



ADMINISTRATIVE REPORT

Report Date: March 21, 2013
Contact: Mary Clare Zak
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RTS No.: 10037
VanRIMS No.: 08-2000-20
Meeting Date: April 10, 2013

TO: Standing Committee on City Finance and Services
FROM: General Manager of Community Services
SUBJECT: Establishment of a Children, Youth and Families Advisory Committee

RECOMMENDATION

- A. THAT Council establish a Children, Youth and Families Advisory Committee to provide advice to Mayor and Council on issues, programs, policies and services related to children, youth and families as per the Terms of Reference outlined in Appendix A.
- B. THAT the Family Court/Youth Justice Committee (FCYJC) and its mandate be incorporated into the Children, Youth and Families Advisory Committee.
- C. THAT Council appoint a non-voting Councillor Liaison to the Committee and invite the Vancouver Board of Parks and Recreation and the Vancouver Board of Education to appoint a non-voting Commissioner Liaison and Trustee Liaison respectively to the Committee.
- D. THAT Council direct staff to proceed with a call for nominations for the Committee.
- E. THAT Council direct staff to appoint a non-voting Staff liaison to the Committee from the City, Vancouver Board of Parks and Recreation, Vancouver Public Library and Vancouver Police Department; and invite the Vancouver Board of Education, Vancouver Coastal Health and the BC Ministry of Children and Family Development to appoint non-voting Staff liaisons to the Committee.

REPORT SUMMARY

This report recommends the establishment of a Children, Youth and Families Advisory Committee to provide advice to Mayor and Council on issues, programs, policies and services related to children, youth and families. This report also recommends that the

existing Family Court/Youth Justice Committee (FCYJC) be incorporated into the mandate of this new committee in accordance with the *British Columbia Provincial Court Act* and the *Youth Criminal Justice Act*.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

In 1971, Council established a Family Court Committee in accordance with the *British Columbia Provincial Court Act*. In 1985, this committee was also designated a youth justice committee under the *Federal Youth Criminal Justice Act*.

In 1992, Council adopted a Children's Policy stipulating that children's interests should be considered in all civic decisions.

In 1995, Council adopted the Civic Youth Strategy that committed the City to ensure a strong youth voice in decision-making by involving youth as active partners particularly in: (i) the development, assessment and delivery of civic services which have a direct impact on youth; and (ii) broad spectrum community consultations and initiatives.

On October 31, 2012, Council received a report from the 2012 FCYJC with recommendations for a new committee mandate and structure. On the same day, Council adopted a motion requesting staff to report back to Council on these recommendations.

CITY MANAGER'S/GENERAL MANAGER'S COMMENTS

The City Manager recommends approval of the recommendations above.

REPORT

Background/Context

Vancouver's Family Court/Youth Justice Committee (FCYJC) is mandated by provincial and federal legislation. The City's Family Court Committee was established in 1971, and was designated a youth justice committee in 1985.

As a family court committee, the Family Court/Youth Justice Committee is mandated to assist in cases referred to it by family court officers and judges; to examine community resources for families and children; and to advise the court, Attorney General and others on these issues. As a youth justice committee, the Committee is able, but not obliged, to provide supports for young people alleged to have committed an offence and victims of the offence, and to advise senior governments on matters related to the youth criminal justice system. See Appendices B and C.

Particularly over the past five years, FCYJC members have raised concerns regarding the relevancy of these functions within a larger municipality where more policing and court related services for children, youth and their families are available. For example, the Vancouver Police Department has a Youth Referral Coordinator who intervenes to recommend extrajudicial measures in cases involving alleged young offenders and very few, if any, cases have been referred to the Committee by the

family court. In 2012, the FCYJC undertook a review of their mandate and determined that:

- The mandated work of the FCYJC is largely undertaken by service providers, government agencies and non-profit organizations in Vancouver;
- Many cities in the province are reviewing their family court committees; and
- In consultation with youth serving organizations, there is an identified need for a family, children and youth advisory committee on a broader range of issues in the City of Vancouver.

