



**PUBLIC GUARDIAN AND TRUSTEE OF BRITISH COLUMBIA**

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**CHILD AND YOUTH GUARDIANSHIP SERVICES 2016–2017 REPORT**

# VALUES

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Seven major values underpin the work of the Public Guardian and Trustee (PGT) and are reflected in all aspects of PGT performance:



## CLIENT CENTRED SERVICE

We constantly strive to provide quality customer service to our clients.



## INTEGRITY

We act in accordance with the highest ethical, legal and personal standards.



## TEAMWORK

We work with one another and with service partners in striving for seamless service delivery.



## RESPECT

We treat clients, their family and friends in a courteous, respectful manner.



## INNOVATION

We challenge ourselves to seek new and improved ways to deliver service and assist clients.



## STAFF SUPPORT

We acknowledge staff as our greatest resource and recognize and appreciate their expertise, professionalism and commitment.



## OPENNESS

We demonstrate responsibility and transparency to clients, government and the public through annual statutory public reporting on all aspects of our performance.



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## MESSAGE FROM THE PUBLIC GUARDIAN AND TRUSTEE

I am pleased to release the ninth annual Child and Youth Guardianship Services Report about the work done by the Public Guardian and Trustee (PGT) on behalf of British Columbia's children and youth in continuing care.



The PGT has the duty and privilege under provincial law of supporting children and youth in government care by acting as their property guardian. In this role, the PGT protects a child's legal interests, secures financial benefits to which a child may be entitled and acts as trustee of a child's money or other property until the child reaches the age of majority. Through this work the PGT strives to provide children and youth in care with a measure of financial security and a foundation upon which to build their future lives as independent young adults once they leave care.

A critical role for the PGT in protecting the legal interests of children and youth is to respond to reportable circumstance reports concerning young people in care who have been involved in a serious incident or suffered injury. During the period covered by this report, the PGT received and responded to 1,041 reports involving 587 children and youth and where appropriate, the PGT took action to seek compensation for these young people for their losses. During this same period, legal work undertaken by the PGT resulted in recovery of \$6.2 million on behalf of property guardian clients from a broad variety of legal matters including estate and inheritance rights, civil claims for damages related to the wrongful death of a parent or flowing from injuries and losses caused by motor vehicle or other accidents or sexual assault.

Since the introduction by the government of Canada of the federal Registered Disability Savings Plan (RDSP) program, the PGT has committed to establishing and maintaining a RDSP for every eligible property guardian client. RDSPs can provide long term financial security to a person living with a disability. In the period covered by this report, the PGT administered 659 RDSP accounts valued at approximately \$6.2 million for children and youth in care who are living with a disability and who were eligible for the plan.

Through other work to secure financial benefits for children and youth in continuing care, this year the PGT recovered over \$700,000 consisting of various federal, provincial and Aboriginal Band payments for property guardian clients. Overall, as at March 31, 2017, the PGT held \$28.3 million in trust for children and youth in care.

The PGT recognizes that its work to protect the legal interests and to build financial security of children and youth in continuing care brings with it the responsibility to create appropriate transition services so that youth leaving care have the skills and support they will need to manage their affairs on their own as young adults. To this end, the PGT ensures that transition planning for each property guardian client begins two years before a youth leaves care. Each young person's financial and legal needs are assessed by the PGT and consideration is given to what resources may be available to provide future support where required. As part of its transition services, the PGT provides financial literacy training to its property guardian clients and over the past year facilitated 49 financial literacy workshops offering basic money management and budgeting skills to youth in communities across the province.

Throughout the year, the PGT also collaborated with the coguardians of children in continuing care, the Ministry of Children and Family Development (MCFD) and the Delegated Aboriginal Child and Family Services Agencies (DAAs), as well as with community partners and other youth serving agencies to identify ways to improve outcomes for youth leaving care. One such initiative was the creation of an online interactive financial literacy training module for youth produced in collaboration with the Adoptive Families Association of BC in partnership with MCFD and the Federation of BC Youth in Care Networks. In addition, the PGT strived to enhance transition services to youth, by advocating for legislative amendments which would allow the PGT to continue to serve as trustee of assets for youth leaving care who wish to have the PGT continue as trustee for a defined period of time. The extended period of trusteeship would provide youth leaving care with more time to prepare to take on the responsibility of independent financial management.

