



## Regular Meeting AGENDA

Wednesday November 17, 2021 11:30 – 1:30 pm Via Zoom

Welcome to the traditional territories of the Lekwung'en Speaking Peoples, in whose traditional territories we are blessed to live, work and play.

- 1) Call to Order
- 2) Resource Members Updates (including School Districts)
- 3) Chair's Remarks – Membership List Role Call
- 4) Approval of the Agenda
- 5) Adoption of Minutes & Receipt of Steering Notes
  - a. October Minutes
  - b. November 3 Steering Notes
- 6) Joint Working Groups Recommendations
  - a. CRD Bylaw & Letter
  - b. Legal Opinion
- 7) Good News
- 8) Adjournment

**Regular Meeting Minutes**

Wednesday October 20, 2021 11:30 – 1:30 pm via Zoom

**In Attendance**

**Municipal Members:**

Cynthia Day, (Colwood); Marie-Terese Little, (Metchosin); Jeff Bateman, (Sooke); Daleen Thomas, (Central Saanich); Adam Flint, (View Royal); Lynda Hundleby, (Esquimalt); Heather Gartshore, (North Saanich); Barbara Fallot, (Sidney); Marnie Essery, (Recording Secretary).

**Members at Large:**

Bill McElroy, (C.R.A.T.)

**School Districts:** Angie Hentze, (School District #61)

**Resource Persons:**

**Regrets:** Esther Paterson, (Oak Bay); Marcie McLean, (Highlands); Margot Swinburnson, (School District #62); Alicia Holman, (School District 63); Matt Sahlstrom, (Langford); Ranj Atwal, (Director of Operations, South Vancouver Island Ministry of Children and Family Development);

Welcome to the unceded traditional territories of the Lekwung'en Speaking Peoples, in whose traditional territories we are blessed to live, work and play.

**1) Call to Order-11:35 a.m.**

**2) Resource Members Updates (including School Districts)**

School District 61 Trustee shared Snapshots on Mental Health link with VFCYJC Members.  
<https://healthyschools.sd61.bc.ca/youth-and-substance-use/>

**3) Chair's Remarks** – A Membership List Role Call was taken. The Chair is happy that the CRD Review Process is moving forward.

**4) To Approve the October 20 Agenda**

**MOTION: H. Gartshore/J. Bateman**

**CARRIED**

There was a question from a VFCYJC Member regarding the in-camera portion of our June 16 VFCYJC Meeting which is typed on this Agenda under adjournment. The VFCYJC Member wanted to know if this should be on our Agenda today?

The Chair clarified that this was a note and it was released as an in camera item. A VFCYJC member suggested that it could be put in as a Rise and Report on the agenda. The Chair will follow up with CRD to confirm where this motion needs to be.

The motion was the following:

**To increase the Secretarial monthly stipend to 400.00 per month effective June 1, 2021.**

**MOTION: A. Hentze/ B. McElroy**

**CARRIED**

5) There was a question from a VFCYJC member re insurance if there is a requirement to have a specific number of elected and non-elected people on VFCYJC?

A VFCYJC member expressed how lucky the VFCYJC is to have people come forward and volunteer their time.

**Rise and Report**

**That a new item 10 be added to the September 22 VFCYJC minutes to increase the Secretarial monthly stipend to 400.00 per month effective June 1, 2021.**

**That this motion be released from in-camera classification.**

**MOTION: J. Bateman/ L. Hundleby**

**CARRIED**

**a. To adopt edited September 22 Minutes**

**MOTION: M. T. Little/ B. McElroy**

**CARRIED**

**b. To receive October 6 Steering Notes**

**MOTION: J. Bateman/ M. T. Little**

**CARRIED**

- c. The Treasurer has contacted the CRD to get some direction from them regarding the CRD managing the VFCYJC finances. He hasn't heard from anyone yet but will continue to work on this. It also affects CRAT as they have their own Finances.

VANAS10500\_7040245 E D 02730 13544

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YOUTH JUSTICE COMMITTEE  
415-1443 CRAIGFLOWER ROAD  
VICTORIA BC V9A 7C3

**My branch**  
LANGFORD  
100-800 KELLY RD.  
VICTORIA BC V9B 5T6  
T 804 877 7000 TOLL-FREE 1 888 VANCITY  
vancity.com

**My accounts**

STATEMENT PERIOD: 01 SEP 2021 to 30 SEP 2021

DAILY BANKING		OPENING	TOTAL	TOTAL	CLOSING
ACCOUNT SUMMARY		BALANCE ON	WITHDRAWALS	DEPOSITS	BALANCE ON
		01 SEP 2021			30 SEP 2021
COMMUNITY SERVICE PACKAGE #100068617052		17,760.70	400.00	0.00	17,360.70
TOTAL NUMBER OF CHEQUES 1					

COMMUNITY SERVICE PACKAGE #100068617052				
DATE	DESCRIPTION	WITHDRAWALS	DEPOSITS	BALANCE
	OPENING BALANCE			17,760.70
24 SEP	CHEQUE CLEARED #337 (SECRETARIAL)	400.00		17,360.70

SHARES				
DATE	DESCRIPTION	WITHDRAWALS	DEPOSITS	BALANCE
	CLASS B MEMBERSHIP SHARES #100014266672			
	OPENING BALANCE			7.28

*Note: Shares are not insured by the Credit Union Deposit Insurance Corporation.*

*Please review your statement and report any errors or omissions to us within 30 days of the statement date. If we don't hear from you within 30 days, this statement will be considered correct.*

**To accept Treasurers Report**

**MOTION: B. McElroy/ L. Hundleby**

**CARRIED**

**6) Letter to Attorney General Re: McLaren Report**

The Chair thanked VFCYJC member J. Bateman for his help and said he did a great job crafting the letter. VFCYJC has received positive feedback from S. Sarsfield on the letter.

**7) Letter to CRD Re: Succession and Priorities Working Groups**

This information was mailed with the meeting mail out. Chair C. Day will revise the letter so it accurately reflects the edited September 22, 2021 minutes and the Working Group notes and forward them to the CRD.

## **8) Letter from Attorney General's Ministry**

This letter was attached with the meeting mail out. From the Ministry's perspective, the VFCYJC needs to meet the requirements of the Legislation/Act. There was discussion about whether VFCYJC needs to seek a legal opinion. Several VFCYJC members suggested this was a good idea. Pro Bono Society and The Law Centre might be possible contacts.

**That the Victoria Family Court Youth Justice Committee investigate a Pro Bono legal opinion.**

**Motioned by L. Hundleby**

**Motion struck and revised after discussion:**

**That the Victoria Family Court Youth Justice Committee investigate a legal opinion:  
The CRD has requested that the Victoria Family Court and Youth Justice Committee change into a delegated commission of the CRD.  
Should VFCYJC do this? How will this impact our committee?**

**MOTION: L. Hundleby/ B. McElroy  
H. Gartshore/B. Fallot opposed  
CARRIED**

## **9) Good News**

On November 9, there is a Cultural Perspectives Training offered through the Indigenous Perspectives Society. VFCYJC has encouraged all members to take a Cultural Perspectives Training and in the past, VFCYJC has offered to cover the registration costs for VFCYJC Members to participate.

