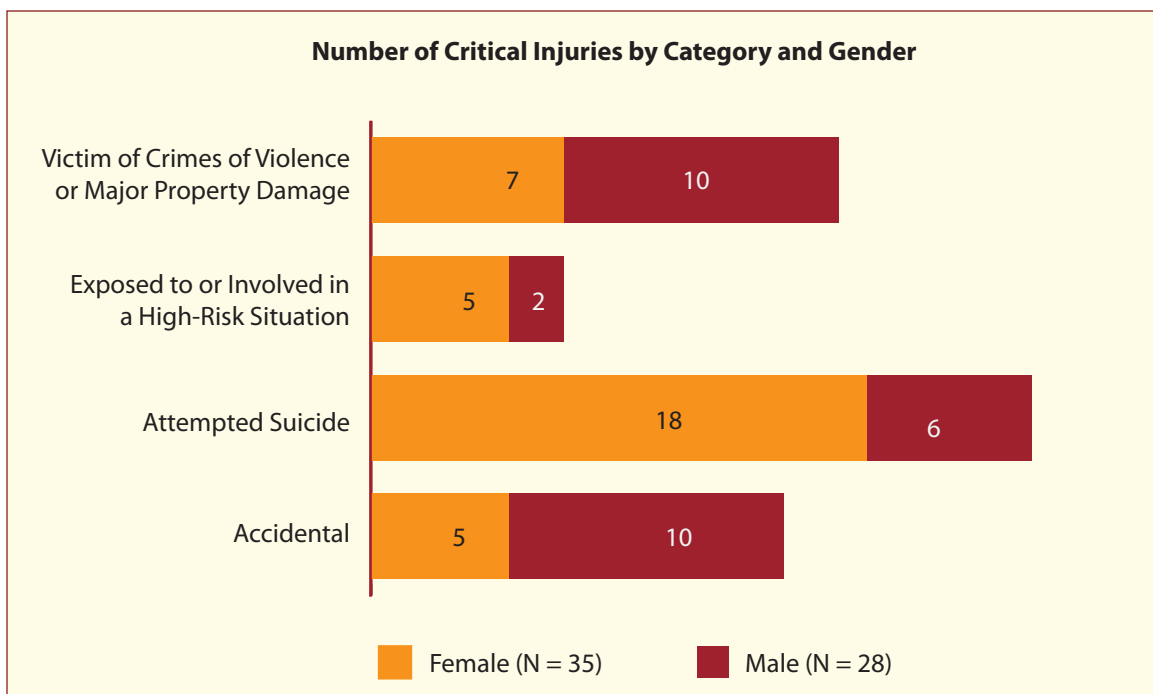
The classification of deaths selected for review consisted of suicides, homicides and accidental deaths as well as deaths due to natural causes or deaths where the classification is currently undetermined.

Summary of Annual Reportable Circumstances				
	2008/09		2009/10	
	Reported to RCY	Selected for Review	Reported to RCY	Selected for Review
Critical Injuries	148	60	137	63
Deaths	97	39	93	37
Total	245	99	230	100



Summary of Critical Injuries and Deaths Selected for Review, 2009/10				
	Critical Injuries		Deaths	
	Non-Aboriginal Children	Aboriginal Children	Non-Aboriginal Children	Aboriginal Children
Not in Care	16	10	19	12
In Care	18	19	3	3
Total	34	29	22	15

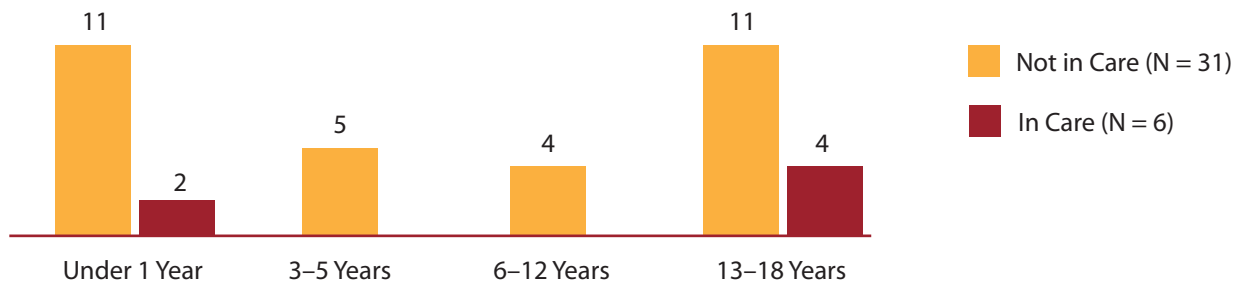
Age Range of Critical Injuries and Deaths Selected for Review, 2009/10			
	Critical Injuries	Deaths	Total
Under 1 Year	3	13	16
1-5 Years	5	5	10
6-12 Years	3	4	7
13-18 Years	52	15	67
Total	63	37	100



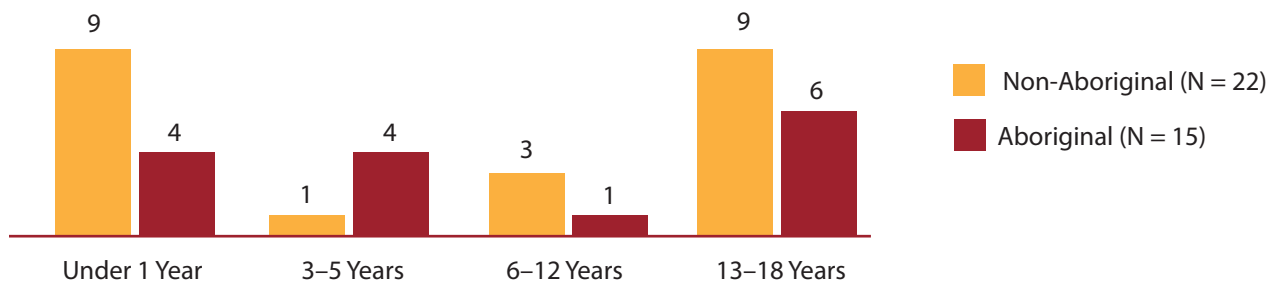
Critical Injuries and Death

Summary Statistics for Deaths Selected for Review, 2009/10

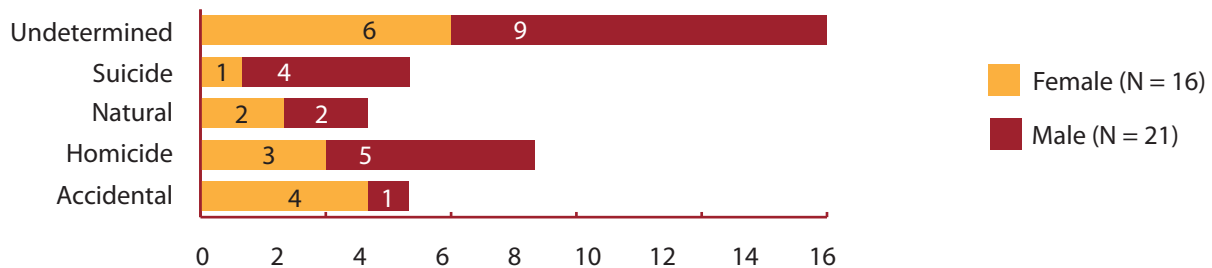
Number of Deaths by Care Status



Number of Deaths, Aboriginal and Non-Aboriginal Children



Number of Deaths by Category and Gender



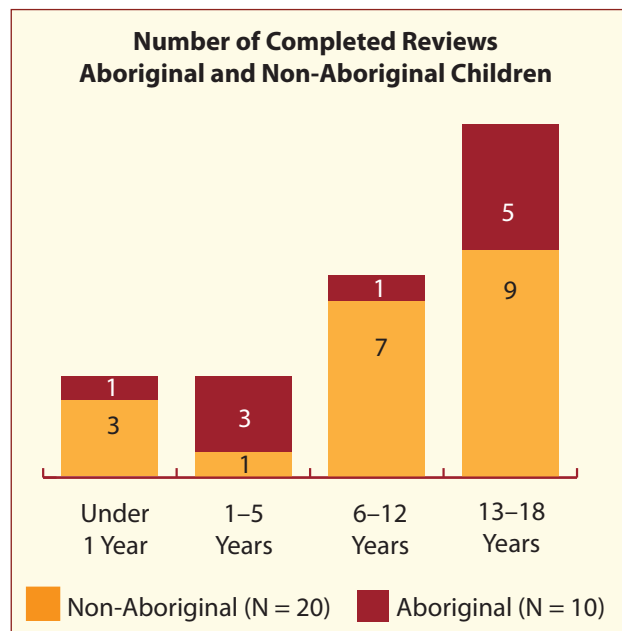
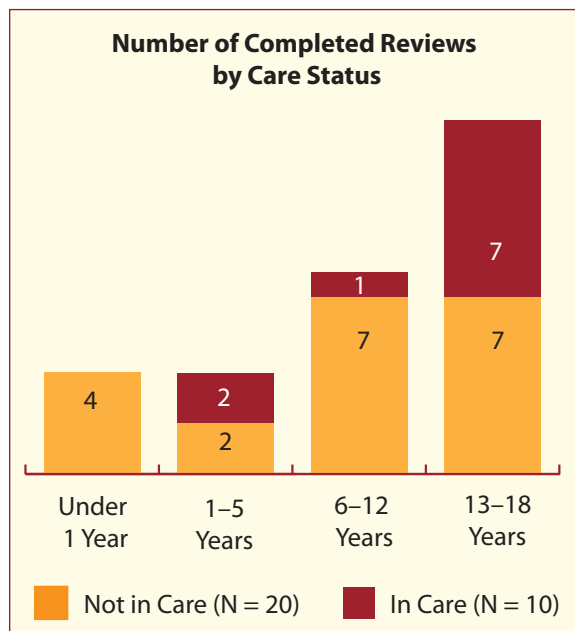
Note: Initial categorization is from MCFD data, in some cases this changes after the review processes are completed.

