



Victoria Family Court and Youth Justice Committee

2010 Annual Report

Presented to the Committee

January 26, 2011



**Victoria Family Court and Youth Justice Committee
2010 Annual Report
Table of Contents**

2010 Reports

Chair's Report	3
Treasurers Report	5
Priorities Sub-Committee Report	6
Youth Mental Health Task Force Report	7
Youth Matters Sub-Committee Report	8
Capital Regional District Action Team for Sexually Exploited Youth Report	10
Youth Custody Report	11
Family Matters	12
Court Watch	13

Supporting Documents

Constitution	15
Terms of Reference	16
Priorities Purpose	19
Priorities Submission Form	20
Memorandum of Agreement between CASA and VFCYJ Committee	22



Victoria Family Court and Youth Justice Committee 2010 Chair's Report

The Victoria Family Court and Youth Justice Committee (VFCYJ) is comprised of Municipal representatives, School Board Trustees, youth and family outreach organizations, Provincial Ministries and police officers. It is large group of individuals who believe that we can make a difference in families that are experiencing the criminal justice and court systems. We feel strongly that we need to reach youth at risk as soon as possible to change their course through life; to assist them in reaching their full positive potential.

We started off the year with excellent financial stability. This is due to diligence in our spending and being ever mindful of a possible opportunity to put forward our Youth Mental Health Initiative. We choose to award several grants this year to assist organizations with “seed money” to start new programs. Organizations that be benefited from these grants were Capital Regional Action Team for Sexually Exploited Youth, Court Appointed Special Advocates, Restorative Justice Resource Group, Restorative Justice Girl's Circle, Peninsula Cross Roads Community Justice Program, Brightening Ideas (BI3) and our communications committee to create new website for VFCYJ. In total we gave out \$22,000 in grants. We dedicated \$10,000 in a separate account to be allocated to the Youth Mental Health Initiative for future investment in the pilot project.

The Brightening Ideas (BI3) Youth Conference was met with mixed success. The attendance was low and it was realized that engaging youth is a difficult process. However, the youth that were reached found value in the conference and valuable insights were gained.

The Court Appointed Special Advocates (CASA) was a sub-committee that was formed this year and has become a part of the VFCYJ. CASA has been accepted by the US National CASA HQ as a provisional member, making Victoria the first in Canada to obtain this status.

Capital Region Action Team for Sexually Exploited Youth (CRAT-SEY) had a busy year including working with PEERS to research youth on the “stroll”. They were able to contact and monitor 22 youth working the stroll. This is an issue that needs to be remembered as we try to protect our youth. Young people are still very much at risk at ending up on the street and working as prostitutes to survive or fund a habit. CRAT-SEY is also concerned with the number of youth being lured into the sex trade in non-visible situations, through the internet or at houses throughout the Capital Regional District, in return for money, rent, security or drugs.

The Youth Custody Sub-Committee has been met with challenges due to administrative and accreditation changes at the facility. All positive changes, but have caused some reflection on the relevance of the Sub-Committee. As such, there will be a recommendation at the AGM to dissolve the Sub-Committee. The Custody Centre will still be represented at the VFCYJ Committee and will be our feature presenter at the AGM.

The Family Matters Sub-Committee continued to report that the families in need within the CRD are still in crisis. There were funding cuts and restructuring that took resources away from services that continue to support families. The workers and the organizations are dedicated to the work they do and we need to be mindful of the burn-out levels that can be experienced.

Court Watch is an important part of our mandate; however, due to positive changes within the Criminal Justice System it has become difficult for volunteers to perform their observations. More and more diversions are being used with the youth. While this is a desired outcome, it does not allow for an “observer” to be present during the diversion process. We are continuing to work on ways to improve this situation and will continue to report back to the community.

On a personal note I would like to say thank you and to congratulate the Committee Members. Without their dedication to the Youth and Families in the region our society would be missing a key function of what makes Greater Victoria a wonderful city. We need to remain diligent in what we see, hear and do. After 5 years, I am stepping down as the Chair of the Committee. It has been with great pleasure that I have served in this capacity. I am looking forward to continuing to serve the Committee and the new Chair as Past Chair. We have some exciting opportunities and some difficult challenges ahead. I am proud of the work that has been done in the past and I am encouraged with the possibilities of the future. I would like to give a special thank you to my Vice Chair, Councilor Cynthia Day from Colwood; without her incredible memory, energy and perseverance we would not be the strong organization that we are today.