If any VFCYJC member is available to take this training please let our Secretary know.

A VFCYJC member shared the link below:

[https://www2.gov.bc.ca/assets/gov/government/ministries-organizations/ministries/mental-health-addictions/pathway\\_to\\_hope\\_update\\_report\\_final.pdf](https://www2.gov.bc.ca/assets/gov/government/ministries-organizations/ministries/mental-health-addictions/pathway_to_hope_update_report_final.pdf)

**10)To Adjourn at 12:37 p.m.**

**MOTION: H. Gartshore/L. Hundleby  
CARRIED**

## VFCYJC Steering Notes

November 3, 2021 at 10:00 am on Zoom

Present: Cynthia Day, Marie-Terese Little, Marcie McLean, Esther Paterson, Adam Flint, Bill McElroy

Regrets: Marnie Essery, secretary.

Members mentioned speakers that have not yet been to committee that we might pursue in the new year: Moosehide campaign; Victoria Native Friendship Centre.

Speakers from the Childrens Health Centre were not available for Nov 17 due to another event that day they are scheduled to attend. The CRD Review has taken a lot of attention and it is difficult to balance the review with the work of the committee. Members questioned if we should have a speaker or concentrate on getting the review finished. Members decided that we would have speakers (if available) and that they would speak at Resource members Update at the top of the agenda.

Members considered when to have working groups meet with regard to the CRD Delegated Commission Bylaw and proposed Wednesday November 10 at 11:00 VIA Zoom. Working groups generally seem to be the same individuals interested in moving the committee forward.

Members have been working on finding a lawyer to provide a legal opinion. Details on the committee and the Act (s) are labour intensive and finding a law firm with municipal expertise that has not already been engaged by the CRD has been problematic. Costs may be very high. Marie-Terese and Cynthia will bring forward a report on this to the committee for reconsideration as it may take the entire bank balance to accomplish. Cost Benefit analysis has to be considered. A clear question and documentation is needed to present to any lawyer for an opinion. Next update will be at the working group on Nov 10.

A Member identified concerns for CRAT – what does it look like post CRD Bylaw, how do we ensure that CRAT continues to have resource members with experience speaking to exploitation issues for youth. CRD 'vision' is that CRAT will continue as a subcommittee of VFCYJC with \$ continuing to be sent to Oak Bay for CRAT use.

Treasurers Report will be ready for the meeting. Scenarios were discussed based on input from CRD: Once \$ in our account is exhausted, we may move to a Ledger system with CRD where they pay the bills and keep track. CRD identified that as a service of the CRD we are eligible for periodic increases (15% every 5 years). This should be documented.

# Working Group Collaborative Meeting

November 10, 2021 at 11:00 am via zoom

Present: Esther Paterson, Cynthia Day, Marie-Terese Little, Marcie McLean, Adam Flint.

- A. Bylaw - Members were provided with the letter and draft bylaw from the CRD for review. We anticipate that some changes (based on the endorsed working group recommendations forwarded from the main committee) will be made.

Members stated that their goal is to help create a document that is concise, flexible, and amendable.

The Following were noted:

1. Our AGM is scheduled for the 3<sup>rd</sup> Wednesday in January (not February)
2. The committee needs a definition of 'business' to comply with requirement to not provide a benefit to business
3. School Districts representatives should not be identified as 'trustees' in the bylaw, School Districts should not be limited in their representation, wording should be consistent throughout the bylaw
4. The Chair (not the committee) would be expected to send attendance letters to appointing agencies to inform them if their representative is unable to attend 2 consecutive regular committee meetings (special meetings not counted) VFCYJC to draft template.
5. Page 3 of the draft bylaw
  20. The Committee is hereby tasked with the following duties:
    - (a) to meet at least four times per year to:
      - i. consider and examine community resources for family and children's matters;
      - ii. make recommendations to the court, the Attorney General, or others;
      - iii. solicit and consider applications for receipt of grant-funding; and
      - iv. connect family-and-justice-involved individuals, service providers, and government in a way that encourages collaboration and identifies service gaps;
    - (b) if requested by the court, to act a resource or assist as directed; and
    - (c) report annually to its member local governments and the Attorney General on its activities ~~and recommendations.~~
6. Add 'advocacy' to #19
  19. The Committee has the following **advocacy** objectives:
    - (a) to identify, inform, educate, and report on gaps in regional resources for youth justice and family court issues;
    - (b) to act as a resource for the public and youth and family organizations; and
    - (c) to encourage collaboration between and visibility of community services.
7. There is no mechanism/method for coordination of member experience, ie: experience in probation, education, etc. as defined in the act.
8. Note: 22(b) – "related to its mandate" legislated mandate may change as legislation is amended from time to time.

"(b) contract for support services, volunteer coordination, communications, feasibility studies, and other services and goods related to its mandate;"

B. Legal Opinion - The committee discussed efforts to fulfil the motion from the October meeting to get a legal opinion after receiving the October 2021 Letter from the Ministry of Attorney the General:

“... I understand that staff from our branch have been in contact with you and, since we received your email in June, your committee decided to become a delegated commission under the Capital Regional District (CRD). I’ve been advised that **a by-law formalizing this arrangement will be considered by the CRD in the coming months. As the roles and responsibilities of your committee are outlined in both the Provincial Court Act (specifically, section 5, Family court committee) and the Youth Criminal Justice Act (specifically, section 18, Youth Justice Committees), any by-laws, changes to your committee’s constitution, and/or mandate will need to be in keeping with these statutory provisions.** ...”

After contacting 3 legal firms with little success due to potential conflicts (having advised the CRD, workloads, area of expertise etc.) Members suggest the following request of the CRD:

Potential Motion:

That the CRD Board provide legal opinion confirming that appointment of The Victoria Family Court Youth Justice Committee as a Delegated Authority Commission of the CRD complies with the statutory provisions and obligations of the Committee as set out by the Provincial Court Act and the Federal Youth Criminal Justice Act.

The committee seeks written assurance from the CRD that the changes proposed in the Delegated Authority Commission Bylaw have been investigated as to their legality and that any consequences of this decision would be the responsibility of the CRD.

The committee also discussed how we might protect legal professionals who may choose to participate as a member of the Delegated Commission due to the recent concerns that those legal professionals who make comment as members of the committee make those comments as committee members and not in their capacities as legal professionals.



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August 23, 2021

**VIA E-MAIL**

Victoria Youth and Family Court Committee  
c/o Cynthia Day, Chair  
cdlay@colwood.ca / vfamcourt@gmail.com

Dear Committee Members:

**Re: CRD Review of Youth and Family Court Committee Service:  
Recommendations as a result of consultation**

Further to the Victoria Family Court and Youth Justice Committee resolution of April 21, 2021, the Capital Regional District's letter of February 26, 2021, and consultations dated January 27, 2021 and February 3, 2021, we enclose a copy of a draft commission bylaw for the Committee's review.