Summary of RCY Reviews Completed

During this period 30 individual RCY reviews were completed. Of these, eight were of critical injuries of children and 22 were deaths of children.

Categories of Completed Critical Injury Reviews	
Accidental	3
Exposed to or Involved in a High Risk Situation	1
Victim of Crimes of Violence or Major Property Damage	4
Total	8

Categories of Completed Death Reviews	
Accidental	14
Homicide	4
Natural	3
Undetermined	1
Total	22



Critical Injuries and Death

A number of common child and family characteristics were observed across the 30 reviews. These included:

- poverty – defined by a lack of suitable housing, food and other resources related to basic needs (e.g. not able to purchase a crib for an infant)
- exposure to domestic violence
- intergenerational abuse
- mental health and addiction concerns with youth and parents
- transient youth and families.

Upon completion of the reviews a number of key themes emerged. These were:

- the need for more complete assessments of child safety (e.g. when children were exposed to domestic violence)
- the need for adequate assessments and plans for children or youth in care (e.g. transition, intervention and placement planning)
- the need for more thorough medical and behavioural assessments for children and families
- better information sharing and coordination among service providers (e.g. unclear roles and responsibilities)
- more timely file transfers between ministry regions and delegated Aboriginal Agencies
- more effective supervision of staff
- the need for more attention to the cultural identity of Aboriginal children in planning out-of-home placements.

Of the 30 reviews completed:

- twelve will become part of larger aggregate reviews
- twelve have been identified for investigation, and
- no further action will be taken on six since no apparent service delivery issues were identified.

Aggregate Reviews

Two aggregate reviews have been undertaken, and public reports on these reviews are planned for 2010. One review is of the deaths of children under the age of two while the other is of self-harm injuries and suicide deaths. Aggregate reviews involve reviewing and analyzing numerous individual case-related records for each death or critical injury as well as pertinent legislation, policies and procedures in order to determine if there are any recurring circumstances or trends. During the annual report timeframe an initial analysis was completed on 37 deaths and 52 critical injuries as part of these aggregate reviews.

The aggregate review reports are intended to improve understanding of the circumstances related to critical injuries and deaths, and identify gaps in supports and services and ways in which the system can be strengthened.

RCY Investigations

The Representative produced two significant investigation reports in 2009/10. The first report, *Housing, Help and Hope: A Better Path for Struggling Families*, was released in July 2009.

This investigation examined the critical injury of a First Nations infant while in a foster home. It concluded that the system of supports and services failed this infant and family. When it was found that the infant was in an unsafe environment, poverty and a lack of affordable housing limited available options and the infant was placed in a foster home. The investigation and eventual removal of this infant fell below the prescribed standards of practice and the planning for his care was inadequate.

The report made recommendations to government that the child welfare and income assistance ministries work collaboratively to develop policy when children are at risk of being removed due to housing-related issues. The intent of the recommendation is to avoid such removals.

Other recommendations include the need for the development and implementation of a strategy to recruit more Aboriginal foster homes and to track and report on efforts made to find and place Aboriginal children in Aboriginal foster homes.

The second investigation report, *Honouring Christian Lee: No Private Matter – Protecting Children Living with Domestic Violence*, was released in September 2009 and examined the domestic homicide of six-year-old Christian Lee. This investigation found that a lack of a system-wide domestic violence response across the child welfare, criminal law and family law systems and the absence of a thorough assessment of the risk of harm posed by his father put Christian, his mother and family in grave danger, without an adequate safety plan.

A number of recommendations were made to aid in improving the response and supports to domestic violence circumstances involving children. In particular, an emphasis was placed on establishing a coordinated, inter-sectoral approach that includes standardized policies, risk assessment tools and training. In January 2010, the government announced a new domestic violence action plan, including \$25,000 to help establish an Integrated Domestic Violence Unit in the Capital Regional District.

Case Profiles

1. Critical injury of a youth

A 17-year-old First Nations youth in care sustained a head injury when he fell from a stairwell onto a concrete floor after he had been drinking. He made a full recovery. At the time of the incident, he was living in a staffed residential group home.

Background:

The youth spent the majority of his life in care. His biological mother had serious medical problems, and his father had problems with alcohol abuse. The youth was diagnosed by two separate pediatricians as having attention deficit and hyperactivity disorder, and fetal alcohol exposure. He struggled with transitions and school throughout his time in care. His difficulties at school included fighting with other children and not responding to discipline. From age six to seven he lived in a non-Aboriginal foster home under a Special Care agreement. His foster family decided to leave the country; therefore, a new foster home was found for this youth in a remote community. He stayed at this Aboriginal foster home from age seven to 15. This foster home placement broke down and he moved to his mother's home in the same community. Three months later the arrangement with his mother broke down. He then moved to a city and lived independently for two weeks. Then he was placed in a group home in the same city. For the next year and a half, the youth came to the attention of police as a result of intoxication and he spent a number of nights in cells. He was often absent from the group home, and at times when he became frustrated he became violent.

Conclusions:

The review concluded that transition planning and cultural planning for this youth was inadequate. The number of moves this youth experienced in a short period of time was significant. Between the ages of 15–17, he was moved four times. There was no information in the documentation that the youth had input into these significant transitions, or that these changes occurred as a result of an assessment of his needs.

This youth's critical injury may be further investigated as practices and policies related to transition planning and preserving cultural identity may have contributed to this incident.

2. Death of a child due to natural causes

This child was born with severe disabilities and required 24-hour one-on-one care. She died when she was six years old. The ministry was providing nursing supports and at-home supports for the child's medically fragile condition. However, when the family moved to another city, which was served by a different regional office, they experienced difficulties in receiving funding for their daughter's care.

Background:

The child had a three-week history of continuous vomiting after her birth. She was given a poor prognosis by doctors who identified that she was deaf and blind, that she would never walk or talk and that she had a short life expectancy. She needed full-time care to manage her feeding by a gastrointestinal tube seven times per day and to administer medications five times per day. Her parents were very committed to caring for her. Both parents had full-time jobs and trained support staff was needed to assist with the child's care. The agency supporting them was to provide funding and support to assist with the challenges of caring for a child at home with severe disabilities.

The family started receiving medical supplies and services when the child was four months old. The family received funding of \$4,200 annually or \$350 per month. The child was hospitalized four times due to respiratory distress and other complications. When the family moved, they began to have difficulties with their funding. The mother contacted the agency office a number of times requesting funding and was informed by staff that the family's file had not been transferred to their new location because there was a pending request for enhanced benefits. The family told the agency staff that if they were unable to receive adequate funding they would no longer be able to care for their child. After one year, the family's file was transferred.

An advocate from the Representative for Children and Youth's Office became involved with this family and assisted the family in reaching an agreement with the agency.

Conclusions:

The main issues identified in this review included regional budget allocations and fiscal policies, prioritizing services, and wait-lists and file transfer policies between offices. Disruptions in funding and services caused hardship for the family.

The review did not establish that a reviewable service or the policies or practices of a public body or director may have contributed to this child's death. This review may be aggregated with other similar or recurring circumstances.

3. Death of a youth not in care

An 18-year-old driver of a minivan died in a motor vehicle incident. According to the Coroner, alcohol and cannabis use, excessive speed and driver inexperience were considered contributory factors.

Background:

The youth was home-schooled and grew up helping her family and extended family with drug growing operations. She grew up in circumstances of serious alcohol abuse and substance use. Between the ages of 13-15, she was heavily involved in substance abuse. She left her home at 14 years old due to drug use and conflict in the home. She lived with her grandparents for a year, where she reported she was sexually abused by her grandfather. She eventually moved to the United States where her parents were then living. After returning to Canada she entered into a Youth Agreement with the Ministry of Children and Family Development and was referred to Child and Youth Mental Health Services and Addiction services. She felt these services were not necessary due to her school and work schedule and was concerned that working with counsellors might trigger past memories. She had little social support and she indicated that she did not feel safe in the building she was living in because of rampant drug use.

Conclusions:

This review found that there was inadequate planning to help support and monitor this youth. For example, youth agreement planning should have taken into account the youth's vulnerabilities, abilities and needs such as monitoring and planning related to her drug use. This case will be included in an aggregate review of adolescent deaths.

4. Death of an infant

A two-month-old infant was found unresponsive by her parents. The morning of her death, her mother had moved her from her crib and placed her to sleep in bed beside her father. She was put to sleep on her back with her head propped up on a pillow and was covered by a small baby blanket. The Coroner determined that she died of Sudden Unexpected Death in Infancy (SUDI) and classified her death as undetermined.

Background:

At the time of the child's birth, her mother was 14 years old and her father was 17 years old. Her mother had been involved with the Ministry of Children and Family Development since she was seven because of witnessing domestic violence between family members. Her mother left home due to conflict in the family.

