

INFORMATION MANUAL

The Victoria Family Court and Youth Justice Committee Serving Greater Victoria

“Major steps need to be taken within the justice system to create new structures and new processes for relating to offenders. Care must be taken that in both the structures and processes of the justice system, offenders are treated in ways that validate their humanness rather than dehumanize them, foster responsibility and self-determination rather than dependency and avoidance of responsible decision-making, and are focused upon the correction of the relationship between the offender and the offended rather than merely upon treatment of individual offenders...”

In summary, it is the view of the Planning and Development Division of the Corrections Branch that the two extremes present dehumanizing practice on the one hand, and the complete elimination of corrections function on the other are both unacceptable in view of society’s need for protection and safety. What needs to be developed then, are structures and processes which are humanizing to both offenders and the community – and which promote the restoration of the relationship between the offender and his offended community”

*“Corrections and Planning: An Overview”
by John Ekstedt and Robin Montz
BC Department of the Attorney General*

NOTE: This Information Manual is currently in DRAFT as it has not yet been approved at the main committee for updates to legislation and committee membership. The text is consistent with what has been presented to the committee since 2010 – September 1, 2019

TABLE OF CONTENTS

1. PREFACE AND OVERVIEW OF THE COMMITTEE

Preface
Powers and Duties of the Family Court Committee
Authority of the Family Court Committee
Financing and Structure of the Family Court and Youth Justice Committee
Responsibilities of Members
Organizational Chart
Membership List

2. SUB-COMMITTEES

3. POLICY AND PROCEDURE

Oath of Confidentiality
Undertakings of Confidentiality for Sub-Committees
Meetings
Finance

4. ESTABLISHING LEGISLATION

Provincial Statute providing for the formation of Family Court Committees
Letter from Attorney General establishing the Victoria Family Court Committee as a Youth Justice Committee
Section 69 of Bill C-61, Young Offenders Act
Letter from J. Cowell affirming the Victoria Family Court and Youth Justice Committee's role in the Victoria Youth Containment Centre
CRD Bylaw No. 2560
CRD Bylaw No. 2590
CRD Bylaw No. 2795

5. CONSTITUTION AND TERMS OF REFERENCE

Constitution
Terms of Reference

6. MEETING AGENDA PACKAGES AND MINUTES

7. SUB-COMMITTEE WORK

8. MISCELLANEOUS

Expense Reimbursement

1.1 PREFACE

The information in this manual is designed to clarify the responsibilities and detail the operations of this committee. We monitor the welfare of the youths and families who are or may be served by the Family Court and the legal system.

There are approximately two dozen family court committees in British Columbia. Under the *Provincial Court Act*, each municipality is required to have representation on such a committee. We act as a liaison between local government and the family and youth court system. Our committee is division VI of the Capital Regional District (CRD) and is funded by a tax requisition from all the members of the Regional District.

It has been the practice for the Family Court Committees of British Columbia to hold an annual conference to which we have sent at least two representatives. At these conferences, delegates compare their various operations and make representations to the Ministry of the Attorney General on matters of general concerns. It takes a great deal of organization to bring the conferences together, usually lead by one of the larger communities and we have not had the opportunity to attend a conference for several years.

The Victoria Family Court Committee differs from other family court committees in three major respects:

1. We are the only family court committee incorporated under a Regional District. All others are incorporated under a single municipality or as joint ventures between a smaller number of municipalities. We have members from thirteen municipal jurisdictions of the CRD as well as three School Districts, which is over twice the number of any other committee. We also have up to seven members at large who often represent non-governmental organizations. The Board of the Capital Regional District appoints members at large. We invite all policing entities to take part and assist us in understanding their roles and responsibilities. The way each municipality operates is slightly different – it may be RCMP or municipal forces and each handles restorative justice issues a little differently.
2. Our family court committee used to monitor the operation of the youth containment centre, however with the downsizing of the operations this has been replaced with a strong working relationship and opportunities for visitation and information sharing at our committee. Other youth containment centres in British Columbia have had stand-alone citizen's advisory committees.
3. Our jurisdiction includes the seat of government. Consequently, we have good representation from the government ministries and the unique ability to meet with senior officials when necessary.

Although municipal participation in family court committees is required under the *Provincial Court Act*, the province does not specify what we should do – that is, it does not furnish a manual, hence this document has been created by our members for our own use to assist in understanding our role and responsibilities.

The information in this manual should not be taken as a framework for the operation of other family court committees in British Columbia. Some of the committees have distinctly different philosophies. Some deliver municipally-funded services directly. Others act purely as advisory bodies. Our role is a little more complicated. We provide liaison between governmental and non-governmental organizations. We monitor the operation of the judicial system and advocate changes to make it more effective. We are also very interested in promoting and understanding the extra-legal options for dealing with justice issues provided by community crime prevention and restorative justice programs. We view ourselves as monitors and advocates and expect to provide the voice for the community should senior government seek to consult.