The draft bylaw establishes a delegated commission, which will permit the Committee the broadest administrative delegation to conduct its work with minimal CRD corporate involvement. The proposed short title of the bylaw is the "Victoria Family Court and Youth Justice Committee Commission Bylaw No. 1, 2021".

**Bylaw Review**

*Whereas Clauses*

These whereas clauses provide a background on the Committee and its establishing bylaw.

*Clauses 1 and 2, Creation and Delegation*

These clauses establish the commission is a continuation of the Victoria Family Court and Youth Justice Committee, and delegate all the powers of the regional board under the service establishing bylaw – that is, the funding, participation, and operation of the Committee and the ability to fund youth and family issues – to the commission, acting as a whole in open meeting assembled. These are consistent with the recommendation the delegation to the Committee be clearly spelled out in a bylaw.

*Clauses 3 to 10, Composition and Eligibility*

These clauses set out that the Committee, as now, has 23 voting members:

- up to seven individuals appointed by the CRD, who may be representatives of the Juan de Fuca Electoral Area, community members, municipal councilors, First Nations representatives, or community members such as service providers or individual concerned residents;
- up to 13 individuals representing municipal participants, with a primary council member and an alternate, who may be a community member;



- up to 3 school district representatives.

The Committee may resolve to have any number of non-voting resource members.

*Clauses 11 to 15, Term and Officers*

Terms of appointment are set at two years, the same as now. A maximum term limit of six years is set, with reappointment possible after a one year absence. Even in the face of a term limit, in unique circumstances, an appointing agency may reappoint its voting member for an additional term. This is consistent with other CRD appointment bylaws with term limits.

Each year, in February, the Committee may select from its voting members chair, vice-chair, and treasurer. It may create additional officer roles and staff them with voting or non-voting members. This removes the requirement for the CRD to appoint the chair and treasurer, or to ratify the appointments made by the Committee at its annual meeting.

*Clauses 16 to 18, Disqualification and Vacancies*

These clauses list when termination occurs. Relating to member vacancies, the ability to terminate a member for failing to appear at three consecutive meetings continues. If vacancies are not filled within a reasonable time, this can be reported to CRD or the appointing organization.

*Clauses 19 to 24, Commission Objectives and Duties*

These clauses set out objectives and duties of the Committee, and are consistent with the recommend that mandate and delegation be set out in a bylaw. The language is based on the *Provincial Court Act* and *Youth Criminal Justice Act* mandate of the Committee, as well as the Committee's own constitution and terms of reference.

Clause 19 details the objectives of the Committee, a series of guiding principles for its work and for new and future committee members to understand the work it is meant to do for the region.

Clause 20 is a reproduction of the *Provincial Court Act* mandate of family court committees, but includes the ability to solicit and consider applications for receipt of grant-funding, something the Committee has been doing for the past 20 years but now clearly has delegated authority to do. It is assumed the Committee, working as a whole, will develop and adjust grant criteria and intake schedules as part of its work, based on its existing materials.

Clause 21 confirms that the Committee may take policy positions, independent of the Capital Regional District, on matters affecting families and youth justice in the region, provided it does so in the name of the "Victoria Family Court and Youth Justice Committee". It may also undertake other activities permitted of such committees if authorized by law.

Clause 22 confirms the Committee may establish advisory groups, who must report back to the Committee on their work; can contract for services (subject to CRD bylaws and policies relating to competitive purchasing); and can perform necessary and incidental administrative tasks (e.g. approving an advertisement or announcement outside a meeting). This is consistent with the recommendation that the Committee's advisory groups report up to the Committee before making final decisions, and that the Committee follow existing policies and procedures rather than create its own.



Clause 23 covers liability to individual commission members should they ever be requested by the Court or another qualified party to act as a referral under the *Provincial Court Act* or *Youth Criminal Justice Act*. It establishes that the Committee will create a body of registered volunteers, by resolution, to undertake the referral or action on behalf of the Court or qualified party. This will ensure that the group of volunteers are insured; acting within their scope of authority for a *Local Government Act* indemnity; are properly constituted of persons who have skills and interest in the referral; and can meet to discharge those statutory duties.

Clause 24 requires any volunteers (which are Committee members acting outside their role as Committee members, as in delivering services or making individual decisions on projects or programs outside meetings to effect the work of the Committee) to be registered with the CRD's Risk and Insurance department. This will ensure insurance coverage applies. It also requires those volunteers working with vulnerable persons or persons under 18 years of age provide a recent criminal record check to CRD.

*Clauses 25 to 28, Conduct of Meetings and Quorum*

These clauses set quorum at seven members (the historical quorum), confirm the Committee is subject to the CRD Procedures Bylaw, must hold meetings publicly unless in-camera meetings are permitted by law, and may meet by electronic means where other requirements are met. These clauses are based on other similarly sized commissions, and are consistent with the requirement the Committee comply with the *Community Charter* when acting as a body of local government.

*Clauses 29 and 30, Conflict of Interest*

This section sets out the conflict of interest provisions, largely applicable to elected officials and resource members who may be applying for grant funding for third party organizations they are associated with. It requires them to declare the conflict and step aside, not influencing the vote on a matter.

However, unlike most conflict of interest provisions, this permits non-voting members representing an organization (such as a resource member) or School District representatives, to be invited to present on an application, but such individuals must leave for the debate and not vote on a grant.

*Clause 31, Budget*

This clause requires the Committee to establish an annual budget by October 1 of each year. Many CRD committees and commissions now establish budgets in late August or early September; however, due to the nature of the Committee's work, an October deadline appears appropriate. This amount is used to set the next fiscal year's requisition.

*Clauses 32 and 33, Record Keeping*

The Committee shall comply with record keeping requirements at law. For example, it is required to provide agendas in compliance with CRD's Procedures Bylaw prior to each meeting, and provide meeting minutes and records to CRD after each meeting for storage. This is consistent with the mandatory requirement to keep records in a manner required by the *Community Charter* and *Local Government Act*.

*Clause 34, Citation*



This clause sets out the short title of the bylaw.

**Conclusion**

While the bylaw is silent on non-mandatory obligations listed in our letter of February 26, 2021 date, these issues will be addressed by active decisions by the Chair and the Committee as a whole as it moves forward with its business.

The writer anticipates discussion of this bylaw at the Committee's meeting in September, and can be available to answer questions at that time. The next CRD Governance Committee is scheduled for October, however, should further time be needed to review, a CRD Governance Committee meeting is also scheduled for December.

Should you have questions, please contact the writer by e-mail, [scarey@crd.bc.ca](mailto:scarey@crd.bc.ca), or at the direct line, 250-360-3128.

Best regards,



Steven N. Carey, B.Sc, J.D.