Shortly after the child was born, the hospital social worker contacted the ministry requesting supports for the young family. Concerns were related to the mother's young age and that she was possibly suffering from post-partum depression. Two weeks prior to her death, the infant was taken to the hospital and assessed by physicians. Her mother had brought her to the hospital with flu-like symptoms. She was discharged one hour later and sent home. Her father brought her back to the hospital the next day, reporting that she had been difficult to settle for the past two days and she was vomiting after every feed. Chest and abdominal x-rays were unremarkable. The day before her death, her father brought her back to the hospital as she had spit up blood a number of times.

Conclusions:

This review did not establish that a reviewable service or the policies or practices of a public body or director may have contributed to this child's death. However, it highlights the need to explore Public Health and MCFD policies and practices related to supporting young families, public education about safe sleeping arrangements and integration of medical, mental health and family counselling for new families accessing support services.

This case will be included in an aggregate review of deaths of children under the age of two.

Critical Injuries and Death

The Children's Forum

The Representative chairs the Children's Forum, which was established in 2007 in response to a recommendation from the B.C. Child and Youth 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 the Ministry of Children and Family Development and the Representative's Office.

The purpose of the forum is to share information and 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 of children and youth.

In 2009/10, the forum met three times. The Representative continues to feel that the meetings are productive and provide an opportunity to share information and identify priority issues for children and youth in the province. The Children's Forum will continue to meet on a regular basis.





Advocacy

The Representative's advocacy role is to ensure that the rights and interests of children and youth who need supports and services are protected and upheld, and that their views are heard and considered by those making decisions on their behalf.

The Representative's Office provides information, advice and support to children, youth and families who need help dealing with the complex system of services to children and youth.

The Representative's experienced advocacy staff of 12 does direct case advocacy work and also works to raise awareness about the services available to vulnerable children and youth across the province. In the past year, the advocacy staff developed and piloted a workshop on the rights of children and youth that will be provided in various communities in the coming year.

The staff also partnered with the Affiliation of Multicultural Societies and Service Agencies of B.C. (AMSSA) to consult with settlement service agencies around the province on the service needs of newcomer and ethno-cultural minority children and youth and their families. A report based on the consultation is being drafted. As part of an ongoing partnership with the Society for Children and Youth and the B.C. Safe Schools Centre, the staff also continued work on the development of a multi-media public awareness campaign on the rights of children.

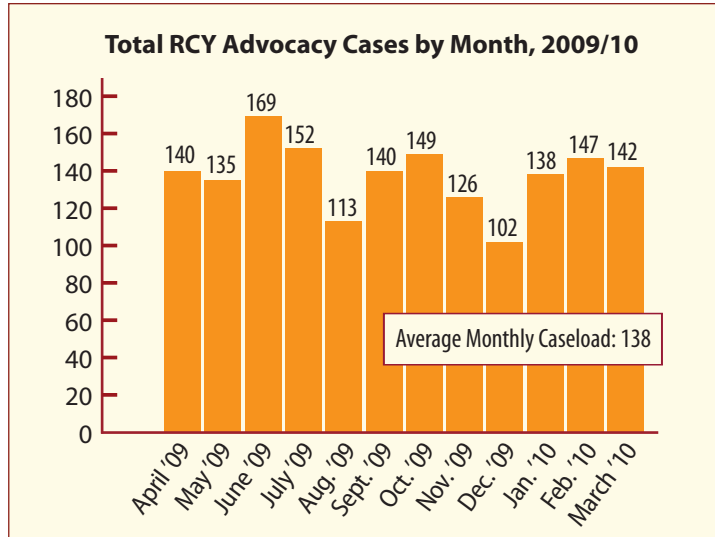
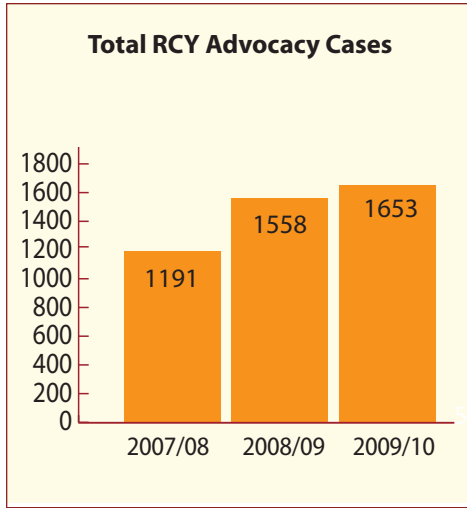
In addition to advocating for changes to improve the effectiveness and responsiveness of the system serving children and youth, the Representative's advocacy staff also promote and encourage the development of community advocacy organizations through outreach, information, education and support.

Advocacy Facts

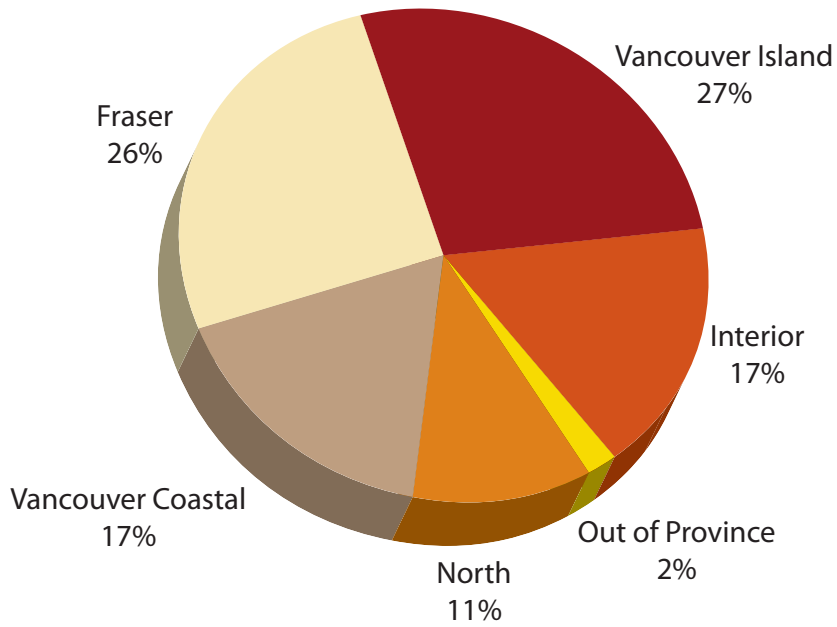
- Between April 1, 2009 and March 31, 2010, 1,653 new advocacy cases were taken on, a six per cent increase from the previous year.
- An average of 138 cases per month was opened during the year.
- Since it began providing advocacy services in April 2007, the Representative's Office has taken on 4,402 advocacy cases.

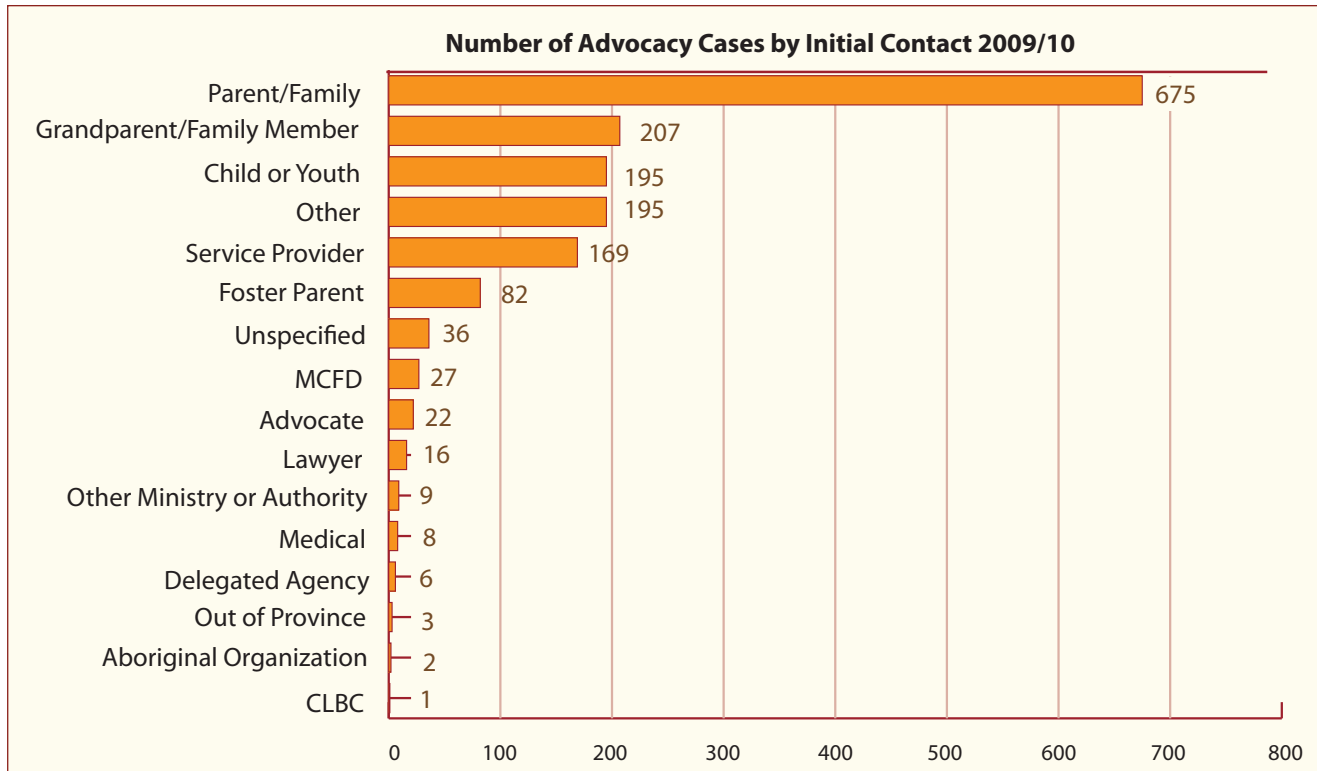
The total number of advocacy cases continued to rise in 2009/10, with the largest number of cases coming from Vancouver Island, followed closely by the Fraser Region.