On October 31, 2012, Council received a report from the 2012 FCYJC with recommendations for a new committee mandate and structure based on their review. On the same day, Council adopted a motion requesting staff to report back to Council, after consultation with family, children and youth serving organizations that the City works with including the Vancouver Board of Education and Vancouver Park Board, on these recommendations. See Appendix D.

As directed, staff consulted with the Vancouver Board of Education, Vancouver Park Board, Vancouver Public Library, Joint Child Care Council, Vancouver Middle Childhood Matters Committee and Vancouver Youth Funders Table on these recommendations. Staff also conferred with the FCYJC on any modifications.

Strategic Analysis

The Committee's proposed mandate and structure will ensure compliance with Provincial and Federal statutes governing family court and youth justice committees, while addressing the recommendations identified in the 2012 FCYJC review.

The proposed Committee will fill an advisory gap by providing a mechanism available to Council and all staff on the full range of issues related to children, youth and families in Vancouver. The Committee will also help streamline the work of the City's Joint Child Care Council and external initiatives related to children, youth and families in which City staff participate – such as the Youth Funders Table.

The proposed Committee will further Council's priority of building strong, safe and inclusive communities, and will align with the Children's Policy (1992) and Civic Youth Strategy (1995) that support the involvement of children and youth in civic decisions that affect them and reaffirm the City's commitment to the UN Declaration on the Rights of the Child.

The Committee will include two thirds children and youth as members, extending the City's experience with youth engagement gained through initiatives like YouthPolitik, citizenU and the Dialogues Project. Staff Liaisons will support participation of younger members as needed.

The proposed Committee Terms of Reference will ensure participation from individuals with expertise in education, child welfare, health and probation, as well as a range of participation from Vancouver's diverse communities. Non-voting Staff Liaisons will be appointed from the City, Park Board, Public Library and Police Department to serve as resource persons, and the Vancouver Board of Education, Vancouver Coastal Health

and the BC Ministry of Children and Family Services will be invited to also appoint non-voting Staff Liaisons.

Should Council approve the establishment of this Committee, a call for nominations would commence immediately in accordance to the process outlined in the proposed Terms of Reference. Members would be appointed by Council in early June with an orientation and first meeting by mid-summer.

Implications/Related Issues/Risk (if applicable)

Financial

There are no financial implications.

Legal

The Terms of Reference for the proposed new Committee fully incorporate the terms required by the *British Columbia Provincial Court Act* and the *Youth Criminal Justice Act* governing family court and youth justice committees. The new Committee will be in compliance with provincial and federal legislation.

CONCLUSION

After review of the recommendations by the 2012 FCYJC and consultation with family, children and youth serving organizations, staff recommend establishing a Children, Youth and Families Advisory Committee with the proposed Terms of Reference, which incorporate the mandate of the Family Court/Youth Justice Committee. The proposed Committee will fill an advisory gap by providing a mechanism available to Council and all staff on the full range of issues related to children, youth and families in Vancouver.

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CITY of VANCOUVER
CHILDREN, YOUTH AND FAMILIES ADVISORY COMMITTEE (CYFAC)
TERMS OF REFERENCE