Manager, Legal Services

Lawyer and Trademark Agent

*Encl. Draft Bylaw 4453, "Victoria Family Court and Youth Justice Committee Commission Bylaw No. 1, 2021"  
CRD Letter of February 26, 2021*



**CAPITAL REGIONAL DISTRICT  
BYLAW NO. 4453**

\*\*\*\*\*

**A BYLAW TO CONTINUE THE VICTORIA FAMILY COURT AND  
YOUTH JUSTICE COMMITTEE AS A DELEGATED COMMISSION**

\*\*\*\*\*

**WHEREAS:**

- A. Under Bylaw No. 2560, *Family Court Committee Extended Service Establishment Bylaw No. 1, 1997*, the Capital Regional District (“CRD”) continued a service to operate, participate in and fund a *Provincial Court Act* family court committee created for the capital region, as well as to provide funding to approved youth justice initiative involved third parties;
- B. Since the 1960s, the Victoria Family Court Committee, also known as the Victoria Family Court and Youth Justice Committee, has operated as an advisory body, first as a committee of the City of Victoria then of the Capital Regional District, and continues to operate for the coordination and grant-making benefit for regional youth and family justice initiatives;
- C. The Board wishes to set out clearly the community mandate of the Committee in a commission bylaw and ensure it has legal status and delegated authority to continue its work;

**NOW THEREFORE**, the Capital Regional District Board in open meeting assembled hereby enacts as follows:

**CREATION OF COMMISSION**

1. A commission is hereby established, to be known as the “Victoria Family Court and Youth Justice Committee” (hereinafter the “Committee”), and shall be a continuation of the Victoria Family Court and Youth Justice Committee presently operated in the capital region.

**DELEGATED AUTHORITY**

2. The Committee is hereby delegated all of the administrative powers of the Regional Board with respect to the service set out in Bylaw No. 2560, *Family Court Committee Extended Service Establishment Bylaw No. 1, 1997* (the “Bylaw No. 2560”), that is, the funding, participation, and operation of the Committee and the granting of funding to youth and family issues; and the Board’s ability under s.263(1)(c) of the *Local Government Act* to provide assistance to youth and family groups as contemplated by Bylaw No. 2560, other than assistance to business.

**COMPOSITION AND ELIGIBILITY**

3. The Committee shall have the following number of voting members, up to a total of 23, each having one vote:
  - (a) Up to seven individuals as Capital Regional District appointed representatives under section 7;
  - (b) Thirteen municipal council representatives, who may each have an alternate, under section 8; and
  - (c) Three school district trustees representing School Districts 61, 62, and 63, under section 9.
4. Available openings for voting membership vacancies will be advertised by November of each year of a vacancy in a term in a form acceptable to the appointing organization.

5. A majority of members must have experience in education, health, probation, or welfare.
6. Members must represent the interests of their community or organization to the best of their ability.

**Capital Region Representatives**

7. The Regional Board may appoint up to seven individuals as voting members of the Committee. Such appointments may be, but are not limited to, representatives of the Juan de Fuca Electoral Area, community members, representatives of youth and family justice organizations, municipal councilors, regional district Board members, or First Nations' representatives.

**Municipal Representatives**

8. Each municipal participant may appoint a municipal council representative as a voting member, and may appoint as an alternate voting member a member of the public or a municipal councilor to act in the absence of the municipal council representative, for a total of 13 municipal council representatives.

**School District Representatives**

9. Each school district in areas served by the Committee may appoint a representative as a voting member, for a total of three school district representatives.

**Resource Members**

10. The Committee may resolve to have any number of non-voting resource members, including individuals, service providers, organization representatives, public authorities, First Nations, or other groups working in the capital region in family court and youth justice initiatives.

**TERM OF OFFICE**

11. A member's term of office is from the date of appointment in one year to December 31 in the second year of appointment.
12. No voting member may serve more than six consecutive years on the Committee. A former member may be reappointed after one year of absence. Despite the term limit in this section, in unique circumstances, an appointing agency may reappoint its voting member for an additional term.

**OFFICERS**

13. At the Committee's first meeting in February of each year (the "Annual Meeting"), by show of hands, or, if a secret ballot is requested by one-third of members present, by secret ballot, the Committee shall select from among its voting members a Chair, Vice-Chair, and Treasurer.
14. The Committee may create additional officer roles it considers advisable and staff them with voting or non-voting members from time-to-time.
15. In the event of a vacancy, the Committee may select a voting member to fill an officer role until the next Annual Meeting.

### **DEATH, RESIGNATION, DISQUALIFICATION AND TERMINATION**

16. A member's appointment ends on the end of term; resignation; death or incapacity; revocation of appointment; ceasing to be an employee, volunteer, elected official or officer of an appointing agency; or on the cessation of a municipal council voting member ceasing to be a municipal councillor.

### **MEMBER VACANCIES**

17. In the event of a member vacancy before the end of term, the appointing organization may appoint an individual to complete the term. If not filled within a reasonable time, the Committee shall reported such vacancy to the Capital Regional District's Corporate Officer.

18. If a member is absent for more than two consecutive meetings with notice, the Committee shall contact the member to determine interest in continuing on the Committee. If absent for three consecutive meetings, the member may be removed by resolution of the Committee and the Committee shall alert the appointing organization, requesting appointment.

### **COMMISSION OBJECTIVES AND DUTIES**

19. The Committee has the following objectives:

- (a) to identify, inform, educate, and report on gaps in regional resources for youth justice and family court issues;
- (b) to act as a resource for the public and youth and family organizations; and
- (c) to encourage collaboration between and visibility of community services.

20. The Committee is hereby tasked with the following duties:

- (a) to meet at least four times per year to:
  - i. consider and examine community resources for family and children's matters;
  - ii. make recommendations to the court, the Attorney General, or others;
  - iii. solicit and consider applications for receipt of grant-funding; and
  - iv. connect family-and-justice-involved individuals, service providers, and government in a way that encourages collaboration and identifies service gaps;
- (b) if requested by the court, to act a resource or assist as directed; and
- (c) report annually to its member local governments and the Attorney General on its activities and recommendations.

21. The Committee may, within its mandate:

- (a) take positions on policy initiatives, legislation, and services affecting families and youth justice in the region, in the name of the "Victoria Family Court and Youth Justice Committee"; and
- (b) undertake other activities consistent with the activities of a family court and youth justice committee, as permitted by law.

22. Subject to Capital Regional District bylaws, policies, and procedures, the Committee, in open meeting assembled or through supervised volunteers, may:

- (a) establish advisory groups to examine specific issues, who will report on their work;
- (b) contract for support services, volunteer coordination, communications, feasibility studies, and other services and goods related to its mandate;
- (c) undertake necessary, incidental, or ancillary administrative tasks in order to effect its work.

23. If acting under referral or as otherwise directed under the *Provincial Court Act*, RSBC 1996, c 379, or *Youth Criminal Justice Act*, SC 2002, c 1, the Committee shall discharge its duties through one or more registered volunteers assembled for that purpose by resolution of the Committee, unless otherwise directed by the court.

24. All volunteers shall be supervised by the Committee or its appointed volunteer coordinator, if any; shall register with the CRD's Risk and Insurance Department; and must, if working with vulnerable persons or persons under 18 years of age, provide a recent criminal record check to CRD.