Respectfully submitted,

Kyara Kahakauwila
Chair, Victoria Family Court and Youth Justice Committee



Victoria Family Court and Youth Justice Committee Treasurers 2010 Annual Report

Victoria Family Court and Youth Justice Committee

Annual Financial Statements December 1, 2009 to November 30, 2010

Revenue:

Balance from 2009		\$30,269.01
Interest	\$20.49	
CRD Grant	\$14,300.00	\$14,320.49
Total Available		\$44,589.50

Expenses:

Secretarial	\$1,787.50	
Lunches/mtg expenses	\$2,490.39	
Grants out (Note 4)	\$19,200.00	
PEERS	\$2,000.00	
BI3	\$3,000.00	
CRAT	\$3,000.00	
CASA	\$4,000.00	
RJ Resource	\$5,000.00	
RJ Pen XRDS	\$2,200.00	
Bank Charges	\$60.60	
Assets Purchased: Laptop and Ext.HD	\$572.28	
Computer Consulting	\$800.00	
Total:	\$24,910.77	\$24,910.77

Revenue Minus Expenses: \$19,678.73

Bank Balance November 30,2010 \$19,678.73

Notes:

- | | | | |
|------------------------------|---------------------------|------------|-------------|
| 1. Payables: | RJ Girls Circle | \$3,000.00 | |
| | Computer Consulting | \$800.00 | |
| | | \$3,800.00 | \$3,800.00 |
| 2. Reserves: | For Mental Health Project | | \$10,000.00 |
| 3. Amount Available for 2011 | | | \$5,878.73 |

4. During the year, 7 grants totalling \$22,000 were made to organizations providing services fitting within the mandate of the Victoria Family Court and Youth Justice Committee. One grant of \$3,000 to Girl's Circle was outstanding as of Nov. 30.

Submitted by Bill McElroy, Treasurer



Victoria Family Court and Youth Justice Committee
Priorities Committee
2010 Annual Report

As a result of the committee's changes to the Terms of Reference, the Priorities Chair contacted all thirteen municipalities and the Capital Regional District Board for endorsement of the 2010 Terms of Reference and Constitution, with presentations being made to most councils by their representatives with assistance from the Executive. All Fourteen member agencies endorsed the changes. The Priorities Subcommittee received six funding applications. Time was taken to carefully investigate the projects and criteria for the following proposals prior to recommendations being made to the full committee:

CRATSEY (Capital Regional Action Team for Sexually Exploited Youth) requested and the committee supported \$2,000 for two outreach workers to complete their work investigating reports of youth on the stroll and to provide a report to the Family Court Committee. Their total budget was \$4,500 and included \$2,500 support from an anonymous donor.

CASA (Court Appointed Special Advocates) applied for and was granted \$4,000 as start up funding for their committee which will remain under the umbrella of the Victoria Family Court and Youth Justice Committee similar to the Capital Region Action Team for Sexually Exploited Youth (CRATSEY). Several individuals with specialized experience are working with the judicial system to bring youth advocates to our area as a pilot project similar to an American program. CASA will make progress reports to the committee.

The Communications subcommittee requested and was granted \$1,500 funding for the creation of a Victoria Family Court and Youth Justice Website.

Restorative Justice Resource Group initially requested \$12,270 and then revised the amount requested due to the number of applications received by the committee. The committee recognized that this group facilitates restorative justice initiatives in many parts of the region and that they have had support from the Family Court and Youth Justice Committee in the past. The committee supported \$5,000 for the Restorative Justice Resource Group.

Victoria RJ 'Girls Circle' initially requested \$7,738 and then revised the amount to \$3,000 due to beginning the program in January (1/2 year costs), as well as securing a partner/donor to assist with funding the program. The \$3,000 was approved.

Peninsula Crossroads Community Justice Program initially requested \$8,000 and then revised the amount to \$5,000. The committee also requested and received a letter of support from the School Board (Marlene Dergousoff, Assistant Superintendant, Student Services). The Committee supported \$2,200 for a training venue, refreshments, and Resource materials.

Cynthia Day, Chair Priorities Subcommittee
December, 2010



Victoria Family Court and Youth Justice Committee

Youth Mental Health Task Force 2010 Annual Report

The Goal of the Youth Mental Health Task Force this year was to promote awareness of youth mental health issues while we wait for government support for our Pilot Projects (two school based mental health service centres in a middle school and a high school setting).

The focus of the Millennium Report on youth mental health as a contributing factor to youth involvement with the justice system continued to have positive effects through greater awareness in the community, including through restorative justice agencies and school districts. The committee wrote a letter of support for a grant of up to \$60,000 for the Medical Clinic at Belmont Senior Secondary School in Langford, which was forced to close due to funding limitations. The clinic has offered mental health as well as other medical services to students from a school based office.

Members of the Task Force continue to look for opportunities to promote Youth Mental Health and the proposed in school demonstration projects of the Victoria Family Court and Youth Justice Committee.