The PGT is committed to providing effective property guardianship services and to working together with our coguardians MCFD and the DAAs to make a positive contribution to the lives of children and youth in care. We look forward to the opportunities the coming year will bring as we build our capacity to do this important work.

Catherine M. Romanko  
Public Guardian and Trustee

# CHILD PROTECTION AND GUARDIANSHIP

The delivery of child protection and guardianship services in BC involves the following public agencies, government bodies and courts. While all share the common goal of supporting children at risk, each has a unique role.



## **PUBLIC GUARDIAN AND TRUSTEE (PGT)**

As property guardian, the PGT protects the legal and financial interests of children and youth in continuing care and is coguardian with MCFD and DAAs of these children.

### **MINISTRY OF CHILDREN AND FAMILY DEVELOPMENT (MCFD)**

As personal guardian, MCFD takes children at risk into care and ensures their day to day needs are met; is coguardian with the PGT for children and youth in continuing care.

### **SUPREME COURT OF BRITISH COLUMBIA**

With respect to matters of property guardianship, the Supreme Court may hear matters of custody, property interests and claims for damages for personal injury.

### **SELECT STANDING COMMITTEE ON CHILDREN AND YOUTH**

A committee established by the BC Legislature to provide legislative oversight on provincial services to children.

### **DELEGATED ABORIGINAL CHILD AND FAMILY SERVICE AGENCIES (DAAs)**

Aboriginal agencies with statutory delegated authority for child protective services for indigenous children and youth at risk as well as non statutory voluntary services; some DAAs have personal guardian responsibilities and are coguardian with the PGT for children and youth in continuing care.

### **PROVINCIAL COURT OF BRITISH COLUMBIA**

With respect to matters of property guardianship, the Provincial Court grants child protection orders including continuing custody orders, may order transfer of guardianship, and adjudicates small claims involving personal injury.

### **CHILDREN'S FORUM**

An information sharing forum for BC senior officials with an interest in child protection and related services: includes the PGT, MCFD, RCY, Chief Coroner, Provincial Health Officer and Ombudsperson.

### **REPRESENTATIVE FOR CHILDREN AND YOUTH (RCY)**

The Representative is responsible for supporting children, youth, young adults and their families in dealing with the child and youth serving system, for advocating for improvements to the system and for providing oversight of public bodies that deliver services and programs to children and youth.

## PGT OVERVIEW

This is the ninth annual report regarding child and youth property guardian services provided by the Public Guardian and Trustee (PGT). The purpose of this report, which covers the period of April 1, 2016 to March 31, 2017, is to describe PGT services, key activities and outcomes related to supporting children and youth in continuing care of the province of BC. The report also outlines emerging and continuing opportunities and

challenges related to serving children and youth as property guardian.

The PGT is a corporation sole established under the *Public Guardian and Trustee Act* with a unique statutory role to protect the interests of British Columbians who lack legal capacity to protect their own interests.

The mandate of the PGT is to:



The PGT provided services with 268 full time equivalent employee positions and served approximately 26,700 clients throughout 2016–2017. It managed \$974 million of client trust assets during this period. The PGT self funds

a large percentage of its actual expenditures through fees charged on client income and assets under PGT administration with supplementary government funding that supports public services such as regulatory and oversight activities.

## PGT CHILD AND YOUTH SERVICES

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Through its **Child and Youth Services (CYS) Division**, the PGT protects the legal and financial interests of children and youth under a number of provincial laws. CYS responsibilities can be grouped into the three broad service categories of property guardian, trustee and protective legal reviews.



### PROPERTY GUARDIAN

As property guardian, the PGT protects the legal and financial interests of children and youth in the continuing care of the province, those undergoing adoption, without a legal guardian, and in some cases, children in temporary care.

### TRUSTEE

As trustee, the PGT invests and manages funds for children and youth from a number of different sources, including personal injury settlements or court awards, life insurance payments, inheritances where no other trustee is appointed and part of the wages paid to child and youth actors. Funds are typically held in trust until the youth reaches 19 years of age, but may be used earlier if it is in the best interests of the child or youth.

### PROTECTIVE LEGAL REVIEWS

The PGT reviews all proposed settlements of claims for damages of children and youth for personal injury, a variation of a will or trust and claims made under the *Family Compensation Act* to ensure outcomes are in the best interests of the child or youth.