#### **CONDUCT OF MEETINGS AND QUORUM**

25. A quorum shall be seven (7) voting members.
26. The Committee must follow Bylaw No. 3828, "Capital Regional District Board Procedures Bylaw, 2012", when conducting a meeting (the "CRD Procedures Bylaw").
27. All meetings of the Committee must be held in a public facility and must be open to the public. Meetings may be in-camera, where authorized by law.
28. The Committee may meet by electronic means, where the requirements in the CRD Procedures Bylaw are met.

#### **CONFLICT OF INTEREST**

29. In discharging the Committee's grant function, any member who considers themselves in a pecuniary or non-pecuniary conflict of interest shall declare a conflict, which may include:
- (a) where their appointing agency is a direct recipient of a grant or assistance; or
  - (b) where a member or their immediate family owes a fiduciary duty, as a director, senior manager, or employee of an organization receiving funding,
- and shall recuse themselves in accordance with the CRD Procedures Bylaw and the *Community Charter*, SBC 2003, c 26.
30. On a majority vote of the Committee, School District and non-voting members representing an organization with a direct pecuniary interest in a grant may be invited to present on their organization's application, but shall not be present for debate nor the vote on the matter.

#### **BUDGET**

31. Upon its establishment and by October 1 of each year, the Committee shall prepare an annual budget, which shall include estimates for administrative costs, operations, grants, and other expenditures, and shall submit such estimates to the CRD's Chief Financial Officer for Regional Board approval and inclusion in provisional and annual budgets.

#### **RECORD KEEPING**

32. The Committee shall comply with all public record keeping requirements under the *Community Charter*, *Local Government Act*, and other applicable legislation.
33. Records shall be stored at the CRD. Agendas shall be provided in advance of meetings in accordance with the CRD Procedures Bylaw and meeting minutes shall be provided after each meeting.

**CITATION**

34. This bylaw may be cited for all purposes as "Victoria Family Court and Youth Justice Committee Commission Bylaw No. 1, 2021".

READ A FIRST TIME THIS	th	day of	20__
READ A SECOND TIME THIS	th	day of	20__
READ A THIRD TIME THIS	th	day of	20__
ADOPTED THIS	th	day of	20__

---

CHAIR

---

CORPORATE OFFICER

DRAFT



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T: 250.360.3128

www.crd.bc.ca

February 26, 2021

**VIA E-MAIL**

Victoria Youth and Family Court Committee

Attn: Members of the Committee

Dear Sirs/Mesdames:

**Re: CRD Review of Youth and Family Court Committee Service:  
Recommendations as a result of consultation**

Further to our consultation at Victoria Youth and Family Court Committee (the "Committee") meetings January 27, 2021 and February 3, 2021, we write to request the Committee's membership, by resolution passed in open meeting properly assembled, confirm it is interested in continuing with the process as outlined in this letter.

On January 27, 2021, we canvassed the Committee's history, problems faced by it and other family court committees, how grants can be made, and options for resolving structure and governance issues. On February 3, 2021, we went through each recommendation in the CRD report. Discussion occurred on public meeting and record keeping requirements, the role of the Provincial Ombudsperson, and on delegated versus advisory commissions. At this meeting, CRD was prepared to present a delegated commission model, but was informed January 26, 2021 by the Committee's Chair that it was not ready for further consultation and would not be ready until after an orientation session in February had been held for new members.

### **Suggested Motion Language**

We ask that you consider a motion, in open meeting assembled, showing a group intention to continue with this process. We suggest the following:

*That the Victoria Youth and Family Court Committee recommend to the Capital Regional District Board:*

- 1. Consider creation of a delegated commission, rather than an advisory committee or commission, to continue the work of the Victoria Youth and Family Court Committee;*
- 2. Direct staff to continue to engage with the Committee to work to implement certain mandate, governance, and structure changes in accordance with the recommendations set out in the CRD's letter of February 26, 2021.*

### **Recommended Structure – Delegated Commission**

A delegated commission will provide independence over administration and operation of the service, similar to how the Committee currently operates, but with a delegation of grant-making authority and a clear mandate set out in a bylaw. Similar commissions exist already at CRD: no

new model would need to be created. This has the least burden in time, monetary cost, and personal financial risk to appointees. A draft commission bylaw has been prepared to implement certain recommendations set out in this letter. Please note that though it would be a delegated commission, the Committee name would not change: “commission” is a legal status.

An advisory commission is not recommended. It would cause unnecessary delays relating to grant-making, would require additional Board referrals, and increase use of Board and staff time. Committee issues are specialized, funding applications are received throughout the year (particularly from youth) and the Committee is ideally staffed with persons able to advise on community need, something it has done in the capital region since the 1960s.

A society is not recommended. The administrative burden and need for additional insurance and other materials (risk, privacy, work safety, human rights policies) would quickly deplete resources. Volunteers who provide assistance to the Committee and certain local government appointments undertaking Committee work between meetings are likely be ineligible for the *Local Government Act* indemnity and would not be covered by CRD’s insurance.

### Recommendations

Recommendations are organized into “must” or “may” categories and additional considerations contained in the below table.

#### ***Mandatory Recommendations - Structure***

The following are recommendations based on legislative requirements and best practices.

Recommendation	Must / May	Reasoning
Set out mandate and delegation in a bylaw	Must	<p>A commission bylaw sets out delegation for grant-making and a clear mandate to guide the Committee in its business.</p> <p>A proposed mandate, compared to prior mandates and legislation is Schedule “A”. The Committee should examine its mandate to ensure it is accurately reflecting both its historical purpose per the <i>PCA</i> and the broader work it does.</p> <p>Quorum is currently set to seven members, the same number as CRD appointments. This is appropriate based on attendance and is approximately 30% of membership.</p>
Comply with <i>Community Charter (Formalize meetings)</i>	Must	<p>As a body of a local government, meetings and any sessions where decisions are made must be in open.</p> <p>Does not apply to work by volunteers or sub-committees, provided they are not making final decisions for the Committee.</p>
Public minutes and agendas unless in closed <i>(Formalize meetings)</i>	Must	<p><i>Community Charter</i> requires these to be published within a certain time, and to be publicly available or inspected on request. Publication could be met by online publication through CRD; prior minutes could be made available by CRD to meet requirements for public inspection. <i>YCJA</i> provides confidentiality provisions, if ever requested as a conference by the Court.</p>