Respectfully submitted,

Cynthia Day,
December, 2010



Victoria Family Court and Youth Justice Committee

Youth Matters Sub-Committee Annual Report 2010

1. Meetings

The Youth Matters sub-committee met regularly through the year of 2010. During the first part of the year we finalised the planning for the Brightening Ideas conference, and then completed the evaluation and report. Secondly, the sub-committee reviewed the work and plans of Victoria Court Appointed Special Advocates.

2. Brightening Ideas Youth Conference

The Brightening Ideas Youth Conference was the third in a series of conferences hosted by the CRD Family Court Youth Justice committee over the past 3 years.

The aims were to:

- Have an understanding of youth serving community agencies
- Identify beliefs about other communities
- Identify how strengths can alleviate gaps
- Create tangible maps for communities
- Work on individual action steps to close gaps
- Contribute to regional & community planning for youth

The event was planned on the basis of principles of engaging youth and maximising engagement with first nations youth and agencies. The event took place at the Saanich Fairground.

The turnout was disappointing, but the proportion of youth representation was high and from across CRD. Those present enjoyed the day and found it highly valuable. The location may have impacted on the attendance rates. In the future it might have been easier to access if held in Sidney. As ever, the time and length of the day was favoured and disputed by different participants. In the future it might be more advantageous to start later and to make sure that the activities are frequently varied.

It is recognised that engaging with youth takes a lot of energy, commitment, time, resources, creativity and patience. It is a credit to our planning group members that so many youth were engaged through the planning process, however, this is intensive work and will always have an impact on the resources needed to plan such an event.

Most of the youth were older youth e.g. grade 12. It is important to ensure that we engage and target younger youth in such events and activities in order to elicit and facilitate the expression of their experiences and views.

As a result of the three conferences it is acknowledge that there have been similar themes emergent and that the focus should now be on planning responses to these identified needs.

These are what youth need:

- More engagement and activities in their community.
- Improved access in particular transport to reach activities and services.
- Improved housing options that are safe and within their community.
- Facilities, such a drop-in, that offer activities and services in their community.

3. CASA - Court Appointed Special Advocates

After the Court Appointed Special Advocates (CASA) presentation to the Family Court and Youth Justice Committee on April 21, 2010, the Youth Matters Sub-Committee was asked to:

1. meet with CASA,
2. determine what the next steps should be, and
3. report their findings to the September 2010 FCYJC meeting.

Following the work of a task group the findings were presented to the committee. There was a consensus that CASA should become a Sub-Committee of the FCYJC. It would operate independently like the Capital Region Action Team for Sexually Exploited Youth (CRAT) and would report monthly to the FCYJC in the same way that other Sub-Committees do. A Memorandum of Understanding would be developed to clarify the relationship between CASA and FCYJC and a CASA representative would be appointed to the FCYJC. Our website and external information would include CASA. There was also a discussion about start-up costs, as CASA would like to meet with their Vancouver counterparts to see how they interact with the Vancouver Family Court. They would also like to obtain training materials and set up a training program for volunteers. Currently, members of CASA are covering all their costs through non-refundable contributions from their members. However, that would not be sustainable as costs increase for travel, telephone, training materials, etc. In conclusion, the Task Force identified that a partnership with CASA and FCYJC would not only be mutually beneficial, but would provide an important service for youth in our community.

Respectfully submitted,

**Mitzi Dean, Bill McElroy,
October 2010**



Victoria Family Court and Youth Justice Committee 2010 Annual Report

Capital Region Action Team for Sexually Exploited Youth (CRAT-SEY)

In 2010, CRAT met 5 times and continued to operate within its \$1500 annual grant. Meetings were moved to the 2nd Wednesday of the month at 2:00 pm, rather than a lunch meeting the day before Family Court. By not purchasing lunches and by using a volunteer secretary, considerable savings were achieved.

In 2009, CRAT carried forward \$4388 to 2010, which included a grant from VanCity to bring Taking Care of Ourselves, Taking Care of Others (TCO2) to Victoria in 2010. CRAT also received a grant from Family Court of \$3,000 toward these costs.

TCO2 came to Victoria twice during the year and made presentations to 2510 students in the Greater Victoria area, as well as 25 staff members of the Ministry of Children and Youth. In 2010, CRAT spent \$2195 to bring TCO2 to Victoria. Accent Inns provided free accommodation to the presenters, which saved us approximately \$1500 in costs.

Last year, it was decided that bringing TCO2 to Victoria every other year left a gap in the awareness of the program on the part of school administrators, so it was decided to bring them over every year. They have been booked for 2 visits in 2011 at the end of March and end of April.

During the year, CRAT worked with the Prostitute's Empowerment Education and Recovery Society (PEERS) to research the apparent increase in youth on the stroll. Their report was presented to the Family Court. They confirmed that there were some 22 new youth on the stroll.