The most common claims reviewed by the PGT relate to motor vehicle accidents. The PGT also investigates concerns about trusts and estates in which children or youth may have an interest.

PGT guardianship duties and trustee duties respecting children and youth may overlap in some cases where, for example, a child or youth in continuing care is also the beneficiary of an estate. In such cases, the PGT is property guardian for the child or youth and also acts as trustee of the child or youth's interest in the estate.

## PUBLIC GUARDIANSHIP SERVICES IN BC

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When children lose a parent or legal guardian and have no one to act as their guardian, the province assumes the duties of guardian. These children and youth are among the most vulnerable members of society.

BC law divides the duties of public guardianship into two parts:



### PERSONAL GUARDIANSHIP

The duty to find safe homes for children and youth and to make decisions about their personal and health care needs. This role is performed by MCFD or DAAs.



### PROPERTY GUARDIANSHIP

The duty to look after the financial and legal interests of children and youth. This role is performed by the PGT.

Guardianship duties are divided because of the inherent conflict of interest between the duties of the personal and property guardians. In some cases, protecting the legal and financial interests of a child or youth may require taking legal action against the coguardian in situations where coguardian negligence may have caused injury or loss to a child or youth.



## PGT PROPERTY GUARDIANSHIP SERVICES

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The PGT is property guardian for all children and youth who are in the continuing care of the province under the child protection provisions of the *Child, Family and Community Service Act*, undergoing adoption, without a legal guardian, or for whom the court has ordered the PGT to be property guardian under a temporary custody order.

There are 44 PGT staff positions that provide all CYS services, including property guardianship services. Collaboratively, staff ensure that financial benefits to which individual child and youth clients are entitled are collected and viable legal claims are pursued. In order to carry out many of its property guardianship duties, the PGT must rely heavily on information it receives from MCFD and DAAs, particularly from social workers who have day to day interactions both with the children and youth for whom they are personal guardian as well as their caregivers.

There are numerous ways in which the PGT receives information from MCFD and DAAs about legal and financial issues for children and youth. The information received may pertain to the current circumstances of the child or youth, but can also be information regarding past events.

Several communications processes are in place to facilitate information sharing between the PGT, MCFD and DAAs as coguardians. MCFD forwards a monthly demographic report advising the PGT which children and youth are in continuing care. Once notified the PGT requests MCFD and DAAs to complete an initial information form about the legal or financial issues affecting the child or youth.

The PGT requests this information to be updated annually and also creates its own report describing the property guardianship services it has provided to the child or youth over the past year. These annual reviews support ongoing activities such as pursuing financial benefits, investigating potential legal claims and collaborating on transition services.

The PGT also receives copies of Initial Reportable Circumstance reports from MCFD and DAAs which are reviewed and referred to legal counsel if the information in the report indicates further investigation and possible legal action is required. The PGT refers to these reports as critical incident reports (CIRs).

PGT property guardianship services end by law when the child reaches 19 years of age, when the child is adopted, when guardianship of the child is transferred, when the child is returned to the parent(s) or when the child dies. In any of these circumstances, the PGT does a complete file review to ensure that all pertinent information is communicated and if needed, appropriate supports are in place for the child or youth with respect to the ongoing management of their finances and/or legal issues.

The following sections of this report describe the key activities and outcomes for the year April 1, 2016 to March 31, 2017.