Maintain records consistent with the obligations of a public authority	Must	<p>Required by <i>Community Charter</i> and <i>FIPPA</i>. Covered by CRD records and privacy policies, use of Corporate Officer and FOI Manager for FOI requests.</p> <p>Records should be stored at CRD. A CRD e-mail address should be provided. Meeting minutes should be publicly accessible and available.</p>
Procedures bylaw compliance ( <i>Formalize meetings</i> )	Must	<p>To resolve the existing complaints faced by the Committee, it should ensure:</p> <ul style="list-style-type: none"> <li>• Agenda items can be raised with Chair in advance of meeting, or at a meeting itself by Notice of Motion;</li> <li>• Meetings have set times, with resolution required to continue them;</li> <li>• Speakers and delegations have set times, with resolution to extend;</li> <li>• Alternating speakers' lists are used to keep matters on topic, ensure small voices can be heard – members should not have wide-ranging discussions on topics outside the floor;</li> <li>• Compliance with Robert's Rules.</li> </ul> <p>While a Priorities sub-committee can assist in preparing an agenda, it should not bump items from prior meetings or items raised by Notice of Motion. It should not be deciding agenda items without the full committee.</p> <p>Decisions should be made in an open, properly constituted meeting.</p>
Institute term limits	Must	<p>Representatives should exit after a certain time to ensure fulsome representation by other members and others sought to fill their roles as part of a transition plan.</p> <p>Two year terms are proposed, with a maximum of three consecutive terms. After one year, a Committee member is eligible for re-appointment. Staggered terms are also recommended for community appointments (e.g. CRD appointments).</p> <p>For transition, existing committee members who are beyond their term limits should receive the balance of their term plus the option for one additional two years term. A further term of two years can be provided at appointing organization's option with consent of Committee.</p> <p>Past long-time volunteers can be non-voting resource members or participate as volunteers, a practice formerly used by the Committee.</p>
Consolidate finances in CRD	Must	<p>There is no need to have separate bank account. Approved grants, honoraria, and reimbursements of expenses can be issued directly from CRD. Can be included in CRD financial checks and audit.</p>

Follow existing policies rather than create its own	Must	As a body of the CRD, the Committee should follow CRD policies, such as those relating to expenses; records management; standards of conduct; respectful workplace; and the like. If necessary, specific policies or exceptions can be developed in accordance with CRD's Policy Framework.
Re-arrange agenda items	Must	Agenda items should be re-arranged such that resource members speak at a dedicated time in the meeting (done).

### ***Non-Mandatory Recommendations – Governance***

The following are non-mandatory governance recommendations. Implementing a few would likely resolve many of the conflicts and issues faced by the Committee relating to its work.

Reduce or restructure meetings	May	<p>Consider (non-exhaustively, and based on needs):</p> <ul style="list-style-type: none"> <li>- Setting a topic-based schedule for potential meetings, set in the January or February meeting of each year in advance</li> <li>- Aiming for the required four meetings per year to focus on family and youth resources in the region, with specific mandates for each meeting</li> <li>- Two grant intake and review meetings per year</li> <li>- Two resource member coordination meetings per year (Fall and Spring, for example), which may result in a greater focus on these organizations and greater attendance</li> </ul> <p>Reducing the number of meetings annually may improve attendance and free-up member time to work on specific projects or volunteer tasks.</p>
Set specific mandates for sub-committees with dates for deliverables (reduce or restructure meetings)	May	<p>Sub-committee creation and appointments should be at the call of the Board, not at the call of the Chair, to ensure consistent direction.</p> <p>Consider reducing the number of sub-committees, depending on the projects and workloads is advisable.</p> <p>When creating such groups, set a mandate, time limit, and staff with volunteers (who do not need to be Committee members) – did this historically. Using time or mandate-limited sub-committees, will allow work to get done to be reported up to the Committee as a whole example:</p> <ul style="list-style-type: none"> <li>e.g. Court Watch 2021, goal to attend court a certain number of times, visit a certain number or type of proceedings, report on a set future date.</li> <li>e.g. Working groups specific to certain issues, such as youth services on the West Shore, family services on the peninsula, with a set mandate and a time for reporting</li> </ul>
Look at membership composition (reduce numbers and appoint family-and-	May	<p>The Committee may wish to consider:</p> <ul style="list-style-type: none"> <li>• requesting CRD not utilize all seven of its community appointments, to reduce the numbers of voting members unless quorum or workload becomes an issue;</li> </ul>

youth-involved individuals)		<ul style="list-style-type: none"> <li>• requesting each municipal member appoint an elected official and a community member, such that they can act in each other's absence and collaborate on the municipalities needs;</li> <li>• methods and recruitment to ensure a majority of members must have experience in "education, health, probation, and welfare";</li> <li>• look to actively recruit successors for long-time members, as well as new resource members; and</li> <li>• establishing a qualifications matrix, to determine what skill sets are missing on the Committee.</li> </ul> <p>CRD can also assist in coordinating appointments with service participants, such as developing standards advertisement language, setting reminders for intake periods, and the like.</p>
Grant intake procedure and grant agreement form	May	<p>May set grant-intakes per year and reserve some amount for applications that come up between meetings. May wish to establish non-exhaustive criteria for grants.</p> <p>Can still review grants through sub-committee, with recommendations and summary to Committee for approval. Have a conflicts recusal procedure to avoid allegations of bias or impropriety (as with other CRD granting bodies).</p> <p>Before any funding is provided, a grant-agreement must be entered into to protect funds (simple, mandatory).</p>
Maintain a volunteer registry	May	<p>This is strongly recommended if the Committee intends to continue to perform work outside properly constituted meetings, such as Court Watch, facility visits, or assistance to individual youth and families.</p> <p>The <i>Local Government Act</i> indemnity only applies to elected officials when working within their role, not when doing hands-on volunteer work (say court watching) not typically the duty of a local government official; for individual appointments and volunteers, it only applies when under the local government's direction: the Committee would need to specifically mandate tasks to its volunteers and sub-committees (if any) by resolution to ensure works are being properly supervised. It can do this by specific, mandated resolutions or by utilizing a volunteer coordinator, similar to how other delegated commissions operate.</p> <p>To qualify for insurance for their own injuries, volunteers must also register with CRD's Risk and Insurance Department. Individuals working with vulnerable youth should have a recent valid criminal record check on file with CRD. This will satisfy an insurer should a claim arise relating to misconduct involving youth.</p>

### ***Additional Recommendations Arising***

From the questions asked by members and others since the July CRD report, the following items are recommendations arising.

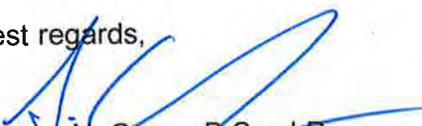
Annual work plan	May	The Committee may wish to consider setting an annual work plan, similar to the City of Vancouver's committee. While the Committee does do forward planning, planning of the year may help it remain focused.
Continued online meetings	May	Local Government bodies, even post-COVID health orders, can host electronic meetings. CRD has facilities to do so via WebEX and Microsoft Teams; some use Zoom depending on the circumstances. This will facilitate attendance and engagement.
Maintain a region-wide focus	Must	<p>On January 27, it was brought to the attention of the writer that the Committee had previously engaged in suicide watch of a vulnerable young person. This is outside the mandate of the committee and the insurance and indemnity of the individual members. Specific policies are available for this work but only where doing so when properly trained, registered, and with appropriate supports in place, none of which the Committee has.</p> <p>Committee members also attended a First Nations Court sentencing hearing in Duncan and participated in sentencing. As it is work outside the regional district, this may be outside the mandate of the committee. Any court appearances on behalf of the Committee should first be instigated by a direct request from the Court or a specific individual seeking assistance.</p>

### **Conclusion**

This review was conducted on the basis of the documents available and interviews with Committee members. Despite requests, the writer remains without access to past minutes and agendas. The Committee's 2021 annual report has not been finalized or distributed. If available, these documents may affect our opinion relating to certain governance recommendations.