- Mandate** The mandate of CYFAC is to advise Council and staff on matters that relate to children, youth and families. If requested by the Court, the CYFAC is also mandated as a family court committee under the *British Columbia Provincial Court Act* and as a youth justice committee under the *Youth Justice Act*.
- Terms of Reference** The role of CYFAC is to:
- Advise City Council and staff on City services and programs that affect children, youth and families, and how senior government policies and programs may impact them.
 - Act as conduit for feedback from public to the City on matters that relate to children, youth and families.
 - Deal with related matters referred to it by City Council and its agencies, and take under consideration matters proposed to it by the Vancouver Board of Education and other agencies.
 - If requested by the Court:
 - Act as a family court committee under the *British Columbia Provincial Court Act* and/or a youth justice committee under the *Youth Criminal Justice Act*.
 - Report annually to the City and the Attorney General respecting its activities during the past year.
- Membership** The CYFAC shall have:
- A minimum of 12 and a maximum of 24 voting members.
 - Members are appointed for a one calendar year term and may apply to renew their appointment for subsequent one calendar year terms, subject to Council approval in January of each year.
 - Each term expires on December 31 and there is no limit on the number of terms being served.
 - To maintain membership, voting members must attend Committee orientation and 3 of the 4 regular meetings per year.
 - All members shall serve without remuneration.
 - An equal number of voting members from each of the following three age groups:
 - One third members, persons 14 years of age or younger at the beginning of their term.
 - One third members, persons between 15 and 21 years of age at the beginning of their term.
 - One third members, persons 22 years of age or older at the beginning of their term.
 - A Chair and Vice Chair, appointed by voting members each year.
 - A non-voting Councillor Liaison from City Council to serve as a resource person. The Park Board and Board of Education shall also be invited to appoint a non-voting Commissioner Liaison and Trustee Liaison respectively to serve as resource persons.

- Non-voting Staff Liaisons from the City, Park Board, Public Library and Police Department to serve as resource persons. The Vancouver Board of Education, Vancouver Coastal Health and the BC Ministry of Children and Family Development shall also be invited to appoint non-voting Staff Liaisons. Additional non-voting Staff Liaisons from other agencies may also be appointed.
- Additional non-voting members may be appointed without remuneration to working groups by voting members of that working group.

Meetings

The CYFAC shall meet a minimum of four times a year, including:

- Four regular meetings per year.
- Additional working sessions convened at the discretion of the Chair.
 - Working sessions may be used in particular to assist members of different age groups prepare for regular meetings.
 - The Chair may request support of Staff Liaisons to assist with working sessions.
 - A Working Group Chair and Vice-Chair may be appointed for the purpose of working sessions.

Committee Member Selection

Voting Members shall be appointed by City Council in consultation with School Board and Park Board Liaisons based on a staff assessment of abilities, skills, experience and knowledge.

- A minimum of four members of each of the three age groups mentioned above will be selected through the City of Vancouver's Civic Committee public selection process.
- City Council may appoint up to a maximum of four additional members per age group outside the City of Vancouver's Civic Committee public selection process with the aim of having:
 - Members with experience in education, health, probation or welfare in accordance with the requirements of a family court committee stipulated in the *British Columbia Provincial Court Act*.
 - Broad and adequate representation from Vancouver's diverse communities, including but not necessarily and not limited to representation from:
 - Diverse Aboriginal communities, age groups, abilities, ethno-cultural communities, genders, health statuses, lengths of residency, sexual orientations, socioeconomic circumstances;
 - Particular sectors, expertise and/or experiences on specific issues related to children, youth and families.
- City Council may appoint new Voting Members at any time to fill vacancies.
- An orientation for new members will be provided by Staff Liaisons in order to support the intergenerational work of the Committee.
- Successful applicants 18 years of age or older must submit a valid Criminal Record Check to the City before assuming membership.

Provincial Court Act - Section 5
[RSBC 1996] CHAPTER 379

Family court committee

- 5 (1) A municipality must have a family court committee appointed by the municipal council in January of each year.
- (2) The members of a family court committee must include persons with experience in education, health, probation or welfare.
- (3) The members of a family court committee serve without remuneration.
- (4) If 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 must be composed of representatives from each area served.
- (5) The municipalities involved must appoint one member of the family court committee as chair, and another as vice chair.
- (6) The family court committee must do the following:
- (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;
 - (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;
 - (c) report annually to the municipalities involved and to the Attorney General respecting their activities during the past year.