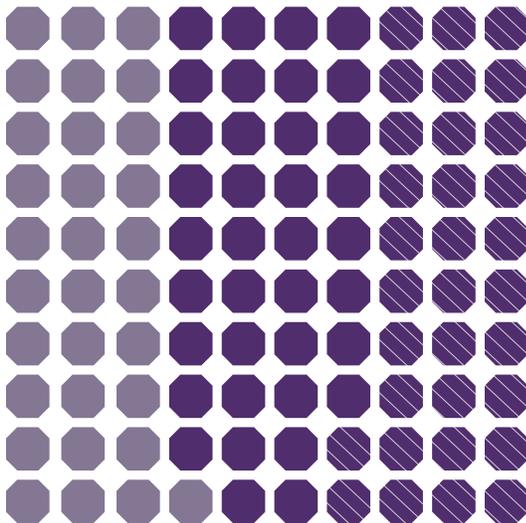


# PGT PROPERTY GUARDIANSHIP SERVICES

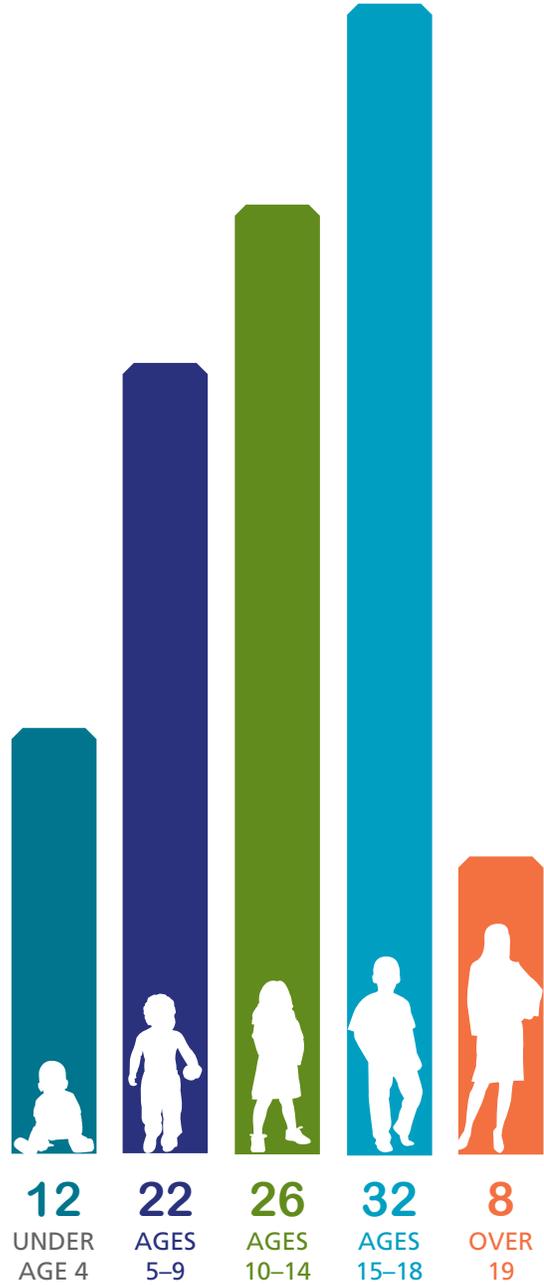
IF PGT PROPERTY GUARDIAN CLIENTS WERE IMAGINED AS A VILLAGE OF 100 CHILDREN, THEN:

**53**  
MALES

**47**  
FEMALES



- 31  NOT INDIGENOUS
- 37  INDIGENOUS SERVED BY DAA
- 32  INDIGENOUS SERVED BY MCFD



NOTE: ALL DATA IN THIS REPORT IS DERIVED FROM PGT SOURCES, EXCEPT FOR INFORMATION REGARDING INDIGENOUS IDENTITY, WHICH IS PROVIDED BY MCFD. DATA AT MARCH 31, 2017. ALL NUMBERS IN THIS REPORT ARE ROUNDED.

## FINANCIAL SERVICES

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The PGT pursues financial benefits and entitlements for property guardian clients. These efforts have resulted in growing financial assets for the children and youth served by the PGT as property guardian. At March 31, 2017, the PGT held approximately \$28.3 million in assets on behalf of these children and youth from a variety of sources.

A key area of focus for the PGT is to establish RDSPs for children and youth who have received a Disability Tax Credit designation from the federal government. A RDSP is a tax deferred savings plan intended to provide significant long term financial benefits to adults and children or youth with disabilities. The PGT is committed to advancing the interests of its property guardian clients by collecting the federal funds associated with the RDSP program which take the form of matching grants, with a lifetime limit of \$70,000, and annual bonds, with a lifetime limit of \$20,000.

The PGT has made extensive efforts to open RDSPs for its eligible property guardian clients, resulting in 659 RDSPs worth approximately \$6.2 million at March 31, 2017. The value of the established RDSPs continue to grow as the PGT secures the annual \$1,000 bond for each eligible child or youth.