Should you have questions, please contact the writer by e-mail, [scarey@crd.bc.ca](mailto:scarey@crd.bc.ca), or at the direct line, 250-360-3128.

Best regards,

  
 Steven N. Carey, B.Sc, J.D.  
 Manager, Legal Services  
 Lawyer and Trademark Agent

cc. Cynthia Day, Chair, Victoria Youth and Family Court Committee; Robert Lapham, Chief Administrative Officer;  
 Kristen Morley, General Manager, Corporate Services  
 Encl. Schedule "A" – Mandate Samples

**Schedule “A”  
Mandate and Objectives Summaries**

**Objectives**

Suggested by CRD	Existing Committee Objective/Mandate
<p>The Committee has the following objectives:</p> <ul style="list-style-type: none"> <li>(a) to identify, inform, assess, educate, and report on regional resources for youth justice and family court issues and related needs;</li> <li>(b) to act as a resource for the public and youth and family organizations; and</li> <li>(c) to encourage collaboration between and visibility of community services.</li> </ul>	<p>N/A</p> <p>The current Committee Constitution and Terms of Reference make no mention of mandate or purposes, though there are references to the <i>PCA</i> and <i>YCJA</i>.</p>

**Comments:** The Committee should clearly identify objectives to guide it in its core work.

**Additional Activities of the Committee**

Suggested by CRD	Existing Committee Objective/Mandate
<p>The Committee may, within its mandate:</p> <ul style="list-style-type: none"> <li>(a) take positions on policy initiatives, legislation, and services affecting families and youth justice in the region, in the name of the “Victoria Family Court and Youth Justice Committee”; and</li> <li>(b) undertake other activities consistent with the activities of a family court and youth justice committee, as permitted by law.</li> </ul> <p>Subject to bylaws, policies, and procedures, the Committee may:</p> <ul style="list-style-type: none"> <li>(a) establish advisory groups to examine specific issues, who will report on their work;</li> <li>(b) contract for support services, volunteer coordination, communications, feasibility studies, and other services and goods related to its mandate;</li> <li>(c) undertake necessary, incidental, or ancillary administrative tasks in order to effect its work.</li> </ul>	<p>The Family Court Committee can:</p> <ul style="list-style-type: none"> <li>a) Be a force in educating the public on issues related to Family Court;</li> <li>b) Sit in on court hearings to monitor the actions of all officials concerned with the welfare of youth and to assist judges upon request;</li> <li>c) Inform the Intermunicipal and the Capital Regional Electoral District Committees of the problems which are of concern to the community;</li> <li>d) Enter and monitor both open and closed custody facilities as concerned members of the public;</li> <li>e) Comment upon legislation concerning families and youth;</li> <li>f) Make recommendations to appropriate legislative bodies concerning any matters deemed to be covered by our several mandates;</li> <li>g) Be visible within the community and recognized as the appropriate body to whom complaints can be made, and to whom recommendations can be proposed for improvement.</li> </ul> <p style="text-align: right;"><i>[1985 Constitution Summary]</i></p>

**Comments:** Concerns were raised by the Committee's Chair about losing the ability to perform certain work as a body of CRD. The suggested mandate is broad enough to encompass historical tasks and undertake future obligations consistent with its objectives.

**PCA Language Summary**

<b>Suggested</b>	<b><i>Provincial Court Act</i></b>
<p>The Committee is hereby tasked with the following duties:</p> <p>(a) to meet at least four times per year to:</p> <ul style="list-style-type: none"> <li>i. consider and examine community resources for family and children's matters;</li> <li>ii. make recommendations to the court, the Attorney General, or others;</li> <li>iii. solicit and consider applications for receipt of grant-funding;* and</li> <li>iv. connect family-and-justice-involved individuals, service providers, and government in a way that encourages collaboration and identifies service gaps;</li> </ul> <p>(b) if requested by the court, to act a resource or assist as directed; and</p> <p>(c) report annually to its member local governments and the Attorney General on activities and recommendations.</p>	<p>(6) The family court committee must do the following:</p> <p>(a) meet at least 4 times a year to consider and examine the resources of the community for family and children's matters, to assist the court when requested and generally, and to make the recommendations to the court, the Attorney General or others it considers advisable;</p> <p>(b) assist the officers and judges of the court, if requested, to provide a community resource or assistance in individual cases referred to the committee;</p> <p>(c) report annually to the municipalities involved and to the Attorney General respecting their activities during the past year.</p>

**Comments:** A plain-language *PCA* reproduction, with grant-making and collaboration added.

**YCJA Language Summary**

<b>Suggested by CRD</b>	<b><i>Youth Criminal Justice Act</i></b>
<p>Not considered necessary to reproduce due to length.</p> <p>Encompassed in the “act as a resource or as directed”, “undertake other activities”, and mandate.</p>	<p>(a) in the case of a young person alleged to have committed an offence,</p> <ul style="list-style-type: none"> <li>(i) giving advice on the appropriate extrajudicial measure to be used in respect of the young person,</li> <li>(ii) supporting any victim of the alleged offence by soliciting his or her concerns and facilitating the reconciliation of the victim and the young person,</li> <li>(iii) ensuring that community support is available to the young person by arranging for the use of services from within the community, and enlisting members of the community to provide short-term mentoring and supervision, and</li> <li>(iv) when the young person is also being dealt with by a child protection agency or a community group, helping to coordinate the interaction of the agency or group with the youth criminal justice system;</li> </ul> <p>(b) advising the federal and provincial governments on whether the provisions of this Act that grant rights to young persons, or provide for the protection of young persons, are being complied with;</p>

	<p>(c) advising the federal and provincial governments on policies and procedures related to the youth criminal justice system;</p> <p>(d) providing information to the public in respect of this Act and the youth criminal justice system;</p> <p>(e) acting as a conference; and</p> <p>(f) any other functions assigned by the person who establishes the committee.</p>
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### Other Mandate Language

#### Richmond

- Mandate copies the *PCA*;
- RFCC functions as a link between the Court and City Council whereby:
  - Court personnel and clients may draw on the concern and support of the community;
  - Family and youth resources may be monitored; and
  - Community may become educated about the justice system and its effects on children, youth and families;

#### Vancouver

- Provides input to City Council and staff about issues of concern;
- Considers any matters which may referred to the Committee by Council or staff and take under consideration matters proposed by the Vancouver Board of Education;
- Reviews and advises Council and staff on the development, implementation and assessment of City policies and services related to children, youth and families;
- Advocates for the best interests of children, youth and families;
- Identifies opportunities and empowers children and youth to have a voice in civic decision making;
- Provides recommendations to staff and Council on issues affecting children, youth and families;
- May take positions on policy initiatives from other levels of government within the mandate of the Committee; and
- Acts as a family court committee under the *BC Provincial Court Act ...* or a youth justice committee under the *Youth Criminal Justice Act*.
- Works co-operatively with other agencies whose activities affect constituent communities, including initiating and developing relevant projects;
- Acts as a resource for staff doing public involvement processes and civic events;
- Exchanges information with constituent communities and the general public about relevant programs and areas of interest; and
- Engages in outreach to disseminate information and encourage participation from constituent communities.