Our committee meets the third Wednesday of each month in the anteroom to the Victoria Council Chambers from 11:30 am to 1:30 pm. Lunch and City owned Parkade parking are provided. Since cases of young offenders may be discussed, meetings are closed to the public.

The information in this manual details the legislative basis for our structure and procedures. If it does not answer all of your questions, you can contact me directly, the committee staff through our website or email address, or your municipal representative through your city hall.

Cynthia Day, Chair
Victoria Family Court and Youth Justice Committee
Updated September, 2016

1.2 POWERS AND DUTIES OF THE FAMILY COURT COMMITTEE

The Family Court Committee may:

- be a force in educating the public on issues related to Family Court
- sit in on court hearings to monitor the actions of all officials concerned with the welfare of youth and assist judges upon request
- report to the Capital Regional District Board and member municipalities problems which are of concern
- enter and monitor both open and secure custody facilities
- comment upon legislation concerning families and youth and –
- make recommendations to appropriate legislative bodies concerning any matters deemed to be covered by our several mandates

In addition, the Family Court Committee must report annually to the Ministry of the Attorney General and its member municipalities.

1.3 AUTHORITY OF THE FAMILY COURT COMMITTEE

The Family Court Committee is constituted under the *Provincial Court Act* with powers and duties as listed under Section 4.1 in addition, it has been designated by the Attorney General of British Columbia (as of June 27, 1984) to be the youth Justice Committee, under section 69 of the *Federal Young Offenders Act*, Bill C-61 (see Sections 4.2 and 4.3).

The Victoria Family Court is authorized by the Ministry of Children and Families to the Community Committee that reviews the circumstances of youth in custody containment centre, and physical environment and programs provided them. To that end, we are assured entry to the youth Containment Centre and access to all necessary information. Centre staff attends the committee as resource people as they are able.

FINANCING AND STRUCTURE OF THE FAMILY COURT AND YOUTH JUSTICE COMMITTEE

Since the Victoria Family Court and Youth Justice Committee (the Committee) services the Greater Victoria area, it is responsible to the Capital Regional district (CRD) from whence it receives its funding (see Sections 4.5 and 4.6 for CRD Bylaws). grants are not received until August of the next year.

NOTE: *Since 2003, I am not aware of a budget being submitted for approval, the committee has provided a detailed report and financial statements showing how the money is used (in accordance with the legislation) and has been careful to use the money wisely in fulfilling our mandate. **Approximately 2010, the CRD ended the practice of having the Financial Statement included in their Audit, and an Audit Review Committee was instituted by the committee (with notice of motion at the AGM prior), consisting of two members who are not part of the Executive designated at the prior AGM to review the Finances in detail and sign the Financial statements in January prior to presenting them with the Annual Report. For example, \$10,000 was held aside from day to day expenses in anticipation of enabling a Youth Mental Health Initiative. This money was accessed in 2018 in support of the Sidney Youth Clinic and ensured it's establishment. As anticipated, the costs are now borne by the Province and a new service has been established in support of youth who previously did not have local access to service. As of September 1, 2019 we await the outcome of the CRD Board Governance & Finance Committee's recommendation regarding a review of our committee prior to deciding how we should move forward on amending this section of our information manual.***

One representative is appointed annually by each of the Municipalities of Esquimalt, Oak Bay, Langford, Colwood, Central Saanich and North Saanich, the Districts of Saanich, Metchosin, Highlands and Sooke, the City of Victoria and the Towns of Sidney and View Royal. We also have appointed members from the School Districts of Victoria (61), Sooke (62) and Saanich (63). Up to seven members at large may be appointed by the CRD (selected from nominations received from the Committee and other interested organizations). In total there are up to 23 voting members. Where a municipality has chosen to designate an alternate, or a citizen representative, we welcome their participation in as many meetings as they choose to attend.

In the case of voting, we do not limit any members participation, however only one vote per municipality will be counted and the Council appointment takes precedent over an alternate.

The Committee's mandate involves working with the Ministries of the Attorney General, Public Safety and Solicitor General, Education, Children and Family Development, Social Development, and Health Services. Resource people from these ministries attend general meetings as non-voting personnel, and have also been expected to assist at the sub-committee level. With the increasing workload, only specific projects can expect to receive assistance from Ministry staff, whose assistance is most appreciated.

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1.4 RESPONSIBILITIES OF MEMBERS

Since membership in this committee is non-remunerated and voluntary, there is very little that can be formally required of anyone. Each member is encouraged to be:

- aware of our Bylaws and prepared to give time and energy so as to make the work of the committee effective
- an active participant in the affairs of one or more subcommittees
- continually watchful as to the welfare of the children and youth involved in the justice, protection, divorce and custody systems
- involved in discussion, workshops, visitations to open and closed custody facilities, and in communication with other Family Court and Youth Justice Committees and –

Each member is required to take the oath of Confidentiality and to respect the terms of the *Young Offenders Act*.