YOUTH CRIMINAL JUSTICE ACT - SECTION 18

(S.C. 2002, c. 1)

YOUTH JUSTICE COMMITTEES

Youth justice committees

18. (1) The Attorney General of Canada or a province or any other minister that the lieutenant governor in council of the province may designate may establish one or more committees of citizens, to be known as youth justice committees, to assist in any aspect of the administration of this Act or in any programs or services for young persons.

Role of committee

(2) The functions of a youth justice committee may include the following:

(a) in the case of a young person alleged to have committed an offence,

(i) giving advice on the appropriate extrajudicial measure to be used in respect of the young person,

(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,

(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

(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;

(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;

(c) advising the federal and provincial governments on policies and procedures related to the youth criminal justice system;

(d) providing information to the public in respect of this Act and the youth criminal justice system;

(e) acting as a conference; and

(f) any other functions assigned by the person who establishes the committee.

Supports Item No. 5
PT&E Committee Agenda
October 31, 2012

MOTION

5. Establishing a Children, Youth and Families Advisory Committee

Vancouver City Council, at its meeting on October 30, 2012, referred this matter to the Standing Committee on Planning, Transportation and Environment meeting on October 31, 2012, in order to hear from speakers.

MOVED by Councillor Andrea Reimer

WHEREAS

1. The Family Court/Youth Justice Committee (FCYJC) is a citizen's advisory committee created by provincial statute;
2. The 2012 FCYJC undertook a review of their mandate and determined that:
 - the mandated work of the FCYJC is largely undertaken by service providers, government agencies and non-profit organizations in Vancouver;
 - many cities in the province are reviewing their Family Court committees; and
 - in consultation with youth serving organizations there is an identified need for a family, children and youth advisory committee on a broader range of issues in the City of Vancouver;
3. In September 2012, Council was advised that the 2012 FCYJC would be completing their full report by the end of October 2012 with recommendations for moving forward.

THEREFORE BE IT RESOLVED THAT Council receive the report of the FCYJC as attached in Appendix A;

AND FURTHER THAT Staff be directed to report back to Council, after consultation with family, children and youth serving organizations that the City works with including the Vancouver School Board and Vancouver Park Board, on the recommendations in the 2012 FCYJC report to establish a Children, Youth and Families Advisory Committee.

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FAMILY COURT/YOUTH JUSTICE COMMITTEE

VanRIMS No.: 08-3000-11

September 26, 2012

Councillor Andrea Reimer
Council Liaison, Family Court/Youth Justice Committee

Dear Councillor Reimer:

RE: Family Court/Youth Justice Committee

The Family Court/Youth Justice Committee (FC/YJC) is a City Council appointed and provincially mandated citizen advisory committee. The Committee's duties are to:

- (a) Examine and consider resources available in the community for families, children and youth, and professionals working with this population and young offenders.
- (b) Provide leadership on youth justice, family, and social issues.
- (c) Make recommendations to the Court, to the Attorney General, to the City Council or to others, as required.
- (d) Assist the Court when requested in individual cases referred to the Committee.
- (e) Act as a Family Court when required (this is the provincially mandated portion of the committee).

In practice, the FC/YJC does not fulfill the last two duties (d and e) due to the availability of sufficient legal resources in Vancouver, whereas FC/YJ Committees in smaller/rural municipalities may be required to fulfill these duties. As a result, the Committee focuses on providing leadership, advocacy and recommendations surrounding youth and family issues (duties a, b and c).

The term for the FCYJC is provincially stipulated to run for one year, as opposed to the three-year terms of other Council-appointed citizen advisory committees. There have been major issues regarding the functionality of the committee due to this short term, which makes it difficult to create continuity, focus and cohesion within the FC/YJC.

Over the past two years, the FC/YJC began addressing the issues related to the structure of the Committee. Two main points were conceded. First, it is difficult to affect change in legal/court settings due to the civic jurisdiction of the committee and the provincial/federal jurisdiction of law/police. Second, there is an inherent difficulty in maintaining momentum within the Committee with a term of one-year and, potentially, only ten meetings. Of these

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ten meetings only four meetings per year are clerked by City staff, which then - and only then - allows for motions to be passed.