CRAT also participated in the organization of Brightening Ideas and contributed \$1000 to ensure its financial success.

This year, Constable Teresa Tuttle became the new Mobile Youth Support Team (MYST) officer and MYST was transferred to Victoria Police Department from the Saanich Police Department.

Many of the community services for youth at risk of sexual exploitation have been abruptly terminated this year. CRAT will continue to monitor gaps in service and bring them to the attention of the Victoria Family Court and Youth Justice Committee.

CRAT would like to thank The City of Victoria for providing free meeting space and also the Victoria Family Court and Youth Justice Committee for its continued support.

Submitted by Bill McElroy
Chair, CRAT
December 2010.



Victoria Family Court and Youth Justice Committee 2010 Annual Report

Youth Custody Sub-Committee Report

The Youth Custody Sub-Committee was originally established as the Victoria Youth Custody Centre was the only Youth Custody Centre in British Columbia that did not have a standalone citizen's advisory committee. As such the family court committee was tasked to monitor the operation of the Youth Custody Centre.

Specifically "*the Custody Sub-Committee acts within the parameters of an authorization letter from the Ministry of Children and Families dated 01 March 1999 which outlines its legitimate role of reviewing circumstances within custodial centres and accessing information necessary to assist in this responsibility*".

Details of the purpose of the sub-committee included:

- Work with staff and youth to make custodial centres more progressive.
- Observe and report on the physical environment of youth in custody.
- Observe how staff and youth are working within the established programs and develop recommendations for improvement.
- Analyse and evaluate information and develop recommendations for staff and the FCYC Committee.

In general this role has been adhered to however significant changes have occurred within the Youth Custody Centres in British Columbia. British Columbia is the first jurisdiction in North America to have its youth custody centres accredited by the international Council on Accreditation. Part of this accreditation includes a separate community involvement process outside of the FCYC.

The role of the FCYC and the Sub-Committee was reviewed in detail with Youth Custody Staff and Sub-Committee chair on March 19th, 2010. Based on their international accreditation which included a community engagement process it was determined that the original mandate of the FCYC to be a citizen's advisory committee is no longer necessary. The Youth Custody Centre still wants to participate and be active within the FCYC as resource and has offered to brief the FCYC as required on its operations and concerns.

The role of the Youth Custody Centre Sub-Committee should be reviewed at the next AGM with a recommendation that the Sub-Committee be dissolved and that Youth Custody Centre be represented at the FCYC by their staff acting in a resource capacity.

Submitted by:
Sigurd Johannesen
Youth Custody Sub-Committee Chair



**Family Court and Youth Justice Committee
Annual General Meeting
Family Matters Sub Committee Report**

The Family Matters Sub Committee has continued to provide information to the Family Court Youth Justice Committee outlining community programs' operating capacities, status reports and information updates as they impact youth and their families who live in the CRD.

It has been reported that still many families continue to struggle with issues of poverty, lack of employment or under-employment, inadequate housing, deficits in dental and medical care, and poor or non-existent day care. They continue to struggle with family violence concerns, mental health issues, child protection issues and prostitution-related concerns. Because many families and youth experience these unrelenting stresses, their abilities to cope and make rational or life-affirming decisions, and stick to them, are either compromised or non-existent. Community and family-serving agencies are seeing more high risk families seeking their help but unfortunately, these very agencies are short-staffed and under-funded so services may not be as consistent or wide-spread as they would wish them to be or as the community thinks they are. It therefore remains a vital function of the Family Court Youth Justice Committee to speak to these issues as they are apprised of them and be able to offer possible solutions and/or resources where possible.

The CRD has also been witness to community contract restructuring within the Ministry of Children and Family Development. This has resulted in a host of lost or diminished family and youth services. As well, community core funding for programs has been slashed and may have been replaced by project-only based funding generally lasting no more than one year. Reports that detail the project outcome measures run on at great length and require enormous amounts of time to compile. This on-going need is repeated many times over for any one agency during the fiscal year and adds to the stress and burnout factor that community service workers are experiencing.

Community, family and youth workers are an incredibly dedicated, skilled and talented group of people who give of their wisdom, knowledge and time in a tireless fashion – often at the expense of their own health! Existing programs for single parent dads, sexually abused men and women, street youth, at-risk families, the homeless etc. provide a small and safe haven for those people struggling with addictions issues, deep family of origin concerns, cognitive deficits, and mental health issues. Results-centered Family Case Planning Conferences at MCFD, Parent/Teen Mediations at the Dispute Resolution Centre, Youth Clinics downtown and at James Bay, Youth Engagement Tool Kit project activities and youth centered conferences held throughout the year help to sustain and educate our families and youth to discover their hidden potential and possibilities. The CRD will grow from its strengths, not its weaknesses, and it is anticipated that this new year will provide enough challenges for workers, families and youth to test the veracity of this statement!