Victoria Family Court and Youth Justice **2019 Committee Membership:**

Municipal Appointees

Cynthia Day, Councillor (Colwood) **Chair**
Andrew Kerr, (Victoria), Citizen Rep **Vice-Chair**
Sharmarke Dubow, Councillor, (Victoria)
Heather Gartshore, Councillor, (North Saanich)
Daleen A Thomas, Citizen Rep (Central Saanich)
Mr. Matt Sahlstrom, Councillor (Langford)
Barbara Fallot, Councillor (Sidney)
Marilyn Holman, (Saanich) Citizen Rep
Lee Mauro, Citizen Rep (Esquimalt)
Marie Terese Little, Councillor (Metchosin)
Marcie McLean, Councillor (Highlands)
Jeff Bateman, Councillor, (Sooke)

Alternates

Terri O'Keefe, Councillor (Sidney)
Murray Weisenberger, Councillor (North Saanich)
Stewart Parkinson, Councillor (Colwood)
Leslie Anderson, Councillor (Highlands)

Appointments by CRD

Sandra Sarsfield
Georgia Peters
Bill McElroy, **Treasurer**
Sigurd Johannesen
Geanine Robey, Restorative Justice Liaison

Resource Agencies

Youth Outreach
Victoria City Police
Pat Bryant, Mobile Youth Services Team
Mia Golden, C.R.E.D., Pacific Centre Family
Services & Mobile Youth Services Team Liaison
Central Saanich Police

Saanich Police

Cindy Hendricksen, (Probation Services)
Ranj Atwal (MCFD), Director of Operations, Youth
Justice
Cate Bennett, MCFD, Youth Services
Alesha Doran, Business Development
Coordinator, Indigenous Perspectives Society
Victoria Court Registry, Ministry of Attorney
General
Public Safety and Solicitor General
Melissa Hyland, Director, Resiliency Rising
Society, Wa Kata' Keri:te'
Gillian Lindquist, Executive Director, Restorative
Justice Victoria
Jen Shortt, Artemis & Thirteen Moon Farm
Counsellor

Darin Reimer, Executive Director, Youth
Sanctuary

Gord Irving, Boys' & Girls' Club
Single Parent Resource Centre

School Districts

Angie Hentze, Trustee (SD #61)
Deb Whitten, Trustee (SD #61)
Margot Swinburnson, Trustee (SD #62)
Alicia Holman, Trustee (SD #63)

Administrative Assistance

Marnie Essery, Secretary

Past Members who want to stay in contact

Dianna Seaton, SD 62
Charlayne Thornton-Joe, Victoria Councillor
Helen Hughes, retired Victoria Councillor

1.5 ORGANIZATIONAL CHART

| | | |
|---|---|--|
| <p>Provincial Court Act Chapter 57 42-2</p> <p>Examine community resources for family and children matters. Assist and make recommendations to the court</p> | <p>Young Offenders Act Section 69 Bill C-61</p> <p>Attorney General appointment to make youth justice committees more effective service as Youth Justice Committee</p> | <p>Commissioner of Corrections Sec. G-2 Par. 101 Manual of Operations Youth Correctional Program</p> <p>Signed agreement to be the 'community committee' of the Victoria Youth Custody Division</p> |
|---|---|--|

Family Court and Youth Justice Committee

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| <p>Communications/Planning Sub-Committee</p> <p>Facilitate communications within committee and community, through electronic and print material.</p> | <p>Youth Matters Sub-Committee</p> <p>Raise awareness of issues for Youth and Youth at risk both in the legal system and in society, Facilitate awareness of youth services.</p> | <p>Priorities Sub-Committee</p> <p>Assess suitability of community youth-related initiatives with a view of support.</p> |
| <p>. Court Watch Sub-Committee</p> <p>Attend court on a regular basis to monitor any matters pertaining to youth or family.</p> | <p>Capital Region Action Team for Sexually Exploited Youth</p> <p>Advocate for youth who are in or may be at risk of entering the sex trade and assist them to exit the sex trade when they are ready.</p> | <p>Youth Mental Health Task Force</p> <p>Advocate for mental wellness options for youth, track waitlists and availability, facilitate communication between agencies and with the public, address recidivism, criminality.</p> |

2. SUB-COMMITTEES

Under the Committee's constitution, there are six sub-committees, each representing aspects of the three distinct pieces of legislation under which the Committee operates. The Chairperson of the main Committee appoints the chairperson of each sub-committee, who must also be a member of the main Committee. The chairperson of each sub-committee can determine the membership of that sub-committee and the members need not be members of the main Committee.

The Victoria Family Court and Youth Justice Committee sets the Agendas at a Steering Committee meeting on the first Wednesday of each month prior to the main committee meeting, consisting of the executive, sub committee chairs and any member who chooses to attend. The sole purpose of the meeting is to determine a time appropriate agenda and schedule guest speakers, as well as to discuss the Annual General Meeting Agenda and issues to be brought forward, including notice of motions. Changes to subcommittee structures are considered at the AGM and notice of a motion to amend is required.