With support from the Vancouver Foundation, the Plan Institute administers the Endowment 150 (E150) Program to assist individuals and families with low incomes save for their future by providing one time gifts of \$150 to help their RDSPs grow. The PGT applies for the E150 and contributes the \$150 gift to each child's RDSP. This attracts an additional \$450 in matching grants from the federal government, resulting in a further growth to RDSPs for children in continuing care.



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In 2016–2017, the PGT was pleased to accept an invitation to be a member of the RDSP Action Group, an advisory committee to government working towards the province's Accessibility 2024 commitment to build and maintain BC's position as the province with the highest per capita uptake of RDSPs in Canada. The PGT has been able to provide a unique perspective to the committee, with insights into the challenges with uptake and ongoing management of RDSPs for vulnerable population groups such as children in continuing care and vulnerable adults.

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## FINANCIAL SERVICES

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### CAREFUL TRANSITION PLANNING LEADS TO CONTINUED FINANCIAL GROWTH FOR GEMMA'S RDSP

#### NOTIFICATION

The PGT was notified by MCFD that Gemma was found by the Canada Revenue Agency to be eligible for the Disability Tax Credit. Being eligible for this tax credit meant that Gemma was eligible to open a Registered Disability Savings Plan.

#### OPENING THE RDSP

The PGT established a RDSP for Gemma and advised her social worker of the existence of the RDSP and that the PGT would file Gemma's income tax returns each year beginning in the year she turned 16 years of age. By filing Gemma's annual income tax return, the PGT ensured Gemma would continue to receive the government grants and bonds available for deposit to her RDSP to increase its value each year.

#### FILING INCOME TAX RETURNS

At age 16 years, Gemma got a part time job working in a fast food restaurant. Gemma's social worker forwarded Gemma's tax slips to the PGT so that the PGT could file her income tax returns. Gemma received her annual \$1,000 Canada Disability Savings Bond later that year.

#### TRANSITION PLANNING INQUIRY

When Gemma turned 17 years of age, her social worker and PGT staff began to plan for Gemma's transition to adulthood. Numerous discussions occurred about the various options that might work best for Gemma and her situation, knowing that Gemma's disability would impact her ability to manage her own legal and financial affairs as an adult. The PGT asked Gemma's social worker whether Gemma had any family, friends or unpaid supports who were trusted by her and who might be willing to help her manage her RDSP once the PGT's role as property guardian ended.

#### COLLABORATIVE TRANSITION PLANNING

At age 18 years, Gemma's larger support team, including her foster parents, her social worker and representatives from Community Living BC and Services to Adults with Developmental Disabilities came together to plan for Gemma's transition to adulthood. The PGT attended several meetings to provide information about Gemma's RDSP and options for its future management. Lisa, the adult daughter of Gemma's foster parents, was someone who knew Gemma well and was a person who Gemma trusted. After several discussions with both Gemma and Lisa, there was consensus with Gemma and her transition planning team that Lisa was the best person to help Gemma with her RDSP once she was an adult.

#### RDSP TRANSFER

Once Gemma turned 19 years and received independent legal advice arranged for her by the PGT, she appointed Lisa as her Representative under a Representation Agreement. PGT staff worked with Lisa and Gemma to have the RDSP transferred to Gemma so that her RDSP could continue to grow, with Lisa providing assistance to Gemma with the overall management.

NOTE: ALL NAMES HAVE BEEN CHANGED AND PHOTOGRAPHS ARE SELECTED FROM STOCK IMAGES TO PROTECT THE PRIVACY OF PGT CLIENTS.

MAJOR CATEGORIES OF ASSETS AT MARCH 31, 2017

NUMBER OF CLIENTS	ASSET TYPE	TOTAL VALUE OF ASSET TYPE
659	REGISTERED DISABILITY SAVINGS PLANS	\$6,177,998
854	TRUST ACCOUNTS WITH CASH BALANCES	\$11,963,863
17	HOLDINGS IN INVESTMENT ACCOUNTS	\$10,120,860

NOTE: THESE REPRESENT THE THREE MAJOR CATEGORIES OF ASSETS HELD BY PGT FOR CHILDREN AND YOUTH FOR WHOM THE PGT ACTS AS PROPERTY GUARDIAN.