Advocacy Caseloads by Regions





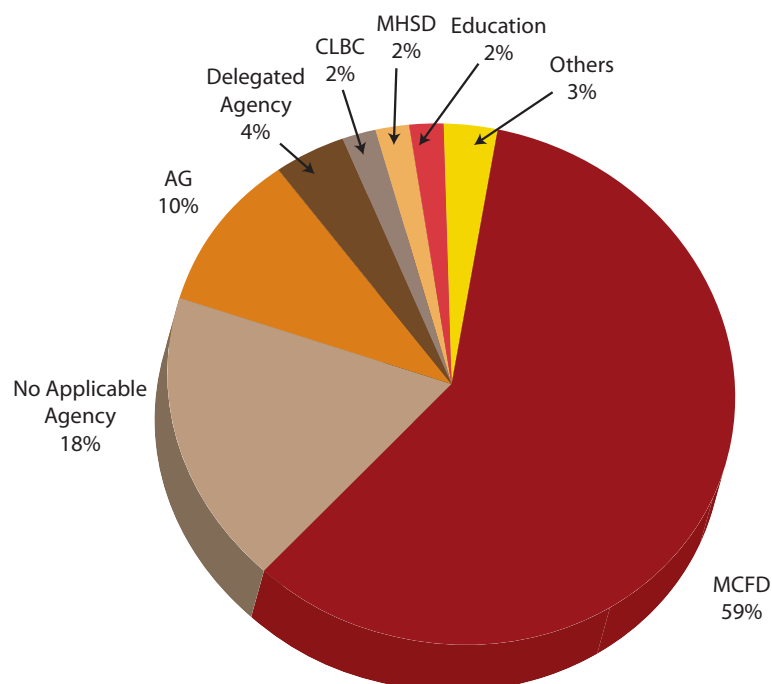
Numbers are based on advocacy cases for 2009/10. Unspecified refers to anonymous callers/emails raising concerns that were received by RCY. Other refers to a friend, neighbour or acquaintance.



Ministries and Organizations Identified in Advocacy Cases

Of the new cases opened by the Representative's Office last year:

- 59 per cent related to the Ministry of Children and Family Development
- 18 per cent weren't related to any applicable agency
- 9.6 per cent related to the Ministry of Attorney General



MCFD includes *CFCS Act*, *Adoption Act*, *Child Care BC Act*, *Child Care Subsidy Act*, *Infant Act* and Youth Justice

No Applicable Agency: Issues not attached to any agency

AG: Ministry of Attorney General

Note: A single Advocacy case can cite multiple organizations/agencies which provide designated services to children and youth

Issues Frequently Raised

Top Ten Most Frequently Raised Caller's Issues in Advocacy Cases, Fiscal Year 2009/10	
Not agree with plan/planning process	14%
Staff practice	9%
Request for Information about policy/legislation	8%
Request for Information about RCY	8%
Timeliness	6%
Denied service	6%
<i>Family Relations Act</i> court order	6%
Section 13 (<i>CFCS Act</i>) Protection concerns not addressed	5%
Views not considered in plan	5%
Not treated with dignity or respect	5%



RCY Advocacy Outreach, Atlin B.C., Fall 2009

Advocacy Case Examples

Following are case examples of the work of RCY advocates. Names have been changed to protect the confidentiality of the children and youth.

Fraser Region: Help exists for autistic girl, RCY advocate pulls pieces together

Issue:

Susan's mother contacted RCY advocates concerned about how she'll get services for her daughter's needs when she returns home. Susan could not be returned to her mother full-time because her mother has an inoperable brain tumour, which although not malignant, continues to grow and has affected the mother's functioning and her memory. The mother's wish was that Susan be fostered by a family friend and former school teacher. Initially, Community Living BC (CLBC) refused to allow the family friend to foster parent as she already had a child with autism in her home.

Action:

Planning for Susan was difficult. CLBC was not involved in the case because she was in the care of MCFD, so she was only provided services from autism funding. However, she also required other services that would enhance her development and ability to communicate. The challenge was to plan for Susan to be able to spend time with her mother, be fostered by her former teacher and also to secure more services to support Susan's development. In addition, the teacher had to move from Vancouver to Langley so Susan could attend her existing school.

Outcome:

After many meetings with all service providers, solutions were found. CLBC covered the full cost of a behaviour consultant, and Susan's autism funding was able to be used for the other services she needed, such as speech therapy. As well, the teacher received permission to have two children with autism in her home and moved to Vancouver.

Systemic Advocacy:

This situation illustrates the need to fashion services around the individual needs of children, youth and families rather than adhering to rigid procedures. The availability and participation of a neutral third party helped all parties to find a way to a better plan for this girl and her mother. Collaboration between service streams to best meet the needs of families and individuals is fundamental to good planning for young people. It is imperative that service providers work with one another to ensure that children and youth are not slipping through the cracks.

Fraser Region: Bringing a 12-year adoption process to a happy ending

Issue:

The RCY advocate was contacted by a foster mother who had been trying to adopt her foster child Amy, since Amy's birth and placement with her. Amy was now 12 and the adoption was still not completed.

Action:

The RCY advocate brought together the involved parties to determine the cause of the delay and facilitate a solution.

Outcome:

MCFD approved Amy's adoption by her foster mother.

Systemic Advocacy:

Good permanency planning for children and youth requires attention to timeframes and particularly to a young person's sense of time. There are only 988 weeks of childhood, so each week of delay in arriving at a permanent plan represents a lost opportunity for stability. Sometimes it takes an external "push" to get a plan moving. To those working in the child-serving system, it may seem as if progress is being made as long as there is a plan on paper. To those on the receiving end of such a "plan" the progress of a piece of paper through the bureaucracy is not action.

**Fraser Region:
A better smile, a brighter future for girl***Issue:*

Mary, who was under a Continuing Custody Order, asked for braces a year before contacting RCY advocacy staff. Mary's social worker sent the request to non-insured health benefits without seeking MCFD approval first, resulting in a long delay.

Action:

The advocate raised concerns about the denial of orthodontic treatment and how no consideration was given to how Mary felt about her appearance and its impact on her mental health. The social worker had assumed the federal government would pay for the braces, but there are different funding criteria federally than there are provincially, so the request was denied. The advocate contacted the MCFD dental office directly.

Outcome:

As a result of advocacy support and intervention, an exception to the policy was granted and Mary got the braces she needed.

Systemic Advocacy:

Good mental health, self-confidence and peer relations are often tied to self-image. Parents take this into consideration when they are making decisions on behalf of their children. As a prudent parent, the state also has this responsibility for children in care. Payment processes, approvals and disputes about jurisdiction are systemic issues which fail to take into account the impact on the youth of failure to make a decision. By tackling the payment issue at the individual level, the RCY advocate was able to show the system how similar situations could be better handled in the future.

Northern Region: Voice of terrified boy heard, he's placed into safer home

Issue:

Daljeet had been severely beaten by his mother. The beating left him hospitalized. The mother had numerous incidents of suspected abuse on record with the ministry but Daljeet was continuously left in his mother's care. After the beating incident, the social worker appeared to minimize the injuries sustained by Daljeet. Instead of exploring extended family members as potential homes for the child, Daljeet was placed in a temporary foster home for high-risk children and youth. The extended family did make it known to the ministry that they were willing and able to take Daljeet. However, the ministry stated that there was a custody issue and the social worker indicated that they were placing him in a foster home to stay out of the custody issue.

Action:

The advocate got involved and spoke to both the social worker and to Daljeet. He was terrified of being returned to his mother and did not want to see her at all. After pressure from the extended family and the advocate, the ministry began the process of placement with extended family. The advocate ensured that Daljeet's views were understood and included in the planning process. The advocate also asked the ministry to explain in writing how and why they had placed Daljeet in an environment without any supports or family members, given the serious assault he had experienced.

Outcome:

As a result of the advocacy on the Daljeet's behalf, he was placed with his father's extended family as requested. In addition, the ministry provided counselling to help him deal with the trauma of the assault, and the mother was charged in the incident.

Systemic Advocacy:

Reunification of families following allegations of abuse and neglect is not always appropriate. The views of this child were clear from the beginning, yet his voice was not given sufficient weight. Even young children are capable of expressing their opinions about important decisions affecting them.

Interior Region: Helping a medically fragile youth needing additional support

Issue:

Asha is deaf, blind, in a wheelchair and is non-communicative except for facial gestures and expressions with people she knows. She has extensive medical issues requiring out-of-province medical care and surgeries. She also has immune deficiency, ongoing severe insomnia, brain damage, cerebral palsy and suffers from allergies to food and her environment. The ministry wanted to place Asha in a residential facility.