Two subcommittees have been added to the Victoria Family Court and Youth Justice Committee: The Capital Region Action Team for Sexually Exploited Youth (CRATSEY) and CASA for Children (Court Appointed Special Advocates) of Canada.

It was determined at the 2011 Annual General Meeting that we would discontinue the Custody subcommittee, but that continued liaison between the Youth Containment Centre and the Committee was most valuable. It is noteworthy that in 2012, female youth were no longer received at the Victoria Youth Containment Facility and instead are transported to the mainland. While we advocated for continued containment options for girls here on Vancouver Island (and supported the same for northern municipalities with similar concerns), we understand that these changes have been made with additional supports for female youth and their families. We have a good relationship with the staff including their attendance at our meetings and, continue to be offered tours of the facility whenever we feel it appropriate or necessary.

The Family Matters subcommittee has been inactive due to the difficulty in finding dedicated members to investigate the family and family court issues. Our long time chair continues to report to the main committee on issues of concern to families, but larger committee work has not been required and therefore the need to create reports for the main committee is relieved by the ability of our secretary to capture issues brought to the attention of the committee on an 'as needed' reporting basis.

The Court Watch Committee has regular observation at the Court House and in Indigenous Court (Duncan) and offers tours for members as they are able to attend, to help the main committee understand the routines and shortfalls experienced by our service providers, families and youth.

Communications/Planning

Responsible for bringing community youth issues and resources to the attention of members, and for promoting Committee initiatives in the community. The Communications/Planning Committee is responsible for website, correspondence and print material development, with the assistance of the main committee.

Youth Matters

Concerned with matters involving youth at risk in the community or in the court system. Under the *Federal Young Offenders Act*, the mandate for community involvement falls to the youth justice committees.

Priorities

Responsible for assessing applications for support of appropriate youth initiatives in the community, and making recommendations to the full Committee for consideration.

Court Watch

Concerned with monitoring any matters pertaining to youth or family in the court system. Members will attend youth, family or aboriginal court, follow-up and report on concerns, assist judges and other officers of the court.

CRATSEY – Capital Region Action Team for Sexually Exploited Youth

Advocate for youth who are or may be at risk of sexual exploitation through education of both youth and adults and, advocacy to mitigate those risks. CRAT is inclusive and the members come from the three levels of government, the health region, school districts, police forces, youth-serving agencies, parents, former sexually exploited youth and individuals with a commitment to helping solve the problem of a growing number of underage (under 19) youth who were trading and selling sex for survival. You can learn more about CRAT at www.crat.ca

CASA- Court Appointed Special Advocates

CASA became a subcommittee of the Victoria Family Court and Youth Justice Committee in 2010, modeled after the U.S. CASA ceased operations as a separate entity as of June, 2016 and remaining funds were returned to the committee. Advocacy for youth has continued under the Court Watch Committee. CASA had sought “To support and promote court-appointed volunteer advocacy for abused and neglected children so that they can thrive in safe, permanent homes.”

There is no subcommittee for **Restorative Justice**, however, we do have resource members and CRD appointments from Restorative Justice Agencies who assist the sub and main committees. We have advocated for stable funding of Restorative Justice Alternative Measures as these measures serve the community, victims and offenders, and relieve pressure on the Court System. The Victoria Family Court and Youth Justice Committee has supported numerous Alternative Justice development programs over the years, including multi jurisdictional training and training materials.

Victoria Family Court and Youth Justice Committee

Policy Statement

15 September 2004

ISSUE

Allowable expenses related to approved committee activities.

PHILOSOPHY

The Operations Manual identifies a travel expense policy (see 9.1 Travel Expense Policy and Procedure Documentation). These guidelines are limited to attendance at seminars and workshops. They do not address legitimate expenses incurred by standing committees and other committees approved by the executive through the Priorities Sub-committee. Volunteers give of their time, knowledge, experience and energy and should not be required to pay out of pocket any expenses incurred while performing responsibilities/duties associated in any way with the conduct of committee business. This statement is intended to address that issue.

GUIDELINES

Any chairperson of any committee, approved by the executive, may request up to \$200 to offset expected annual expenses. This submission will be made to the priorities Sub-committee for their approval. An accounting for the monies will form part of that committee's annual report, and will be subject to an internal audit by the Treasurer. It is expected that receipts are provided for reimbursement. Extraordinary expenses will be approved as deemed appropriate by the executive committee and the general membership.

Allowable Expenses

Include, but are not restricted to: meals, parking, mileage, office supplies, gratuities, transportation expenses other than already stated.

Approved this date _____

FAMILY COURT AND YOUTH JUSTICE COMMITTEE

Youth Matters Sub-Committee

Philosophy

The Family Court and Youth Justice Committee's origin and authority comes through three government ministries, thirteen municipalities, three school districts and the support of the Capital Regional District. Within this organization milieu, the Family Court and Youth Justice Committee must create working relationships with other organizations who are also concerned with youth and, to share information on projects and opportunities that further Family Court and Youth Justice Committee goals.