It should be noted that the FC/YJC has acted, due to being provincially mandated, as the de-facto citizen advisory committee for children, youth and family because the creation of a separate committee for children, youth and families would have been duplicative and, potentially, wasteful. But because of the aforementioned structural challenges of the FC/YJC, children, youth and families are left without fully functioning representation through the citizens advisory committee system. This, in the opinion of the current FC/YJC, is unacceptable.

In light of these deep challenges, the current FC/YJC proposes that the Committee be dissolved of its current form and re-invented under the scheme laid out below.

1. **Name of the New Committee:** 'Children, Youth and Families Committee' (CYFC).
2. **Membership:** The membership parameters below are intended to create a diversity of representation for the proposed committee:
 - Maximum of 24 members;
 - 3 year-term per member, at the start of every new Council term;
 - Membership is divided into the three following 'age brackets' in order to create proportionality:
 - Children, ages 14 and under
 - Youth, ages 15-24
 - Parents & Service Providers, ages 24+;
 - Ages will be 'grandfathered' according to the date at which an individual joins the committee;
 - Each of the three 'age brackets' above is reserved 8 seats each on the CYFC;
 - Within each 'age bracket', half of those seats (4) will be open to the General Public. The other four seats per 'age bracket' are to be designated to representatives of organizations that work on issues related to Children, Youth and Families;
 - Working groups/sub-committees will be established to represent each 'age bracket';
 - Further working groups or subcommittees can be made under the auspices of the CYFC;
 - Children and Youth working groups could ask for a reduced one-year commitment;
 - Committee working groups may ask for assistance from the general public. These individuals would become members of the working group, but non-voting members of the Committee, as per other advisory committees; and

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- If an individual is unable to fulfill their term, replacement can occur as per other advisory committees.
3. **Goals:** The Children, Youth and Families Committee will have an advising function and create representation for children, youth and families on the issues it chooses to pursue and on issues brought to it by City Council.
 4. **Deliverables:**
 - The Child, Youth and Families Committee will have four regular meetings per year.
 - Working sessions can meet more often/as needed.
 - The main committee will report on its work to City Council.
 5. **Scope/Jurisdiction:** The Provincially-mandate duties to assist the Court when requested in individual cases referred to the Committee and act as a Family Court when required will be subsumed through the role of the main committee and not through a separate sub-committee or working group.

The CYFC will:

- Examine and consider resources available in the City of Vancouver for families, children and youth, and professionals working with these populations.
- Provide leadership on child, youth, family, and social issues within Vancouver.
- Advocate to the City Council, Province, Federal Government, Court, Attorney General, or to others, as required.
- Work on issues that the City of Vancouver brings to the committee for its opinion, recommendations and comments.

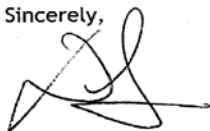
The CYFC will not:

- Advocate on family court or youth justice issues pertaining to provincial or national jurisdictions
 - Provide direct programming or services
 - Apply for grants that compete with non-profit organizations
6. **Resources and Budget:** Any funds in the FC/YJC bank account will be transferred to the new CYFC.

7. Governance

- Four City-clerked meetings per year as per other advisory committees.
- Motions to be passed by a simple majority as per the City of Vancouver Procedure By-Law.
- Decision-Making Technique and Relationships of Authority within the group are to resemble the structures of other City council appointed citizen advisory committees.
- The new committee's meetings will be open to public.
- It is recognized that having children on a committee and in working groups will create some challenges. Logistics, suitable format, and supports around having children on the committee will need to be worked out.

Sincerely,



Drew Stewart, Chair
Family Court/Youth Justice Committee



Sarah Stewart, Vice-Chair
Family Court/Youth Justice Committee

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