Action:

The advocate was contacted because her parents did not want Asha to be moved because of her low immune system and extensive medical challenges. Her parents wanted Asha to continue to reside in their home. Although both parents were trained to care for her, the mother was the main care provider and was suffering from exhaustion and requested additional support, especially at night.

Although the family was receiving support from the At Home Program, CLBC and the local child development centre, there was a challenge finding stability, consistency and the necessary skill level in care providers. The advocate requested respite care and additional night time care for the mother and also asked for an expert assessment of Asha's needs.

Outcome:

After several meetings, Asha was allowed to remain at home. The family received extra home support and CLBC agreed to have an expert assessment done of her needs.

Systemic Advocacy:

The parents of children and youth are often the best advocates for their children. Sometimes though, they need additional support to keep from burning out from the extra demands of caregiving. A one-size-fits-all policy rarely works when the special needs of a child are so complex. By re-assessing the situation and working to find a new solution, the system did three very important things – it validated the parents' concerns about care, gave some hope about a stronger long-term plan and provided immediate respite from the demands of caregiving.

Vancouver Coastal Region: Youth knows he's a risk to community, reaches out

Issue:

Jeffrey was about to turn 19 and was residing in a group home. He has obsessive compulsive disorder, pervasive developmental disorder, and psychosis. Jeffrey cannot respect sexual boundaries and has been previously charged for this. He had been in over 30 homes in his four years in care. Jeffrey's social worker was putting a plan together to move the youth into independent living, but was limited by a lack of available adult resources.

Action:

Jeffrey called the RCY advocate because he was fearful of living on his own. He acknowledged that he cannot control his sexual behavior and believed he would end up in jail. With the assistance of the advocate, an agreement was reached with the ministry and Jeffrey's lawyer to keep him at the group home for one year under the auspices of CLBC. After that time, the advocate and CLBC got a local family services agency that provided mental health services involved in planning for him.

Outcome:

Although the transition to adult mental health took a long time, Jeffrey is now in a good placement with a professional mental health caregiver, who is working with the family service agency and Jeffrey to help prepare him for a more independent living arrangement.

Systemic Advocacy:

While this youth's circumstances were unusual, they were not unknown to the system. Earlier, more inclusive and careful planning might have reduced his fears about turning 19. It should not have to be up to a young person in this circumstance to identify his own risk to the community. A true partnership between clients and workers helps both to plan for and to mitigate the risks that inevitably come with aging out of care. Good planning is the cornerstone of good practice.

The Representative has recommended that advocacy supports for adolescents with special needs extend to the age of 24 years. This recommendation has not yet been accepted by government.

Child Poverty

The Representative has increasing concerns about the issue of child poverty. According to Statistics Canada, British Columbia has the highest child poverty rate in Canada, and it has been the highest for six years in a row.

Of critical concern is the impact poverty has on the day-to-day lives of vulnerable children and families, and the impact of inequality on children's services. If there is truth in the basic principle that society is judged on how we treat our most vulnerable, B.C.'s lack of progress in reducing child poverty should provoke a lot of soul searching. Children in families coping with inter-generational or sudden poverty and deprivation are at a significant disadvantage. They often lack nourishing food and have poorer school performance. They are challenged by impaired language, reading and memory skills, and high degrees of stress and isolation. Often these children live in poor housing in impoverished neighbourhoods with few social supports. Their comparatively poor health outcomes, as B.C.'s Provincial Health Officer Dr. Perry Kendall has also publicly observed, require harder work on the core problems of poverty.

These children pay a painfully high price. The cost to British Columbians is also great. Paying for the long-term effects of poverty is more expensive than supporting children and families in their time of crisis and need. As well, ensuring that our children have what they need to grow strong and healthy is the right thing to do in a just and equal society. The lack of opportunity for all children to succeed equal to their peers requires more effective interventions. And the depth and breadth of poverty seeping into the fabric of B.C. families demands a more determined, focused response.

The Representative has been and continues to be vocal in advocating for a non-partisan plan to address child poverty in B.C. – a plan that is integrated, coordinated and focused on making a change. B.C. needs a child-poverty plan widely championed by political, community and business leaders, a plan that demands strong accountability and a commitment by everyone to ensure progress is made, for the sake of B.C.'s children.

At the January 2010 SSCCY meeting, the Representative raised her concerns about child poverty to the committee, including recommending the creation of a sub committee on child poverty and that a discussion paper be prepared on the issue. The SSCCY recognized the importance of child poverty and agreed to explore the issue with the objective of fostering greater awareness and understanding among the public and legislators. When the committee met in March 2010, the chair proposed to hold a future meeting on child poverty in British Columbia to consult with key stakeholders and expert witnesses.



The Representative visits the Aboriginal kindergarten class at Cape Horn Elementary



Monitoring, Research, Evaluation and Audit

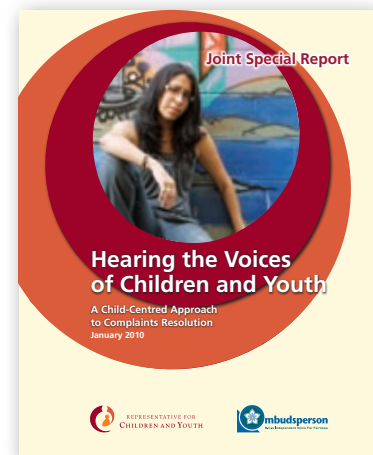
In the Representative's advocacy work as well as in critical injury and death reviews, the focus is primarily on the individual circumstances of children, youth and their families. This work is very personal in nature. Translating individual issues, reviews and circumstances into a larger understanding of how the system of supports actually works for children, youth and families is the third important aspect of the Representative's work. Monitoring and evaluating designated child and youth services and making recommendations to improve the effectiveness and responsiveness of these services, ties together the strands of many individual situations. In this way, the voices of the many callers to the Representative's advocacy team can be heard more clearly.

The Representative reports publicly on these more broadly defined or systemic issues, including issuing update reports on the implementation of recommendations that have been previously received by the Select Standing Committee on Children and Youth. In addition, the Representative monitors very closely the range of issues that emerge from her meetings, correspondence and public engagements. These are all opportunities to "take the temperature" of the systems of support for vulnerable children and youth. The Representative's monitoring and evaluation staff play a key role in gathering data, reviewing relevant literature from B.C. and other jurisdictions, and supporting the other units of the Office in their work.

In undertaking any research project, the Representative's primary goal is to be able to contribute to a better understanding of the issues at hand and to make recommendations that will improve the delivery of services in B.C. When possible and feasible, the Representative collaborates with other public bodies, agencies and post-secondary institutions in conducting these research activities. This way, the Representative can benefit from the wisdom of others and ensure that a broad and integrated perspective is provided. The Office undertook a number of projects in the past year to review services provided to children and youth and make recommendations, including the following reports:

Hearing the Voices of Children and Youth: A Child-Centred Approach to Complaint Resolution

At any given time in the past year, nearly 16,000 British Columbia children and youth lived out of the family home – more than half of them in the government's care. While most young people have a parent or guardian to advocate for them and ensure their rights are respected, their views heard and their needs met, for the vulnerable children and youth in care, the government is their guardian. When the government is acting as guardian it needs to listen as a caring parent would and make thoughtful decisions that consider the views of the child.



Monitoring, Research, Evaluation and Audit

When it comes to resolving complaints, children and youth – particularly those living outside the parental home – have unique needs. In his 2006 review of B.C.'s child protection system, Mr. Hughes recommended that MCFD have a complaint system that young people would find accessible, easy to use and would provide a timely response.

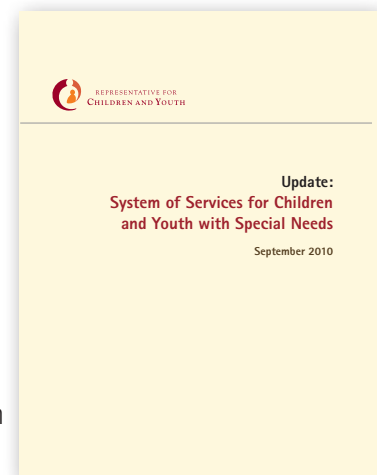
In January 2010, the Representative and the B.C. Ombudsperson released a joint special report, *Hearing the Voices of Children and Youth: A Child-Centred Approach to Complaints Resolution*. This report focused on how to appropriately engage young people in speaking out, how to ensure children and youth have a voice in matters that affect them, and how MCFD can strengthen its complaint resolution process to ensure that it is child-centred. In addition, as the report was focused on informing youth how they can make a complaint if necessary, a youth version of the report was done in the form of a video, with a former child in care interviewing the Representative and the Ombudsperson about the report and the complaint resolution process. The video can be seen on the RCY website at www.rcybc.ca.

For the report, the Representative and the Ombudsperson applied a child-centred lens in evaluating the ministry's regional complaint resolution process and determined that the complaint resolution process operates under a legal framework that lends itself well to a child-centred approach. The Representative and the Ombudsperson found that further strengthening of the process was possible and provided recommendations in the area of timeliness, fair and transparent administration, accessibility, consistency, accountability and quality assurance. The best-practice framework for a child-centred complaint resolution process identified in the report may also be useful to other child- and youth-serving organizations in establishing their own processes.

Update: System of Service for Children and Youth with Special Needs (2010)

During the fiscal year, the Representative gathered information for her second update to the February 2008 *Monitoring Brief: System of Service for Children and Youth with Special Needs*, which examined how services to children and youth with special needs were delivered.