Purpose

- To help develop independent activities/projects for youth
- To support projects and programs already in existence
- To coordinate activities/projects with other groups and sub-committee chairs
- To evaluate/analyze youth projects and activities for effectiveness and their relationship to Family Court and Youth Justice Committee goals and make recommendations to the Committee
- To prepare progress reports on the above for the Family Court and Youth Justice Committee
- To organize sub-committee meetings
- To prepare a submission for the Committee's annual report

FAMILY COURT AND YOUTH JUSTICE COMMITTEE

Court Watch Sub-Committee

Philosophy

The Court Watch Sub-Committee will oversee all courts in the Capital Regional District that deal with youth and their families, observing their treatment within the court houses and court rooms.

Purpose

- To work with court house staff to develop improved procedures for handing youth (e.g. delays) before the courts
- To evaluate and analyze the sentencing of youth for various offences within and outside the court's jurisdiction and make recommendations to the Family Court and Youth Justice Committee
- To work with other court watches in other jurisdictions to determine ways and means of assisting judges regarding treatment and sentencing and submit suggestions to the Family Court and Youth Justice Committee
- To coordinate activities with other sub-committees
- To organize sub-committee meetings
- To prepare a submission for the Committee's annual report

FAMILY COURT AND YOUTH JUSTICE COMMITTEE

Communications/Planning Sub-Committee

Philosophy

The Family Court and Youth Justice Committee's origin and authority comes through three government ministries, thirteen municipalities, three school districts and the support of the Capital Regional District. Within this milieu, the Family Court and Youth Justice Committee must create and maintain a favourable reputation within and out of government. To assist in this endeavour, a new sub-committee has been established with a direct reporting relationship to the Executive

Purpose

It will be the intent of this sub-committee:

- To generate a flow of information into, through and out of the parent committee that is consistent with, and promotes, its short and long-term goals/activities
- To identify topical information and engage speakers familiar with issues within the Committee's mandate for inclusion on the agendas of monthly meetings
- To promote productive communications with associated agencies in the public domain, and in various levels of government
- To maintain a library of the Committee's history
- To assist in the development of the Annual Report
- To develop effective media relations
- To prepare media releases that focus on important Committee activities

FAMILY COURT AND YOUTH JUSTICE COMMITTEE

Priorities Sub-Committee

Philosophy

Approval had been reached within the Family Court and Youth Justice Committee to 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. This sub-committee was established to formalize the process for dispersal of project seed monies to community agencies or persons falling within the mandate of the Family Court and Youth Justice Committee.

Purpose

To evaluate applications to the Family Court and Youth Justice Committee for goods and services using set parameters and criteria, and to make recommendations to the Family Court and Youth Justice Committee on said applications.

Process

- Meet at request of Sub-Committee chair on receipt of applications to the Family Court and Youth Justice Committee for goods and services seed money prior to making a recommendation to the Family Court and Youth Justice Committee
- Provide summary of review, including recommendations, with rationale, to the Family Court and Youth Justice Committee
- Project liaison to provide accountability of project progress to the Family Court and Youth Justice Committee on a quarterly basis

Criteria for Goods and Services Submissions

1. Name of organization/person(s)
2. Background of organization/person(s)
3. Clear goals and objectives of the project/request – clear indications of relevance to family court and youth justice
4. Any unique feature(s) of the project
5. Determining if the project will dovetail with other similar work
6. Budget to include clear accounting with potential line items and accompanying narrative
7. Other funding avenues/partners being explored
8. Catchments area served – target population
9. Needs/problems to be addressed through the project work
10. Deliverables (goods and services to be delivered)
11. Time frames
12. Evaluation Framework

OATH OF CONFIDENTIALITY

Since members of the committee share privileged information under the *Young Offenders Act*, they are required to take the following oath:

OATH OF CONFIDENTIALITY

I, _____

Do promise and swear not to disclose or make known any matter or thing which comes to my knowledge for any reason of my involvement with the Victoria Family Court Committee, except insofar as my official duties require me to disclose, make known, report upon, or take official action regarding the same, or except insofar as I may be duly authorized to disclose or make known the same.

Sworn before me at

The City of Victoria, British Columbia

This _____ day of _____ 20 .

**Judge of the Provincial Court
of British Columbia**

Deponent sign here

IN WITNESS WHEREOF the parties hereto have set their hand and seal this _____ day of _____ 20 .

FOR THE COMMISSIONER OF CORECTIONS:

COMMISSIONER

FOR THE FAMILY COURT COMMITTEE:

3.3 MEETINGS

Meetings of the main Committee are held the third Wednesday of the month from 11:30 a.m. to 1:30 pm in the City of Victoria Council Chambers with lunch provided. Parking at the Fisgard, Yates or Broughton Street parkades can be validated at the time of the meeting.