Respectfully submitted:
Lhinda Achtem
Chair: Family Matters Sub Committee



Victoria Family Court and Youth Justice Committee
Court Watch Sub-Committee Report
Annual Report
December 2010

The mandate of the Court Watch Sub-Committee is to consult with and advise the Family and Youth Court. This is somewhat unrealistic in that intelligent advice would require substantial knowledge of the workings of the system. One member of the sub-committee regularly attends court sessions and gains some insights into its workings. This does not allow the outside observer to understand the communication that takes place outside of the court room setting. Changes have taken place in communication within the system, which make it harder for a representative from the public to understand what is happening. This does not mean the system is functioning poorly. More efficient communication among the parts of the system probably contributes to superior functioning. In fact, indirect evidence suggests that changes during the past decade have led to significant improvements in the operation of the family and youth justice system in Victoria.

Activities for the Year

As part of its mandate to make the public aware, this year the Court Watch sub-committee collaborated with the Vancouver Island Criminal Justice Association to sponsor a symposium at the University of Victoria on the impact of the Youth Criminal Justice Act. Since the passage of the YCJA, Statistics Canada has assembled 5 years of data pertaining to the juvenile justice system. An article by 3 top Canadian criminologists analyzing these data appeared in the *Canadian Journal of Criminology and Criminal Justice*. This article was reviewed at the symposium. Alan Markwart, senior civil servant who has been involved with juvenile justice in BC for decades, commented on these trends and specifically on changes in British Columbia.

The number of juveniles in Canada passing through the courts and being sent to youth custody centres is clearly down. Although the youth crime rate has also been going down, the decrease in the use of the formal system has been greater than the decrease in the juvenile crime rate. This pattern is also reflected in Victoria. These changes are compatible with strategies recommended by many of those who have studied juvenile justice systems.

While some scholars argue that the Youth Criminal Justice Act influenced this trend, Mr. Markwart points out that this trend was already under way before the passage of the YCJA. This legislation may have been part of the trend rather than a cause. Although we have some statistics on *what* has been happening, we do not seem to have any recent systematic observational studies of Canadian youth courts that describe the dynamic changes and explain *why* these changes are taking place.

Administrative Judge Ernie Quantz pointed out at the symposium that there are also complications that arise out of the YCJA. Without observational research on the subtle dynamics of court systems, it is difficult for outside observers to grasp these problems and make constructive suggestions. It is possible that the increasing cooperation among prosecutors, defense lawyers, probation officers and others makes it more likely that the system can respond more adequately to these new problems.

Some Background Information

When the Gault decision in 1967 was handed down by the U. S. Supreme Court, juvenile courts were rather informal. Juvenile courts were supposed to help juveniles more than punish them. But there were two problems. First, the evidence that they were helping was lacking. In fact, incarceration seemed to do more damage than good. Good intentions were not supported by good

results. Secondly, the informal procedures overlooked basic rights which were available in adult court. The Gault case decided that juveniles also needed basic legal protections.

Actually, two Canadian Supreme Court decisions in the 1950s bearing on issues similar to those covered by the Gault decision preceded the U. S. decision, but these cases seemed to have little impact in Canada. By contrast, the Gault decision had a major impact in the U. S. and also in Canada. Gradually, more rigorous procedures were followed.

In Ontario, duty counsel was introduced. Defence lawyers began to appear more commonly in court until by the end of the century it was rare for a juvenile to appear without a defence lawyer. While legal rights of juveniles seemed to be better protected, it is not clear that they were better off. As one scholar wrote, "The process is the punishment." Being processed by the system seemed to have a negative effect on juveniles and their families.

The more formal legalistic approach to juvenile justice came with an unanticipated cost. The informal diversion practices used effectively by the police gave way to more formal charges and court appearances. The length of time to resolve cases increased. The Young Offenders Act in 1984 reflected this formality. Increased court appearances and incarceration rates followed the YOA.

Some students of juvenile justice have been comparing European youth courts with those in North America and believed that countries such as France, Germany, and the Scandinavian countries where much more effective while being faster and much less expensive. Although clear evidence is not available, there is the distinct possibility that, in the last decade, Canadian youth courts are becoming much less adversarial and prosecutors are becoming "problem solvers," working more cooperatively with defence lawyers, parole officers, and other players in the system. In other words, Canadian youth courts may be taking on some of the characteristics of European youth courts. This may be the case in B. C. and here in Victoria. (Incidentally, B.C., after Quebec, has been seen as the most progressive youth court system in Canada.)