The first update, released in November 2008, recognized MCFD's acceptance of and commitment to the recommendations but also noted that work was progressing slowly. The second update focuses on the work that MCFD has done during the fiscal year to transform the children and youth with special needs service delivery system and considers how the planning and implementation of these changes address concerns identified in the original report. The Representative released her second update on the system of service for children and youth with special needs in September 2010.



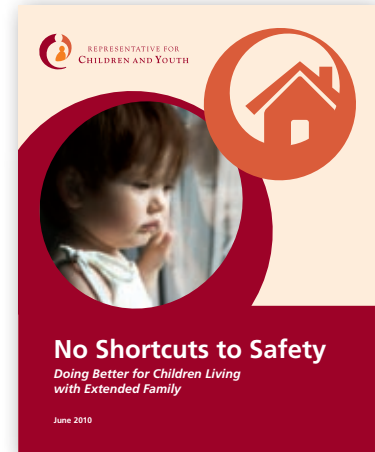
Audit of the Child in the Home of a Relative Program

The issue of safety and well-being of the children and youth in the Child in the Home of a Relative (CIHR) program has been a matter of concern to the Representative since her appointment in 2006. The CIHR program was a financial assistance program developed to help relatives care for children who could not be cared for by their parents. There are about 4,500 children who live with a relative under this program.

In July 2008, the Representative wrote to senior government officials about her concerns outlining specific cases of children left in homes with relatives. Central to these concerns was a lack of formal criminal record or prior contact checks regarding proposed caregivers. The Representative also initiated a formal audit of the screening processes for the CIHR program.

In 2009/10, much work was carried out in conducting the audit, including extensive data collection and analysis of over 1,200 applications, development of audit criteria and a detailed file review of 100 cases. As well, the RCY audit team interviewed and observed MCFD and Ministry of Housing and Social Development frontline staff who were performing screening functions, to understand how the screening procedures were done.

The Representative publicly released this report, *No Shortcuts to Safety*, in June 2010.



Joint Reports

A series of joint special reports on the health and well-being of children in care in British Columbia have been released by the Representative and the Provincial Health Officer. The Representative and the Provincial Health Officer are writing a report on the status of the health and well-being of children in B.C., *Growing Up in B.C.*

Growing Up in B.C.

Children grow and develop within the context of their families, their communities and their societies. Governments at all levels, as well as many other organizations make decisions that affect the healthy growth and development of children.

A theme that arose repeatedly at the Representative's Summit on Children and Youth in October 2008 was the need to develop an over-arching plan for children and youth in British Columbia, that would address developmental needs as well as measures to identify progress. In particular, speakers at the Summit identified that children and youth struggling to have their basic needs for safety and security met are falling further and further behind.

Monitoring, Research, Evaluation and Audit

Since that time, the Representative and the Provincial Health Officer have entered into a partnership to develop a report on outcomes for children and youth that span all organizations and government ministries and agencies. The intent of the report would be not only to raise awareness about the state of health and well-being of children and youth in B.C. and the range of issues and differences that affect them, but also to influence, in a positive manner, public and private actions on behalf of children's well-being.

During 2009/10 staff worked with national and international experts to develop a report that is collaborative and unique in its approach. Over 2,500 potential child well-being indicators were identified from over 120 child well-being reports from Canada, the U.S., and other countries. Close to 20 different data sources were investigated and analyzed for data currency, consistency, robustness and availability. The first set of focus groups were also conducted throughout the province with 152 youth to obtain their thoughts on indicators of youth health and well-being.

The Representative and the Provincial Health Officer will jointly release their report on the state of child health and well-being in B.C. at the Representative's Champions for Children and Youth Summit to be held in October 2010.

Updates on the Implementation of Previous Report Recommendations

All of the reports issued by the Representative contain recommendations for further action or suggestions for improvements and enhancements to the child- and youth-serving system. The Representative's monitoring staff track these recommendations and their "due-by" dates, following up with ministries and organizations to determine what progress has been made. Staff from RCY regularly meet with officials from ministries to discuss the recommendations and their implementation. The Representative also provides regular progress reports on the status of the recommendations to the SSCCY.

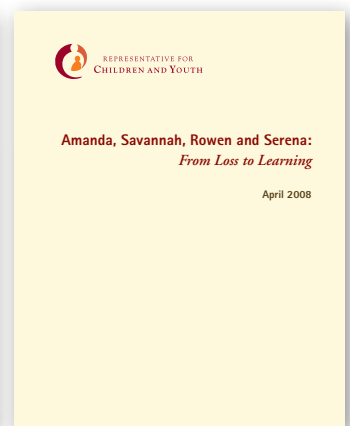
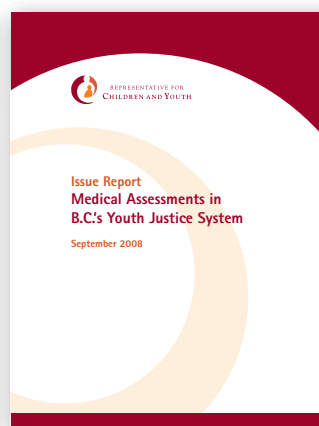
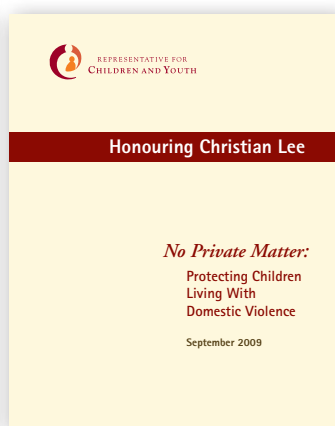
In these reports, it is the Representative's intention to make practical recommendations that will lead to real improvements to the child- and youth-serving system. The recommendations provide a roadmap for tracking progress as well as a stimulus for debate and critical analysis. Although it is recognized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

In 2009/10, a number of recommendations have resulted in improvements that are worth mentioning specifically:

- The Ministry of Children and Family Development and the Ministry of Education collaborated in focusing on the educational achievement of children and youth in care, following up on recommendations in the report *Health and Well-Being of Children in Care*.

Monitoring, Research, Evaluation and Audit

- Government has established a Task Force on Domestic Violence led by the Ministry of Public Safety and Solicitor General, in part to address recommendations made in the Representative's report into the death of Christian Lee, *Honouring Christian Lee: No Private Matter – Protecting Children Living with Domestic Violence*.
- The Province committed \$25,000 to help establish an Integrated Domestic Violence Unit in the Capital Regional District.
- The Province has committed to enhancing training to develop greater expertise and knowledge on domestic violence within the court system.
- The Ministry of Attorney General has committed to education sessions for prosecutors on youth justice and domestic violence issues.
- In response to a recommendation in the Representative's joint report with the Provincial Health Officer, *Kids, Crime and Care: Youth Justice Experiences and Outcomes*, every school in B.C. now has a staff person assigned to oversee planning for children in care in that school.
- In response to the Representative's report *Medical Assessments in BC's Youth Justice System*, there have been improvements in the policy and practice of medical assessments of young women in the youth justice system.
- Following a recommendation in the Representative's report *Amanda, Savannah, Rowen and Serena: From Loss to Learning*, the Ministry of Children and Family Development's North region has begun reporting publicly on key measures for Aboriginal children in care in the North.
- Delegated Aboriginal Agencies are also planning to begin reporting publicly on children in their care.





Face painting at the RCY booth during the Victoria Pride Festival, August 2009



Outreach and Communications

Community and Stakeholder Engagement

The Representative's Office attends a variety of conferences each year as part of an effort to educate the public about the role of the Representative and the services provided by her Office. In 2009/10, the following conferences and events were attended, and the Representative's booth set up at most of them:

- Early Years Conference: The Rights of the Child (February 2009)
- Federation of B.C. Youth in Care Networks Steering Committee Meeting (May 2009)
- National Aboriginal Day Festivities (June 2009)
- Victoria Pride Festival (July 2009)
- Vancouver Pride Festival (August 2009)
- Union of B.C. Municipalities Annual Conference (September 2009)
- B.C. School Counsellors Association AGM (October 2009)
- B.C. Association of Social Workers AGM (November 2009)
- Surrounded by Cedar Aboriginal Agency Fair (February 2010)
- Gathering Our Voices Provincial Aboriginal Youth Conference (March 2010)

Information about the Representative's Office was distributed at these events, RCY staff spoke extensively with attendees, and greater awareness of the Office was taken into communities across B.C. by service providers, government staff and young people.



UVic celebrates the antidote youth group receiving the Representative's Award of Excellence. Pictured above: the Representative, Jin-Sun Yoon of antidote, the Honourable Ted Hughes and his wife Helen, and Dr. Daniel Scott.

Outreach into Aboriginal Communities

Despite being over-represented in B.C.'s child protection system, some Aboriginal people in British Columbia remain unaware that the Representative's Office is a forum for them to communicate their concerns about child safety and well-being, and discuss their rights as children, youth and members of communities.

To increase awareness in Aboriginal communities across B.C., 274 packages of information about the Representative's Office were sent to First Nations bands and delegated Aboriginal Agencies in September 2009. In addition to this, outreach efforts continue to be made by the Representative's advocacy staff who travel to remote areas of the province. This emphasis on outreach and increasing public awareness will remain a focus of the Representative's Office in the year ahead.