## FINANCIAL SERVICES

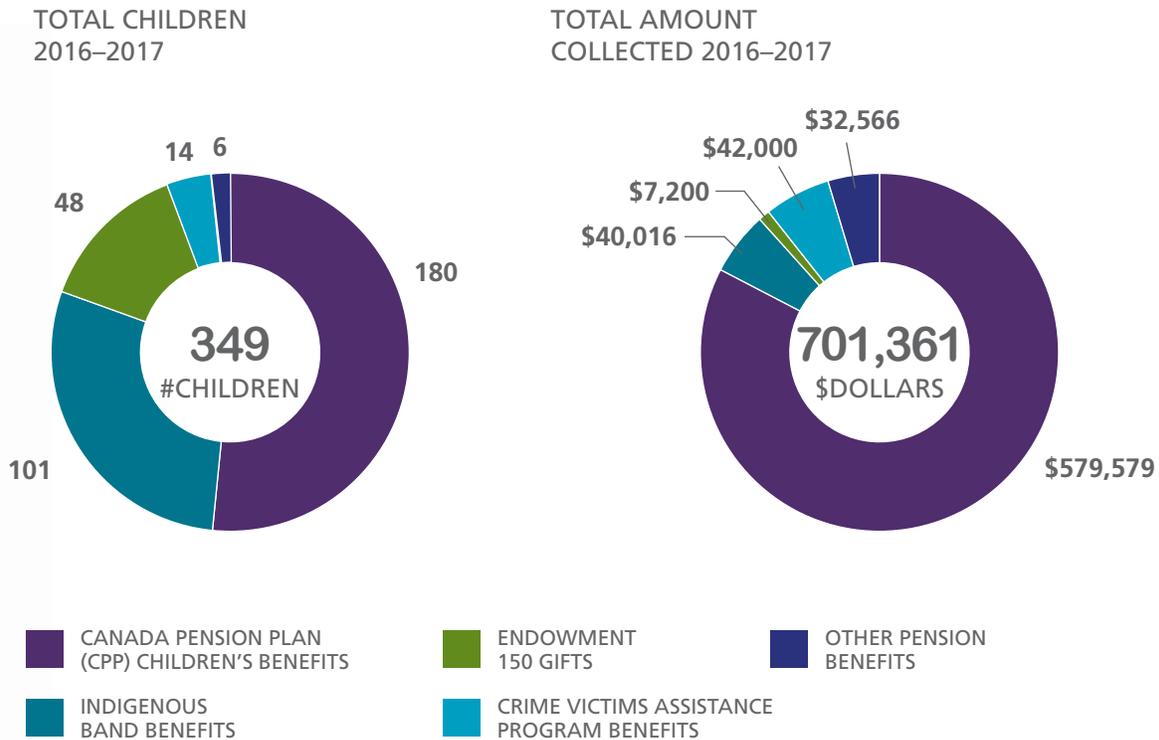
### TYPES OF FUNDS HELD BY THE PGT AT MARCH 31, 2017

SOURCE OF FUNDS	TOTAL VALUE OF FUNDS	% OF TOTAL VALUE
PERSONAL INJURY PROCEEDS	\$14,556,540	51%
REGISTERED DISABILITY SAVINGS PLANS (RDSP)	\$6,177,998	22%
CANADA PENSION PLAN (CPP) CHILDREN'S BENEFITS	\$2,591,098	9%
ESTATE PROCEEDS	\$1,869,465	7%
FAMILY COMPENSATION ACT PROCEEDS	\$1,410,926	5%
INSURANCE PROCEEDS	\$646,436	2%
OTHERS	\$1,010,258	4%
<b>TOTAL</b>	<b>\$28,262,721</b>	<b>100%</b>

NOTE: THIS REPRESENTS THE TYPES OF FUNDS AND VALUES OF ALL FUNDS HELD IN TRUST BY THE PGT FOR CHILDREN AND YOUTH FOR WHOM THE PGT ACTS AS PROPERTY GUARDIAN.



## FINANCIAL BENEFITS COLLECTED 2016–2017



The PGT pursued and collected over \$700,000 in various financial entitlements and benefits on behalf of children and youth in 2016–2017. These can include death benefits, indigenous band benefits and various federal and provincial government benefits. Additional amounts were collected on behalf of children and youth in 2016–2017 as a result of the work of the PGT's legal counsel, bringing legal actions on behalf of children and youth, such as personal injury claims.

