

September 06, 2022 Draft 1

Victoria Family Court & Youth Justice Committee (VFC&YJC) review of the CRD Board adopted Bylaw No. 4453 VFC&YJC Delegated Commission with a content comparison to the VFC&YJC Joint Working Groups' collaborative meeting notes and their recommendations dated August 16, 2021, adopted by the main Committee on November 10, 2021.

At the April 28, 2022 VFC&YJC meeting the Committee resolved to do 4 things: to take the 3 Working Groups (Succession, Priorities/ granting and, Community Charter (Policies & Procedures) through the VFC&YJC's existing documents such as its Constitution and Terms of Reference, as well as the Joint Working Groups' Collaborative meeting Notes and recommendations dated November 10, 2021, adopted by the Committee in October 2022, through the CRD VFC&YJC Delegated Commission Bylaw No. 4453 also for content comparison for any anomalies or omissions.

This particular report speaks to the Joint Working Groups' Collaborative (JWG) meeting report and the CRD Board adopted version of Bylaw No. 4453 (the Bylaw).

Page 2 of the Bylaw, titled: CAPITAL REGION REPRESENTATIVES (please note: the VFC&YJC Constitution indicates "appointees" which is a more appropriate word choice), number 7 states:

"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 Juan de Fuca Electoral Area, community members, representatives of youth and family justice organizations, municipal councillors, regional district Board members, or First Nations' representatives."

Please note: during the discussions at the Joint Working Group's meeting of August 16, 2021 while reviewing the draft CRD Bylaw it was discussed that it was not necessary to include "municipal councillors or regional district Board members" in the above noted section as municipal councillors of the 13 participating members may appoint a member of their municipal council as per the Provincial Court Act legislation; as under the existing VFC&YJC Constitution it is already a requirement that municipal members be appointed (with the opportunity that a citizen representative may be appointed by the Council as their alternate representative serving on VFC&YJC and, secondly there is no need or a requirement for a member of the CRD Board to be appointed by the CRD Board to be a member of the Committee such a concept does not appear in the Committee's Constitution, (nor was it ever discussed at a Committee meeting), at the JWG meeting it was agreed to bring these two anomalies to CRD staff's attention however, such an action unfortunately was not recorded in the Joint Working Groups' meeting's notes. In speaking with CRD staff Steven Carey on these 2 new inclusions from the CRD, being municipal councillors and regional district Board members we were advised that changes could be made to the Bylaw upon review, however, amendments would need to be approved by the CRD Board. This action should be considered by the Committee in 2023 as proposed amendment(s).

Page 2, titled TERM OF OFFICE, for clarity does numbers 11. and 12. both equate to a 2 year term? This should be clear within the text. Number 11 states: "A member's term of office is from the date of appointment in one year to December 31 in the second year of appointment." And, number 12 states:

“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.” To clarify is that an “additional term” two years?

Page 3, titled MEMBER VACANCIES, in rereading number 17 which states: “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 report such vacancy to the Capital Regional District’s Corporate Officer.” Note: it is not clear of the intention and as to why CRD staff would be notified of such a vacancy and further; what is the process and why and whom is responsible for following through? These matters should perhaps be addressed in a Committee Policy or their internal documents?

Regarding number 18. which states: “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.”

From the Joint Working Groups’ adopted notes number 4. states “ 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 to consecutive regular committee meetings (special meetings not counted) VFC&YJC to draft template.”

Therefore, it appears to perhaps be some procedure discrepancies between numbers 17 & 18 (listed above)? If so, they should be rectified in the near future when considering any future amendments to the Bylaw as to avoid confusion.

From the Joint Working Group Collaborative meeting Notes of August 16, 2021 but dated Nov. 10, 2021, the following requested information from CRD staff has yet to be provided to VFC&YJC; being number 2. which states: “The committee needs a definition of “business” to comply with requirement to not provide a benefit to a business.” This question should be followed up on by the Chair.

Number 7 of the JWG report notes’ states: “There is no mechanism/method for coordination of member experience, i.e.: in probation, education, welfare, etc. as defined in the Act.” Please note: This notation point has not been fully addressed yet by neither VFC&YJC nor CRD staff. This should be followed up by the Chair.

This completes my review of the comparison of these two documents.

Prepared by: Marcie McLean, Councillor District of Highlands, VFC&YJC member; in September 2022 for the VFC&YJC Sept. 22, 2022 Committee meeting agenda.