There is also the possibility that the late Chief Judge Hugh Stanfield, who was very interested in youth matters, had a positive impact on administrative procedures that influenced the workings of youth courts in B. C.

Ongoing Concerns

During the year one defence lawyer expressed concern about the location of the Victoria Youth Court. People who could have a negative impact on youth can have contact with young people who are coming to court. This issue has been raised before, but it is not seen as a major issue by many involved with youth court. In addition, there seems to be few official ways of insulating young people from others who are bad influences.

The court-watch sub-committee prepared some suggestions that were forwarded to the Victoria Youth Court. This included a recommendation for a Youth Public Defender. Alberta introduced public defenders for all juveniles and the province saved approximately one million dollars in its first year of operation. The number of adjournments required before a case was resolved dropped dramatically.

Although there was no response to these recommendations, Victoria does have a number of defence lawyers who specialize in youth matters and, to some degree, perform functions that are done elsewhere by public defenders.

To summarize, the court watch sub-committee continues to observe the ongoing activities of the youth court from the outside. It is difficult to analyze and understand the system as an outsider, but it appears that the youth court has been making steady progress without our help.

Respectfully submitted,

Jim Hackler, December 2010



Victoria Family Court and Youth Justice Committee
Constitution

1. The Family Court Committee shall consist of:
 - a) One elected representative appointed by each of the following jurisdictions:
 1. City of Victoria
 2. City of Langford
 3. City of Colwood
 4. Municipality of Oak Bay
 5. Municipality of Saanich
 6. Municipality of Esquimalt
 7. Municipality of Central Saanich
 8. Municipality of North Saanich
 9. Town of View Royal
 10. Town of Sidney
 11. District of Sooke
 12. District of Highlands
 13. District of Metchosin
 14. School District #61
 15. School District #62
 16. School District #63
 - b) Notwithstanding a) above, each jurisdiction may appoint a non-elected alternate representative to the Committee.
 - c) Up to seven members at large shall be appointed by the Capital Regional District for a minimum of two years.
2. From among the voting members, the Capital Regional District shall appoint a Chairperson, Vice-Chairperson, and Treasurer according to Sub-section 3 of Clause 4 of the Provincial Court Act. Nominations to be submitted by the Family Court Committee for ratification.
3. Representatives of the Ministries of the Attorney General, Education, Children and Family Development, Public Safety and Solicitor General, Health, Housing and Social Development and police forces and First Nations may be invited to attend as non-voting resource members.
4. It shall be the duty of the Family Court and Youth Justice Committee to submit annual reports and budgets to the Capital Regional District, the participating municipalities and to the Ministry of the Attorney General as per Clause C of Sub-section 4 of the Provincial Court Act.
5. The Family Court and Youth Justice Committee shall develop terms of reference for the conduct of its affairs.

Approved by Committee January 18, 2010



Victoria Family Court and Youth Justice Committee

Terms of Reference

A. General Meetings

1. Whereas the Capital Regional District electoral year ends November 30, and whereas the Family Court and Youth Justice Committee (the Committee) year ends June 30, therefore, appointees from the municipalities shall hold their positions until the first of January following the November municipal elections.
2. The Committee will normally meet monthly but no fewer than four times a year with additional meetings at the call of the Chair.
3. A quorum shall be seven (7) voting members.
4. The rules of order shall be the same as those outlined for Municipalities in the Local Government Act
5. A vote in abstention is a vote in favour
6. The chair shall exercise a vote and, in the case of a tie, the motion is defeated.

B. Amendment of Terms of Reference

A proposed amendment shall be presented at the meeting previous to the meeting at which it is to be discussed. It shall be circulated also to all the committee members in advance of the meeting. One-half plus one of the voting members is required to approve an amendment.

C. Amendments to the Constitution

A proposed change to the Constitution may be initiated by a member of the Family Court Committee or by a participating municipality. The same procedure for amending the Terms of Reference shall apply. Amendments to the Constitution approved in committee will be communicated to participating municipalities and the Capital Regional District for Ratification.

D. Officers of the Family Court Committee

1. The Chair and Vice-Chair and Treasurer shall be appointed by the Capital Regional District under Clause 2 of the Constitution. A nominating committee will be formed in September comprised of retiring members and/or one or two members of the Committee whose responsibility will be to solicit nominations for the Officer's positions as well as to appoint a chair for the Annual General Meeting (someone not running for the executive, such as a past president or long time member).

2. If an Officer or Member of the Committee is unable to complete their term, their appointing agency will be requested to make a new appointment. In the case of an Officer, the committee will be requested to make an interim appointment (from the membership available) to perform those duties until the next AGM.