October 20, 2021

VIA EMAIL: [scarey@crd.bc.ca](mailto:scarey@crd.bc.ca)

CRD Board and Staff  
625 Fisgard Street  
Victoria, BC V8W 1R7

Dear Members of the Board and Staff,

Re: Victoria Family Court and Youth Justice Review

The Victoria Family Court and Youth Justice Committee met on September 22, 2021. The agenda included reports from two working groups struck to review a) Succession Planning and b) Priorities Grants. The reports from these two working groups are attached for information. The following excerpt is from the September 22 Minutes of the Victoria Family Court and Youth Justice Committee:

**Excerpt from the September 22, 2021 Minutes on the CRD Review:**

**a. Succession Working Group** – Report attached

**Recommendation:** That the Victoria Family Court and Youth Justice Committee adopt the recommendations of the Succession Planning/Meetings Work Group as outlined in the Work Group's August 16, 2021 Report to the VFC&YJ Committee, specific to:

1. Term Limits
2. Committee member numbers and committee appointments (members & volunteers); and
3. Meetings

and that the Chair of the VFC&YJ Committee send a letter to the CRD Board and Staff providing the wording of the Committee's resolution and including a copy of the Work Group's Report, dated August 16, 2021.

**To move the Recommendation**  
**MOTION: J. Bateman/ M.T. Little**  
**CARRIED**

**b. Priorities Working Group** – Report Attached

**Recommendation:**

That the minutes with recommendations of August 27, 2021, from the Priorities-Grants Working Group be placed on the September 22, 2021 agenda for consideration of the main committee, and  
That the Priorities-Grants Working Group's Recommendations within their report/minutes of August 27, 2021 be supported by the main Committee, and  
That the Priorities-Grants Working Group minutes, recommendations and applicable attachments be forwarded to both the CRD Board and CRD Staff in respect of the CRD Review by way of a formal letter from the chair together with any carried motions from the September 22, 2021 meeting.

**To move the Recommendation**  
**MOTION: E. Paterson/ M. T. Little**  
**CARRIED**

**C. CRD Bylaw** – Correspondence was attached with the meeting mail out.

**Recommendation:** That the Draft CRD Delegated Commission Bylaw be forwarded to the working groups for review, and that the working groups provide comment to the next regular meeting.

**To move the Recommendation**  
**MOTION: M. McLean/ A. Flint**  
**D. Thomas abstained**  
**CARRIED**

The Executive anticipate that changes to our structure/operation will be operationalized through motions at our Annual General Meeting in January, consistent with those changes made in 2010 when the last review was completed. This is to ensure that all members have the necessary resources and notice to participate and to facilitate the ongoing operation of the committee without undue interruption. (We anticipate moving our date of meeting from Wednesday to Thursday, which may or may not fit with existing members availability and this will be communicated out to our appointing agencies for new appointments.)

We also have communication from the Ministry of the Attorney General that confirms that we must continue to meet the requirements of the enabling Legislation, specifically the Family Court Act (and the Youth Criminal Justice Act), and that becoming a delegated commission of the CRD does not specifically interfere with that duty.

The committee has expressed, and I pass onto you, our sincere appreciation for CRD staff's expertise and support in pursuit of advocating appropriately for youth and families who may come be impacted by the Justice System.

Working groups continue to meet for a) Mandate, Procedures, b) Policies and Community Charter, and c) Finances/CRATsey. Working Group meetings in the next month will also review the draft Delegated Commission Bylaw. Our goal is to have carefully examined all aspects to bring forward motions to be endorsed at the Annual General Meeting in January.

Sincerely,

Cynthia Day  
Chair, Victoria Family Court and Youth Justice Committee

#### Attachments

from Succession Planning:

Attch 1 vfc&yjc Succession-Meetings Report August 16, 2021

Attch 2 vfc&yjc Succession-Meetings Report August 16, 2021

Attch 3 vfc&yjc Succession-Meetings Report August 16, 2021

from Priorities/Granting :

Priorities Motions for Restructure and Review

Priorities-Grants Work Group Minutes 2021-08-27 w-4 attach[51648] – Copy

Cynthia Day  
Email: [cday@colwood.ca](mailto:cday@colwood.ca)

Dear Cynthia Day:

I have been asked to respond to your email of June 24, 2021, addressed to the Honourable David Eby, Attorney General and Minister responsible for Housing regarding the Victoria Family Court and Youth Justice Committee.

I understand that staff from our branch have been in contact with you and, since we received your email in June, your committee decided to become a delegated commission under the Capital Regional District (CRD). I've been advised that a by-law formalizing this arrangement will be considered by the CRD in the coming months. As the roles and responsibilities of your committee are outlined in both the *Provincial Court Act* (specifically, section 5, Family court committee) and the *Youth Criminal Justice Act* (specifically, section 18, Youth Justice Committees), any by-laws, changes to your committee's constitution, and/or mandate will need to be in keeping with these statutory provisions.

While I appreciate the Committee's efforts to consult with the Ministry of Attorney General on any changes it may make to its governance documents or structure, the role of the Attorney General does not extend to providing legal advice to members of the public. One potential resource for the committee as it transitions to a delegated commission of the CRD may be found on the Ministry of Municipal Affairs website. Specifically, the information on Committees and Commissions can be found at this website:

<https://www2.gov.bc.ca/gov/content/governments/local-governments/governance-powers/powers-services/regional-district-powers-services/committees-commissions>

Additionally, information outlining the processes by which a Regional District delegates its authority can be found within the associated Guide to Regional District Board Delegation to Committees and Commissions, and is available at this website:

[https://www2.gov.bc.ca/assets/gov/british-columbians-our-governments/local-governments/governance-powers/guide\\_regional\\_district\\_delegation\\_to\\_committees.pdf](https://www2.gov.bc.ca/assets/gov/british-columbians-our-governments/local-governments/governance-powers/guide_regional_district_delegation_to_committees.pdf)

In closing, I would like to commend the work of this committee in assisting youth and families in the CRD. Thank you for taking the time to reach out to the ministry regarding this matter.

Sincerely,



Paul Craven  
A/Assistant Deputy Minister

Justice Services Branch

pc: The Honourable Mitzi Dean, MLA

CLIFF number: 618717

**Community Service Package 100068617052** : \$16,960.70

Relationship # 69472811

Date	Description	Credits	Debits	Balance
19-Oct-2021	Cheque cleared		\$400.00	\$16,960.70
	Cheque 338			
	Cheque # 338			
	Cheque Account Number 0273100068617052			