As personal identification is a key element to securing financial benefits, the PGT applies for birth certificates and social insurance numbers for all children and youth in care. In 2016–2017, PGT staff

applied for 464 birth certificates from the BC Vital Statistics Agency.

All funds collected by the PGT are held in trust accounts in the child's name until the child or youth reaches age 19. While the PGT has statutory discretion to consider the release of funds for special opportunities which directly benefit the child or youth, the primary responsibility for the child's day to day needs and financial support remains with their personal guardians, MCFD and DAAs. As such, the majority of funds collected on behalf of children and youth in care is preserved until age 19.

## CRITICAL INCIDENT REPORTS

The PGT receives notification from MCFD and DAAs of critical injuries and serious incidents involving children and youth in continuing care either through critical incident reports (CIRs) or the annual update reports. The nature of the incidents described within the reports is varied, ranging from a child or youth leaving a foster home without permission, to a child being involved in a motor vehicle accident, or abused or harmed. These reports are investigated and may lead to a legal claim being pursued on behalf of a child who has suffered a loss. In 2016–2017, 1,041 CIRs were received by the PGT involving 587 children and youth. There has been a significant increase in the number of CIRs over the last two fiscal years, likely due to MCFD’s roll out of an updated Reportable Circumstance Policy and Guidelines. Some of the children and youth were the focus of more than one CIR during the year. PGT staff act quickly to review CIRs as immediate action may be required to preserve the right to advance a legal claim.

THERE WERE **1,041** REPORTS  
FOR **587** CHILDREN

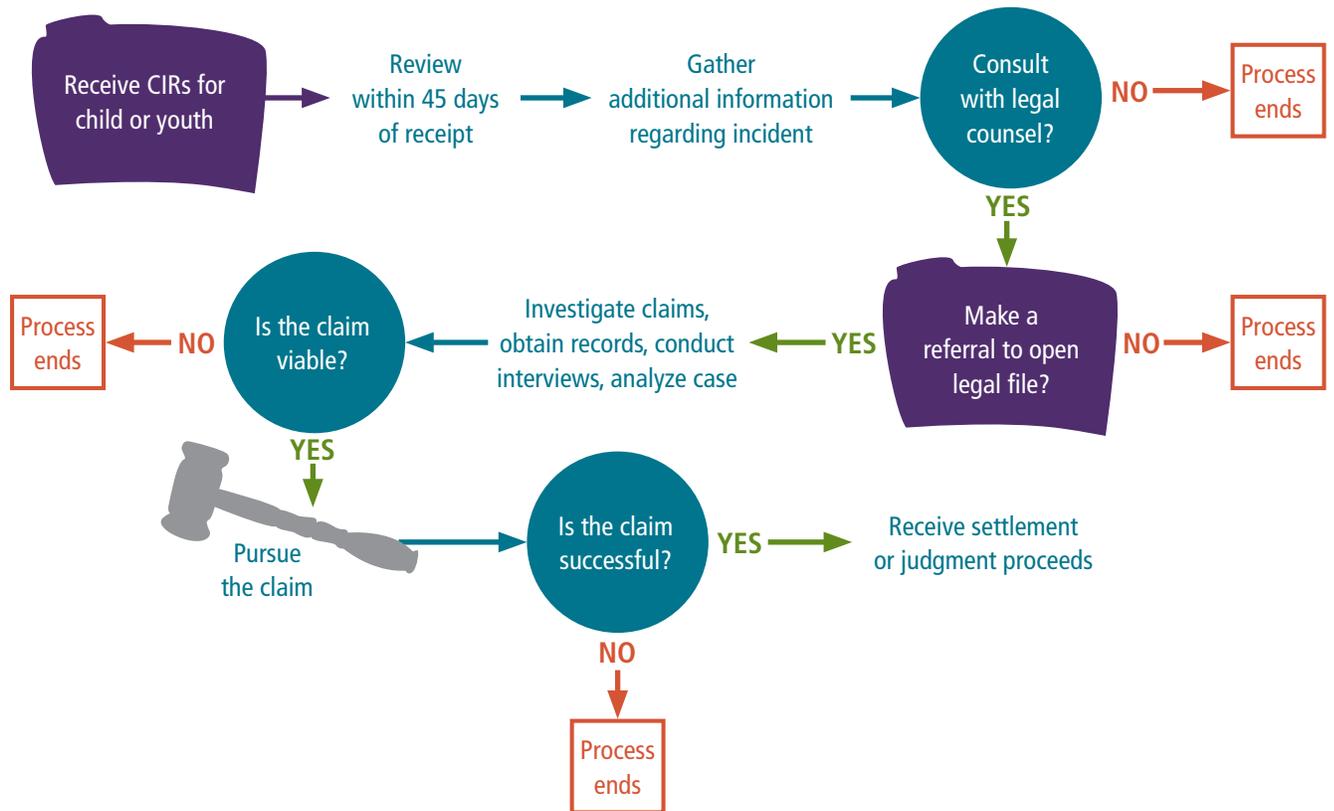
The PGT classifies the reported injury or harm according to categories adapted from the World Health Organization International Classification of Diseases. Where an injury was caused by a person who directly harmed a child or youth, the person is identified as an “alleged harmer,” and is classified according to categories adapted from the International Classification of External Causes of Injuries (see PGT Classification of Critical Incident Reports at the end of this report).