3.4 FINANCE

The Treasurer maintains the bank account and reports monthly on the state of finances. Expenses that are incurred by members in working for the Committee will be reimbursed in accordance with policy outlined in section 9.1 Miscellaneous.

The year's financial statement appears in the Annual Report.

Signing authority for the Committee is outlined in the Terms of Reference under Section E, Duties of Officers. Policy requires two signatures on each cheque.

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4.1 PROVINCIAL STATUTE PROVIDING FOR THE FORMATION OF FAMILY COURT COMMITTEES

Provincial Court Act, Section 57 24-2

4. (1) Each Municipality **-may (change in legislation)** have a Family Court Committee appointed by the municipal council in January of each year; the members are to include persons with experience in education, health, probation or welfare, and to serve without remuneration.
- (2) Where a court facility in which family matters are dealt with serves more than one municipality or area not in a municipality, the Family Court Committee shall be composed of representatives from each area served.
- (3) The municipalities involved shall appoint one member of the Family Court Committee as Chairperson, and another as Vice-Chairperson.
- (4) The Family Court Committee shall:
 - Meet not less than four 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, to make recommendations to the court, the Attorney General, or others as it considers advisable and;
 - Assist the officers and judges of the court, where requested, to provide a community resource or assistance in individual cases referred to the committee; and
 - Report annually to the municipalities involved and to the Attorney General respecting their activities during the past year.

4.2 LETTER FROM THE ATTORNEY GENERAL ESTABLISHING THE VICTORIA FAMILY COURT COMMITTEE AS A YOUTH JUSTICE COMMITTEE

June 27, 1984

Thank you for your letter in which you request that the Family Court Committee for the Victoria area to be established as a youth Justice Committee under Section 69 of the Young Offenders Act.

This establishment of a Youth Justice Committee, while not conferring any particular rights and privileges on the Committee and its members, recognizes that the Committee has a legitimate role, as representatives of your community, in making the youth justice process more effective. The general mandate of a Youth Justice Committee is to work cooperatively with the Youth Court and Youth Workers by:

1. Considering and examining the resources of the community available for young offenders.
2. Assisting the court when requested.
3. Making recommendations to the Court and the Attorney Generals, which it considers advisable.
4. Assisting the judges and officers of the Court to provide a community resource for individual cases referred to the Committee.
5. Reporting annually to the Municipality and the Attorney General respecting the activities of the Committee during that year.
6. Engaging in other activities, which will assist the Court and the community to deal more effectively with young offenders.

The specific programs and activities your Committee might wish to pursue would be discussed with local officials of the youth justice system.

I am pleased to establish the Family Court Committee for Victoria as a Youth Justice Committee and I would like to take this opportunity to wish your Committee well in its most important task.

Brian R.D. Smith
Attorney General

4.3 SECTION 69 OF BILL c-61, YOUNG OFFENDERS ACT
Youth Justice Committees.

69. The Attorney General of a province or such other Minister as the Lieutenant Governor in Council of the province may designate, or a delegate thereof, may establish one or more committees of citizens, to be known as youth justice committees, to assist without remuneration in any aspect of the administration of this Act or in any problems or services for young offenders, and may specify the method of appointment of committee members and the functions of the committees.

DRAFT

**CAPITAL REGIONAL DISTRICTY
BYLAW NO. 2560**

**A BYLAW TO CONVERT THE AUTHORITY FOR A FAMILY COURT COMMITTEE TO AN
EXTENDED SERVICE FOR A PORTION OF THE REGIONAL DISTRICT**

WHEREAS by Letters Patent, Division VI dated the 16th day of March, 1967, the Capital Regional District was granted the function of constructing, reconstructing, maintaining, furnishing and equipping a Family and Children's Court Building;

AND WHEREAS by an amendment to the said Letters Patent dated the 10th day of September 1987, the Capital Regional District was granted the authority to fund the operation of a Family Court Committee as appointed under the *Provincial Court Act*;

AND WHEREAS the Corporation of the City of Victoria, the Corporation of the District of Saanich, the Corporation of the District of Oak Bay, the Corporation of the Township of Esquimalt, the City of Colwood, the District of Metchosin, and the Electoral Areas of Sooke, Langford and View Royal were participants in the function;

AND WHEREAS since the granting of the Letters Patent the Town of View Royal, the District of Langford and the District of Highlands have been incorporated as municipalities;

AND WHEREAS the Board of the Regional District wishes to exercise the function granted to it by Division VI of its Letters Patent in accordance with Part 24 of the *Municipal Act*, subject to all the terms and conditions contained in the Letters Patent, and including all the powers granted by the Letters Patent;

AND WHEREAS the Board of the Regional District wishes to proceed under section 775 of the *Municipal Act* to convert the portion of the service pertaining to the funding of the operation of the Family Court Committee to an extended service operated under the authority of a bylaw under sections 775(4) and 806 of the *Municipal Act*;

AND WHEREAS the Board of the Regional District has obtained the consent of at least two thirds of the participants under section 813 of the *Municipal Act*;

NOW THEREFORE the Regional Board of the Capital Regional District in open meeting assembled enacts as follows:

Bylaw 2560

EXTENDED SERVICE

1. The funding of the operation of a Family Court Committee, as appointed under the *Provincial Court Act*, is established as an extended service.