E. Duties of Officers

1. The Chairperson shall:
 - a) Chair all the meetings of the Committee
 - b) Appoint sub-committee chairpersons
 - c) Prepare all agendas for Committee Meetings
 - d) Have charge of all correspondence
 - e) Be an ex-officio member of all sub-committees
 - f) Have signing authority for funds jointly with the Treasurer
2. The Vice-Chair shall:
 - a) Undertake duties of the Chair in his or her absence
 - b) Be an alternate signing authority for funds
3. The Treasurer shall:
 - a) Have charge of all monies
 - b) Prepare monthly statements of expenditures and revenues
 - c) Have signing authority for funds
 - d) Prepare annual financial statements and budgets for year ending March 31
4. The Secretary shall have responsibility for:
 - a) Recording of minutes
 - b) Distribution of agendas
 - c) Notices of meetings, and
 - d) Any other secretarial duties as required through the Chair.

F. Committees

Each sub-committee or task force chair shall be appointed by the Victoria Family Court and Youth Justice Chair at the Annual General Meeting or the nearest possible meeting. The Chairs of the sub-committees may invite interested persons to serve on his/her sub-committee who are not members of the main Victoria Family Court and Youth Justice Committee. The sub-committee Chairs will make reports to the main committee and will recommend speakers, agenda items or other projects be included through the steering committee.

The sub-committees are:

- Family Matters
- Youth Matters
- Custody
- Court Watch
- Priorities
- Communications/Planning
- Youth Mental Health Task Force

The Steering Committee will be comprised of the sub-committee chairs, the executive and the secretary who may meet physically or electronically to plan the agenda.

Ad Hoc Committees may be created from time to time to study and report on specific matters.

Annual General Meetings

The AGM will be held in January to receive the annual report and the annual financial statements for the previous year. The financial statements shall be provided to the Capital Regional District to be included in their Audit. The Annual Report shall be approved prior to distribution to the Attorney General, other ministries, and the Capital Regional District and the participating Municipalities.

The Chair of the AGM will open the AGM with an approval of the Agenda. If there are not seven voting members present for quorum, the AGM shall be postponed to the next regularly scheduled meeting date and notification of the postponement shall be sent to the municipalities and the CRD with a list of those absent from the meeting.

The first order of business shall be a call for Nominations from the floor. Officer's Positions require only one member to make a nomination. If there is only one nomination for a position, no election will be held but the committee shall make a motion to appoint the Officer(s). If there is more than one nomination for the Officer(s) positions, the vote shall be taken via a secret ballot where each member present shall write the name of their preferred candidate(s) on a slip of paper which the Chair of the AGM shall collect and count with the supervision of the recording secretary. If there is any dispute, a recount will be taken in full view of all voting members. Once the election process is complete, the Chair will declare the election results and the committee will make a motion to appoint the Officers as per the election results.

The Chair of each subcommittee and task force shall be appointed by the Chair of the Victoria Family Court and Youth Justice Committee at the AGM, or the nearest possible committee meeting.

H. Membership

If a vacancy occurs during the year, the body represented by the departed member should appoint a new representative to complete the term. If there is an alternate, they may continue to represent the body that appointed them.

If a member is absent for more than two consecutive meetings, without notice, a letter will be forwarded to that member soliciting future intent. If no response, or a third absenteeism, a letter will be forwarded to his/her sponsoring agency advising of the lack of representation.

Family Court and Youth Justice Committee Priorities Sub-Committee

Philosophy:

The Family Court and Youth Justice Committee (FCYJC) will consider support in the form of seed money for community agencies or persons who provide services for youth and/or families having contact with the justice system.

Purpose:

*Evaluate applications to the FCYJC for goods and services using set parameters and criteria.
Make recommendations to the FCYJC on applications for goods and services.*

Structure:

- * Three or more members of the FCYJC
- * Chair to be appointed by the FCYJ chair
- * Meet as required

Process:

- * Meet at request of Chair on receipt of application(s) to the FCYJC for goods and services seed money. (May communicate via email for simplicity)
- * Review application using criteria as set by the FCYJC
- * Enlist resources from outside the sub-committee as necessary to answer any questions prior to making a recommendation to the FCYJC.
- * Provide summary of review including recommendations, with rationale, to the FCYJC - the recommendations will include a budgeted amount.
- * Project liaison to provide accountability of project progress to the FCYJC

Membership:

Kyara Kahakauwila (VFCYJ Chair) Cynthia Day (VFCYJ Vice-Chair)
Lhinda Achtem (Family Matters Chair) Bill McElroy (Treasurer)



Family Court and Youth Justice Committee
Priorities Sub-committee
Form for Goods and Services Submissions
(Grants and extraordinary committee expenses)