Media Requests

The Representative and her staff responded to many requests from the media for interviews or information during the year. The topics discussed ranged from domestic violence to children and youth involved in the justice system to child poverty, child safety and child rights.

These interviews help to raise awareness about the issues surrounding the well-being of B.C.'s vulnerable children and youth as well as encourage discussion about the best ways to improve the child- and youth-serving systems and programs in the province.

New RCY Youth Website

The Representative's Office has two websites, one for adults and another for children and youth. Following consultation with web professionals, child-serving agencies and young people, the site (www.talktotherep.ca) for children and youth was updated in 2009/10.

The site now has more interactive features, brighter colours and more youth-friendly text. Since the update the number of site visitors has increased, and it is now a more informative and useful resource for young people finding their way through the child- and youth-serving system.



New RCY YouTube Presence

The Representative's Office launched a YouTube site in January 2010 in order to highlight a video that the Representative and B.C. Ombudsperson produced for the release of their Joint Special Report, *Listening to the Voices of Children and Youth: A Child-Centred Approach to Complaint Resolution*.



RCY has since uploaded more than a dozen videos including some featuring young people's insights about education, culture, health and safety, which have received thousands of hits. The Representative's YouTube site is at www.youtube.com/rep4youth.

Representative's Awards of Excellence

The 2009 Representative's Awards of Excellence ceremony took place in November 2009. The awards included:

- **Advocacy Award of Excellence** is for a tireless supporter (individual or organization) that speaks for children, youth and their families, and advocates for positive change. The nominee is a champion in ensuring the voice and views of young people are heard and their rights and interests are upheld.

2009 WINNER: *Adoptive Families Association of B.C.*

- **Cultural Heritage and Diversity Award of Excellence** goes to an individual or organization that recognizes, supports and builds on a unique sense of place, culture, language and community while preparing a better path for children. This individual or organization focuses on leadership, services and outcomes that support children to embrace the present while preparing for their futures.

2009 WINNER: *antidote: Multiracial and Indigenous Girls and Women's Network, Greater Victoria*

- **Innovative Services Award of Excellence** goes to an individual or organization that delivers services in a new, innovative and effective manner. The individual or organization has developed or is administering a program that leads to better and more beneficial program outcomes and is a model of professional excellence.

2009 WINNER: *MoYO: Mobile Youth Outreach, Surrey*

- **Service Provider Award of Excellence** is for an individual, team or organization that demonstrates exceptional commitment, creativity and dedication in work that makes a difference in the lives of children, youth and their families.

2009 WINNER: *Aunt Leah's Lifeskills Society, serves children and youth in Surrey, New Westminister, and Burnaby*



Outreach and Communications

- **Youth Leadership Award of Excellence** goes to an individual between 12 and 24 years of age, whose leadership and innovation has made a positive contribution to the youth community, who has set and reached personal goals and who has contributed time and energy to benefitting or improving their community.

2009 WINNER: *Chris Tait, Vancouver*

- **Lifetime Achievement Award of Excellence** is awarded to a seasoned individual who has made significant and lasting positive change in the lives of vulnerable children and youth in British Columbia. This individual is dedicated to raising public awareness around issues that negatively affect vulnerable children and youth, and is both advocate and leader – a true Champion for Children and Youth.

2009 WINNER: *Alan Markwart, MCFD, Victoria*



Cultural Heritage and Diversity Award: antidote



Youth Leadership Award: Chris Tait



Advocacy Award: Karen Madeiros, Adoptive Families Association of B.C.



Service Provider Award: Aunt Leah's Independent Lifeskills Society



Innovative Services Award: Mobile Youth Outreach



Lifetime Achievement Award: Alan Markwart

Union of B.C. Municipalities Annual Convention

The Union of B.C. Municipalities (UBCM) convened for their annual convention Sept. 29 to Oct. 2, 2009, to discuss areas of common concern. The Representative presented a workshop on how municipal leaders could become champions for the vulnerable children and youth living in their communities. The Representative told the audience that the number of vulnerable children in B.C. was of great concern, and that the difference between a short-term dip in family fortunes or a future of grinding poverty often depends on the community's response. She also noted that as the global economic downturn continues to impact B.C. communities and resource sectors, families need more supports. Those systems – the school system, the health system, support services in the community – need to be there for children, now more than ever.

The UBCM's action in this critical area contributed a great deal to raising the profile of the issue of child poverty in B.C. and was instrumental in encouraging other stakeholders to call on governments to make eradicating child poverty in B.C. a real priority. Other organizations that also raised their collective voices calling for action on child poverty in 2009/10 include:

- Health Officer's Council of B.C.
- First Nations Child and Family Wellness Council
- B.C. School Trustees Association
- B.C. Teachers' Federation
- B.C. Association of Social Workers



The Representative and Associate Deputy Representative Andrew Robinson presenting a workshop on child rights at the UBCM 2009 convention.

At the convention, delegates unanimously endorsed the following resolution which supports the Representative in calling for a child poverty plan for B.C.:

WHEREAS several provinces have recently committed to reducing poverty through coordinated planning and legislative changes;

AND WHEREAS B.C. has the highest after-tax child poverty rate in Canada for the 6th year in a row, and the UBCM membership has endorsed resolution 2004-B135, which requested that the Government of Canada undertake, in a comprehensive and nonstigmatic manner, to end child poverty:

THEREFORE BE IT RESOLVED that the UBCM support the proposed initiative by the B.C. Representative for Children and Youth to bring forward a child poverty plan, similar to the Province of Ontario's Poverty Reduction Plan, that will include the implementation of a comprehensive, cross-ministry strategy to address child poverty.

The 20th Anniversary of the United Nations Convention on the Rights of the Child (UNCRC)

November 2009 marked the 20th anniversary of the Convention on the Rights of the Child, the first legally binding international instrument to incorporate the full range of human rights – civil, cultural, economic, political and social. The Convention was adopted by the General Assembly of the United Nations on Nov. 20, 1989, signed by Canada in 1991, and before that, endorsed by a unanimous resolution of the British Columbia Legislature.

The Convention spells out the basic human rights of children everywhere: the right to survival; to develop to the fullest; to be protected from harmful influences, abuse and exploitation; and to participate fully in family, cultural and social life. The four core principles of the Convention are non-discrimination; devotion to the best interests of the child; the right to life, survival and development; and respect for the views of the child.

In celebration of the anniversary, the Representative attended an event at Cape Horn Elementary School in Coquitlam, B.C. Cape Horn Elementary is Canada's first Rights Respecting School. The school worked with UNICEF to get the designation in 2008. Rights are central to the curriculum and students know that their own rights and the rights of others are to be respected. In her speech the Representative talked to the children about the significance of the anniversary and how important it is for them to know their rights and to use their voices.

Picture and Essay Contest

The RCY also hosted a child rights essay and drawing contest in honour of the 20th Anniversary of the UNCRC. With the help of the Ministry of Education and teachers across B.C., school-aged children in B.C. were asked to write about or draw which of their rights they thought to be most important. The contest focused on four rights:

- To Be Healthy
- To Be Yourself
- To Be Safe
- To Be Heard

Winners were selected from three age groups. The Representative's Office received 100 drawings and 87 essays as submissions to the contest. Some submissions came from as far north as Fort St. John and some were submitted by children as young as eight years old.

The Representative's judging panel was impressed by the thought and effort these young people put into their submissions and selecting winners was a difficult task. The following submissions were selected as the contest winners:



Winner Ages 5-9: Courtney, Age 9



Winner Ages 10-14: Navdeep, Age 11

Children's Rights: All are equal, all are crucial

Every one of these four rights of the child—to be healthy, to be yourself, to be safe, and to be heard—is equally important. They are all tied together, one depending on the other, each doing its part. A child has to be healthy in order to thrive, but it cannot flourish (at least not psychologically) if it has no chance to be itself. Also, it is unlikely that a child will be able to develop well if isn't safe. When children are, for example, being raped, getting beaten, forced to perform dangerous labour, or living in a war zone with the constant threat of being bombed, shot, or kidnapped, safety would probably be most crucial to them. A child that is safe but sick, on the other hand, would likely contend that health is the most vital right. Finally, being heard is very fundamental, because it allows the child to have a say in decisions that concern it. More importantly, with the right to be heard, children can speak out if they lack any of the other three rights and perhaps manage to obtain them as a result. Saying one right is more important than the other, is like asserting that your leg is more important than your arm, or vice versa. However, everything in the world is interconnected and has a different value depending on the angle that it is viewed from, and children's rights are no exception.

Winner Ages 15-18: Josephine, Age 16

All contest submissions can be viewed at www.rcybc.ca under the Events tab.

The Canadian Council of Provincial Child and Youth Advocates

The Canadian Council of Provincial Child and Youth Advocates (CCPCYA) is an alliance of government-appointed children's advocates from nine provinces and one territory. Each operates under a legislative framework unique to their province or territory. Nine of the 10 members are independent officers of their provincial/territorial legislatures.

Members of the council share a common commitment to further the voice, rights and dignity of children and youth. Their respective offices work with children and youth on a daily basis, and promote better outcomes for them, as well as encourage children and youth's participation and involvement in a better society to meet their needs and aspirations.

Although their roles vary depending on their statutory mandates, they generally provide direct advocacy supports to children and youth, as well as systemic advocacy for improvements to the system of services and supports. The respective offices conduct reviews, and make reports to governments and the public.