BOUNDARIES

2. The boundaries of the extended service shall be coterminous with the boundaries of the City of Victoria, the District of Saanich, the District of Oak Bay, the Township of Esquimalt, the City of Colwood, the District of Metchosin, the Town of View Royal, the District of Langford, the District of Highlands, Langford Electoral Area and Sooke Electoral Area.

PARICIPATING AREAS

3. The City of Victoria, the District of Saanich, the District of Oak Bay, the Township of Esquimalt, the City of Colwood, the District of Metchosin, the Town of View Royal, the District of Langford, the District of Highlands, the Langford Electoral Area and the Sooke Electoral Area include the participating areas for this extended service.

COST RECOVERY

4. The annual operating cost shall be recovered:
 - By the requisition of money under sections 822 and 823 of the *Municipal Act* to be collected by a property value tax levied and collected under sections 824 and 825 of the *Municipal Act*.

MAXIMUM REQUISITION

The Maximum amount that may be requisitioned under section 817 of the *Municipal Act* shall be \$10,000.00. (*Note that this amount was amended to \$15,000.00 by Bylaw No. 3048, "Family Court Committee Extended Service Establishment Bylaw No. 1, 1997, Amendment Bylaw No. 3, 2003"*)

COST APPORTIONMENT

5. The annual net cost attributable to this service shall be appointed among the municipalities and electoral areas participating in this service on the basis of:
 - 50% of the cost shall be apportioned on the basis of section 820 91) of the *Municipal Act* in the immediately preceding year in each participating municipality and electoral area.

- 50% of the cost shall be apportioned on the basis of the population of each participating municipality and electoral area based on the last census established by Census Canada prior to the year of apportionment.

POWERS

7. In providing the extended service established by this bylaw, the regional District shall without limiting the generality of Section 1:

- participate in and share the cost of a Family Court Committee under this bylaw;
- on behalf of the electoral areas to serve on the Family Court Committee appointed under Section 4 of the *Provincial Court Act*

REPEAL

8. Upon adoption of this bylaw, sections 4 through 7 of division VI – Family and Children’s Court granted by Letters Patent issued the 16th day of March 1967 as amended the 10th day of September 1987 will cease to have effect.

CITATION

9. This Bylaw may be cited as the “Family Court Committee Extended Service Establishment Bylaw No. 1, 1997.”

READ A FIRST TIME THIS 29th day of October 1997

READ A SECOND TIME THIS 29th day of October 1997

READ A THIRD TIME THIS 29th day of October 1997

APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS 6th day of January 1998

ADOPTED THIS 28th day of January 1998

CHAIR

ACTING SECRETARY

Filed with the Inspector of Municipalities this 3rd day of February 1998

CAPITAL REGIONAL DISTRICT

BYLAW NO. 2590

A BYLAW TO AMEND BYLAW 2560, BEING “FAMILY COURT COMMITTEE EXTENDED SERVICE ESTABLISHMENT BYLAW NO. 1, 1997”

The Board of the Capital Regional District in open meeting assembled enacts as follows:

1. Bylaw No. 2560, “Family Court Committee Extended Service Establishment Bylaw No. 1, 1997” amended as follows:

a) By adding to Section 2, **BOUNDARIES**, the following:

“and the Town of Sidney, the District of Central Saanich and the District of North Saanich”; and

b) By adding to Section 3, **PARTICIPATING AREAS**, after the words “the District of Highlands” and before the words “the Langford Electoral Area” the following:

“The Town of Sidney, the District of Central Saanich and the District of North Saanich”.

2. This Bylaw may be cited as “Family Court Committee Extended Service Establishment Bylaw No. 1, 1997, Amendment Bylaw No. 1, 1998”.

CONSENTED TO BY AT LEAST TWO THIRDS of the Municipalities of Victoria, Saanich, Oak Bay, Esquimalt, Colwood, Metchosin, View Royal, Highlands, Sidney, Central Saanich, North Saanich, and by the Directors of the Electoral Areas of Langford and Sooke.

ASSENT under section 811 (1) of the *Municipal Act* is hereby waived.