Please send your submission to Councillorday@shaw.ca for distribution

1. Date of Application: _____

2. Name of organization / person(s) applying:

Contact person for follow-up: _____

3. Background of organization / person(s) or applicable history of related projects:

4. Clear goals and objectives of the project – clear indications of relevance to the Family Court and Youth Justice Committee mandate:

5. Any features of the project you believe are pertinent to this application:

6. Will the project dovetail with other similar work? (ie. in the Greater Victoria area or within your organization)

7. Budget: to include clear accounting with potential line items and accompanying narrative, please include funding from other sources and feel free to attach a spreadsheet if needed:

8. Other funding avenues/partners being explored:

9. Catchment area served – target population:

10. Needs/problems to be addressed through the project work:

11. Deliverables (goods and services to be provided):

12. Timeframes (eg. Intended start date of project, length of time from start of project to deliverables, one time project or on-going?)

13. Evaluation framework,(How will you know if your project has been a success and how will the Family Court Committee know?):

This form is intended for your convenience and that of the FCYJC. Please use it for your submission and as a guide. Please feel free to use more space for comments if required.
Form updated; Jan, 2010(C. Day)

*Memorandum of Agreement Between
Victoria Family Court and Youth Justice Committee and
Court Appointed Special Advocate (CASA) Victoria
Program*

The intent of this memo of agreement is to specify the relationship between the Victoria Family Court and Youth Justice Committee (FCYJ) and CASA Victoria in order to provide high quality services to vulnerable children and their families within the Greater Victoria area. The FCYJ is incorporated under the Capital Regional District (CRD).

Pursuant to FCYJ policy CASA has submitted an application which was approved September 8, 2010 following recommendations from a Task Force comprising the FCYJ Youth Justice Sub-Committee and CASA representatives. The CASA Mission Statement states that:

CASA: Greater Victoria advocates for the best interests of at risk children who are before the provincial court pursuant to the *Child, Family and Community Service Act*. The safety and well being of children is the major concern and a stable family is the preferred environment for the care and upbringing of children. The child's best interest and where feasible the views of the child will be heard and represented to the court. This will be achieved through trained volunteers with notice and disclosure to all parties.

This is consistent with the mandate of the FCYJ Committee to serve youth at risk through issues handled in court under the *Child, Family and Community Service Act (CFCSA)*.

CASA Victoria started through a community needs project by volunteer members of Leadership Victoria who consulted with many local groups and individuals followed by a conference of community leaders who confirmed the need for a CASA program in Victoria. CASA is a well established in the USA and the development of CASA Victoria has been supported throughout by the National CASA organization.

The FCYJ and CASA Victoria agree to the following:

4. CASA will operate as an independent sub-group of the FCYJ but be part of the FCYJ family. Eventually CASA may develop its own Board of Directors under the Society Act (B.C.) but initially will be guided by a CASA Development Group comprised of members of the community.
5. Following agreements, CASA will pilot the program in an agreed upon jurisdiction. At the end of the pilot term, CASA will undertake an evaluation of the pilot for presentation to the FCYJC prior to expanding into other jurisdictions.
6. CASA will report monthly to FCYJ meetings. A delegate from CASA will be selected by CASA and will be appointed to the FCYJ Committee by the Capital Regional District.
7. CASA will keep its own accounts and operate its own budget. Seed money may be allocated by FCYJ at their discretion. CASA will seek other sources of

funding that do not conflict with FCYJ. CASA will prepare an annual report for inclusion in the FCYJC Annual Report.

8. When needed CASA will recruit staff and volunteers to assist in the development and operation of its program. Appropriate policies and procedures for recruitment, screening and selection of staff and volunteers will be established by CASA meeting the U.S. National Standards criteria.
9. CASA may apply for provisional and then full membership of the National CASA (USA).
10. Rules of confidentiality will apply to CASA files, particularly when dealing with young people before the courts.
11. Upon initiation of the program CASA volunteers will be appointed by a family court judge and assigned by CASA.
12. CASA, in its work with vulnerable children and youth, will guide and supervise volunteers so that they make informed, solid recommendations to the court in matters under the CFCSA. Recommendations are to serve the best interests of the child/youth and will include the views of the child/youth unless this is not possible or appropriate.
13. CASA will carry the requisite liability and insurance coverage to carry out its mandate.
14. CASA will develop its own website with the assistance of the FCYJ. The website will be located under the CRD homepage and have a separate link under the FCYJ website.
15. In public relations matters CASA will pay due respect to their relationship with FCYJ.
16. Where difficulties arise between the FCYJ and CASA every effort will be made to resolve the concerns consensually.

This document is considered binding within the spirit of cooperation between the FCYJ and CASA. Either party may ask for an amendment to this agreement and may terminate it with 30 days notice.

_____ Date _____
FCYJ Chairperson

_____ Date _____
CASA Victoria Chairperson