The CCPCYA plays an important role in informing governments and the general public of concerns regarding the rights, status and well-being of vulnerable children and youth, and in encouraging and supporting governments to adopt more effective and responsive strategies. Since Canada does not yet have a Children's Commissioner, CCPCYA works collaboratively to raise issues of joint concern at the federal level.

During the period covered by this report, the Representative's Office participated in two meetings of the council, and the Representative attended the CCPCYA's biennial conference. The Representative also led the development of a position paper entitled "Aboriginal Children and Youth in Canada: Canada Must Do Better," which calls for a national plan to improve outcomes for Aboriginal children and youth. (This paper was released to the public and the federal government in June 2010 and can be viewed at www.rcybc.ca, under Resources.)



RCY Meetings and Speaking Engagements

Child and Youth Serving Organizations

Aboriginal Head Start Program	Mary Manning Centre (now called ORCA Children's Advocacy Centre Society)
Adoptive Families Association of BC	McCreary Centre Society
Affiliation of Multicultural Societies and Service Agencies	Nisga'a Valley Child and Family Services (New Aiyansh, B.C.)
Axis Family Resources Foster Parent Program (Prince George, B.C.)	NIL/TU,O Child and Family Services Society
BC Federation of Aboriginal Foster Parents	Kwumut Lelum Child and Family Services
BC Teachers Federation	Nuu-chah-nulth Tribal Council USMA Family and Child Services (Port Alberni, B.C.)
Canadian Council of Provincial Child and Youth Advocates	New Zealand's Children's Commissioner
Community Living BC	Queen Alexandra Foundation (Victoria, B.C.)
Carrier Sekani Family Services (Prince George, B.C.)	Safe Online Outreach Society
Children's Aid Society of Toronto	Society for Children and Youth of BC
Cape Horn Elementary School (Coquitlam, B.C.)	Success by 6 (Burnaby, B.C.)
Community Action Program for Children	The Canadian Bar Association, B.C. Branch
Federation of BC Children and Youth in Care Network	Vancouver Aboriginal Child and Family Services Society
Federation of Community Social Services of BC	Vancouver Island Action for Children (Nanaimo, B.C.)
First Call Child and Youth Advocacy Coalition	West Coast Alternatives Society (North Vancouver, B.C.)
Kwumut Lelum Child and Family Services (Nanaimo, B.C.)	Yukon Child and Youth Advocate

Aboriginal Leadership/Organizations

Aboriginal Social Workers Training Graduation Ceremonies (Richmond and Victoria, B.C.)	Healthy Aboriginal Network
B.C. Assembly of First Nations (West Vancouver, B.C.)	Kitselas First Nation (Terrace, B.C.)
BC Association of Aboriginal Friendship Centres	Kitsumkalum First Nation (Terrace, B.C.)
Caring for First Nation Children Society	Lake Babine First Nation (Prince George, B.C.)
Chehalis First Nation (Harrison River, B.C.)	Nanaimo First Nations
First Nation Child and Wellness Council	National First Nations Child and Family Care Society Conference (Winnipeg, Manitoba)
First Nation Education Steering Committee	Squamish First Nation Council
First Nation Leadership Council	Union of British Columbia Indian Chiefs
First Nations Schools Association	Vancouver Native Friendship Centre

Outreach and Communications

Government Organizations

BC Coroners Service	Office of the Auditor General of Canada
Elections B.C.	Office of the Ombudsperson
Government of Ontario Poverty Secretariat	Office of the Premier of B.C.
Indian and Northern Affairs Canada Pacific Region	Office of the Provincial Health Officer
Ministry of Aboriginal Relations and Reconciliation	Office of the Public Guardian and Trustee of B.C.
Ministry of Attorney General	Prince George City Council – Communities That Care
Ministry of Children and Family Development	Public Health Officers Council of BC
Ministry of Education	Select Standing Committee on Children and Youth
Ministry of Health Services	Select Standing Committee on Finance and Government Services
Ministry of Healthy Living and Sport	Union of British Columbia Municipalities
Ministry of Housing and Social Development	Government of Ontario Poverty Secretariat
Ministry of Public Safety and Solicitor General	

Academic

Camosun College	University of Ottawa
UBC – Human Early Learning Partnership	University of Toronto
Simon Fraser University – Citizens' Summit on Trafficking	University of Victoria – Indigenous Child Welfare Research Network

Other

BC Schizophrenia Society	Ontario Poverty Secretariat
BC Association of Clinical Counsellors	Parent Support Services of BC
BC Alliance on Mental Health/Illness & Addiction	Pivot Legal Society
BC Association of Social Workers	Prince George School Board of Education
BC Centre of Excellence for Women's Health	Royal Canadian Mounted Police
BC Crime Prevention Association	St. Vincent de Paul Society
BC Government Employees Union	The Poverty and Human Rights Centre (Victoria, B.C.)
BC Nurses' Union	Vancouver Police Department
BC Teachers' Federation	Victoria Police Department
Burnaby Centre for Addiction and Mental Health	
Canadian Union of Public Employees	

Speeches

Child and Youth Serving Organizations

BC Children's Hospital	FASD Collaboration Roundtables – FASD Fall Fair
BC Council for Families AGM	Federation of Community Social Services of BC – Annual General Meeting
BC Federation of Foster Parent Associations AGM	Health Officers' Council of B.C. annual meeting
BC School Trustees Association – Trustee Academy	Knowledgeable Aboriginal Youth Association AGM
Burns Lake Child and Youth Mental Health Forum	MCFD Vancouver Coastal Region
Caring for First Nations Children Society – Partnership Meeting	20th Anniversary of UN Declaration on the Rights of the Child (Coquitlam, B.C.)
Centre for Children and Families in the Justice System (Hamilton, ON)	

Aboriginal Leadership/Organizations

BC Aboriginal Child Care Society – Annual Conference	First Nations Child and Family Wellness Council – Poverty Forum
BC Association of Aboriginal Friendship Centres – Gathering Our Voices 2010 Conference	Knowledgeable Aboriginal Youth Association – Unified Aboriginal Youth Collective Meeting
BC Elders Communication Centre Society Annual Gathering (Terrace, B.C.)	Quw'ultsun Centre – Pediatrics Ethics Forum

Government

BC Association of Chiefs of Police AGM	Senate Committee Against the Commercial Exploitation of Children
Select Standing Committee on Children and Youth	Union of BC Municipalities – Annual Convention
Select Standing Committee on Finance and Government Services	

Academic

Justice Institute of BC – Centre for Counselling and Community Safety	University of Victoria – Centre for Youth and Society
Thompson Rivers University – Spring Convocation	

Other

BC Federation of Labour – Annual Conference	Continuing Legal Education
National Judicial Institute – Family Law Seminar	BC Crime Prevention Association Symposium



Report of the Auditor General of British Columbia
on the
Statement of Expenditures

To the Representative for Children and Youth:

I have audited the statement of expenditures of the Office of the Representative for Children and Youth for the year ended March 31, 2010, prepared in accordance with the Provincial government's Core Policy and Procedures Manual. This financial information is the responsibility of management. My responsibility is to express an opinion on this financial information based on my audit. The estimates information presented in the statement of expenditures is unaudited, and should not be considered as part of the statement on which I have expressed my opinion.

I conducted my audit in accordance with Canadian generally accepted auditing standards. Those standards require that I plan and perform the audit to obtain reasonable assurance whether the financial information is free of material misstatement. My audit included examining, on a test basis, evidence supporting the amounts and disclosures in the financial information. My audit also included evaluating the overall presentation of the financial information.

In my opinion, this statement of expenditures presents fairly, in all material respects, the operating results of the Office of the Representative for Children and Youth for the year ended March 31, 2010, in accordance with the Provincial government's Core Policy and Procedures Manual.

*Victoria, British Columbia
August 20, 2010*

John Doyle, MBA, CA
Auditor General

Fiscal Year 2009/10 Statement of Expenditures

Expense Type	2009/10 Estimates \$	2009/10 Actual \$	2008/09 Actual \$ (Note 1)
Full Time Equivalents (FTEs)	44.0	43.4	33.7
Salaries of permanent and temporary employees	3,766,000	3,623,465	2,940,039
Employee Benefits	916,000	898,542	736,323
Travel	256,000	230,317	327,282
Greenhouse gas reduction measure		673	693
Public Service Agency services	62,000	18,865	64,368
Accommodation & Real Estate services	245,000	272,747	316,710
Corporate Accounting System services	24,000	24,000	12,888
Workplace Technology Services	328,000	313,358	165,190
Professional services	310,000	481,412	825,625
Information systems	162,000	98,061	168,995
Office and business expenses	337,000	286,842	403,444
Informational advertising/publications	20,000	15,391	11,453
Statutory advertising/publications	30,000		508
Utilities, materials and supplies	12,000	8,739	7,855
Operating equipment and vehicles	34,000	5,946	16,649
Amortization	49,000	47,923	29,836
Building occupancy	357,000	338,516	238,715
Transfers - General	116,000	325,000	236,980
Interest Costs - Non Public Debt		552	1,633
Other expenses	3,000	1,167	1,142
Total Expenses	7,027,000	6,991,519	6,506,330

Note 1 - Certain figures for 2009 have been restated to conform to the current year's presentation

Approved on behalf of the Office:



Signature

August 19, 2010

Date

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Alan Markwart, recipient of the Representative's Lifetime Achievement Award of Excellence, and members of the antidote group join the Representative at a UVic celebration