READ A FIRST TIME THIS 11th day of February 1998

READ A SECOND TIME THIS 11th day of February 1998

READ A THIRD TIME THIS 11th day of February 1998

APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS 13th day of March 1998

ADOPTED THIS 25th day of March 1998

CHAIR

ACTING SECRETARY

Filed with the Inspector of Municipalities this 3rd day of February 1998

CAPITAL REGIONAL DISTRICT

BYLAW NO. 2795

A BYLAW TO AMEND BYLAW 2560, BEING “FAMILY COURT COMMITTEE EXTENDED SERVICE ESTABLISHMENT BYLAW NO. 1, 1997”

The Board of the Capital Regional District in open meeting assembled enacts as follows:

1. Bylaw No. 2560, “Family Court Committee Extended Service Establishment Bylaw No. 1, 1997” amended as follows:
 - c) By adding to Section 7, **POWERS**, the following:

To provide funding for board approved committees whose purpose is related to juvenile justice issues.
2. This Bylaw may be cited as the “Family Court Committee Extended Service Establishment Bylaw No. 1, 1997” Amendment Bylaw No. 2, 2000.”

CONSENTED TO BY AT LEAST TWO THIRDS of the Municipalities of Victoria, Saanich, Oak Bay, Esquimalt, Colwood, Metchosin, View Royal, Langford, Highlands, Sidney, Central Saanich, North Saanich and Sooke, and by the Director of the Juan de Fuca Electoral Area.

ASSENT under section 811 (1) of the *Municipal Act* is hereby waived.

READ A FIRST TIME THIS 14th day of June 2000

READ A SECOND TIME THIS 14th day of June 2000

READ A THIRD TIME THIS 14th day of June 2000

APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS 25th day of July 2000

ADOPTED THIS 13th day of September 2000

CHAIR

ACTING SECRETARY

Filed with the Inspector of Municipalities this 14th day of September 2000



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

10. 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
11. The Vice-Chair shall:
 - a. Undertake duties of the Chair in his or her absence
 - b. Be an alternate signing authority for funds
12. 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
13. 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:

- Communications/Planning
- Youth Matters
- Priorities
- CRATSEY
- CASA for Children
- Court Watch

Youth Mental Health Task Force was created in 2005 and is still functioning to support the creation of a school based medical clinic pilot project that could address youth mental health issues.

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.

G. 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.

G. Annual General Meetings (Cont'd.)

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.

9.1 TRAVEL EXPENSE POLICY AND PROCEDURE DOCUMENTATION

A. Conferences and Seminars - Authorization

Authorization for attendance at all conferences and seminars for which expenses will be claimed is to be obtained in advance in accordance with the following:

1. Committee Member

Approval is to be obtained in advance from the Committee by motion at a regular meeting.

B. Seminars, Conferences and Meetings for which over Twenty-Four Hours absence from Place of Residence will be Required.

1. Per Diem Allowance

Where the absence from place of residence will be in excess of twenty-four hours, an approved per diem allowance will be provided to cover the following:

- a. Meals
- b. Gratuities
- c. Taxi Fares – excepting extraordinary expenses
- d. Cleaning Expenses
- e. Parking Expenses
- f. Telephone calls but not long distance phone calls

Where the common carrier departs after 12:00 noon or returns before 12:00 noon, one half of the per diem rate shall be paid providing the absence is in excess of one-half day.

Adjustments will be made to the per diem rate only where any meals are included in conference registration fee.

2. Accommodation

Accommodation or lodging expenses will be paid based on single occupancy rates.

3. Transportation

a. Lower Mainland to Hope and Vancouver Island including the Sunshine Coast:

Travel by automobile will be paid in accordance with the current automobile expense reimbursement rate.

Travel by bus, train, ferry or air-economy class will be paid for the actual expenses incurred.

b. Travel outside of the Lower Mainland and Vancouver Island:

Travel allowance will be paid on the basis of economy class air fare equivalent plus ground transportation when applicable or current automobile expense reimbursement rate where the overall travel cost will be more economical by automobile.

4. Other Expenses

Registration fees for conferences, conventions, seminars, etc., will be paid for single participation only.

C. Seminars, conferences, and Meetings for which Less than Twenty-Four Hours Absence from Place of Residence will be Required.

Where absence is less than twenty-four hours, actual out-of-pocket expenses, including mileage in accordance with the current automobile expense reimbursement rate will be paid. No per diem will be paid.

The daily maximum limit for meals and gratuities is as established from time to time by the Committee.

Meal expenses to the above maximum level will be paid if departure from place of residence is before:

7:00 am – breakfast

12:00 pm – lunch

6:00 pm – dinner

Expenses to the above maximum levels will be paid if return to place of residence is after:

12:30 pm – lunch

6:00 pm – dinner

Reimbursement will not be made for any meals included in conference registration fees.

D. Receipts

Receipts are required in support of the following types of expenditures:

1. Fares – air, bus, train and ferry
2. Accommodation
3. Miscellaneous:
 - a. Registration fees
 - b. Extraordinary taxi expenses
 - c. Long distance telephone calls
 - d. Parking

4. Per Diem Expenses

Receipts are not required to support those expenditures covered by per diem allowance.

F. Claims Procedure

Claims for travel expenses are to be submitted to the Treasurer of the Committee within thirty days of the period in which the expenses were incurred.

G. Advances

To obtain a travel advance, a written request must be completed and approved by the Treasurer at a regular meeting in advance of the date for which the funds are required.

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