### NUMBER OF CRITICAL INCIDENT REPORTS 2016–2017

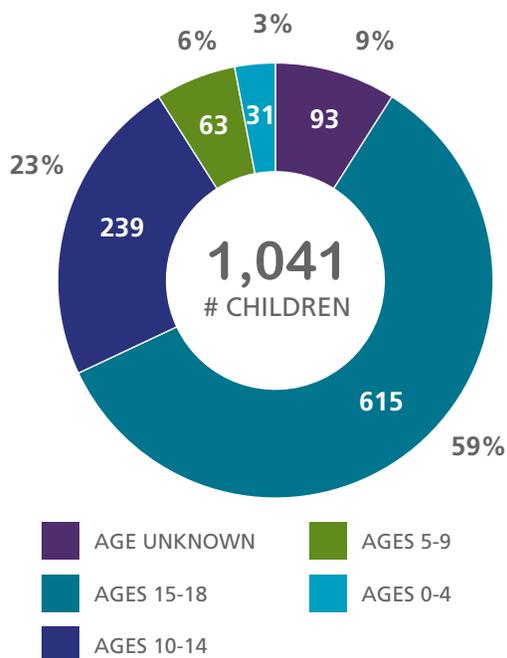
# OF CIRs RECEIVED	# OF CHILDREN	% OF CHILDREN
1	377	64%
2	114	19%
3	41	7%
4	24	4%
5	10	2%
6	8	1%
7	6	1%
8	2	<1%
9	1	<1%
10	1	<1%
11	1	<1%
14	1	<1%
17	1	<1%
<b>TOTAL</b>	<b>587</b>	<b>100%</b>



## PGT RESPONSE TO CRITICAL INCIDENT REPORTS 2016–2017

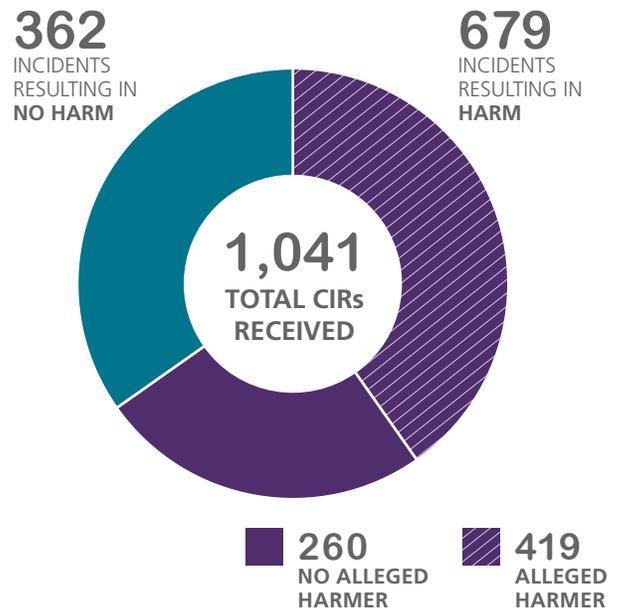


### AGE OF CHILD OR YOUTH ON DATE OF INCIDENT 2016–2017



NOTE: "UNKNOWN" IS USED WHEN THE EXACT DATE OF THE INCIDENT IS UNKNOWN OR WHEN AN INCIDENT OCCURRED OVER A PERIOD OF TIME.

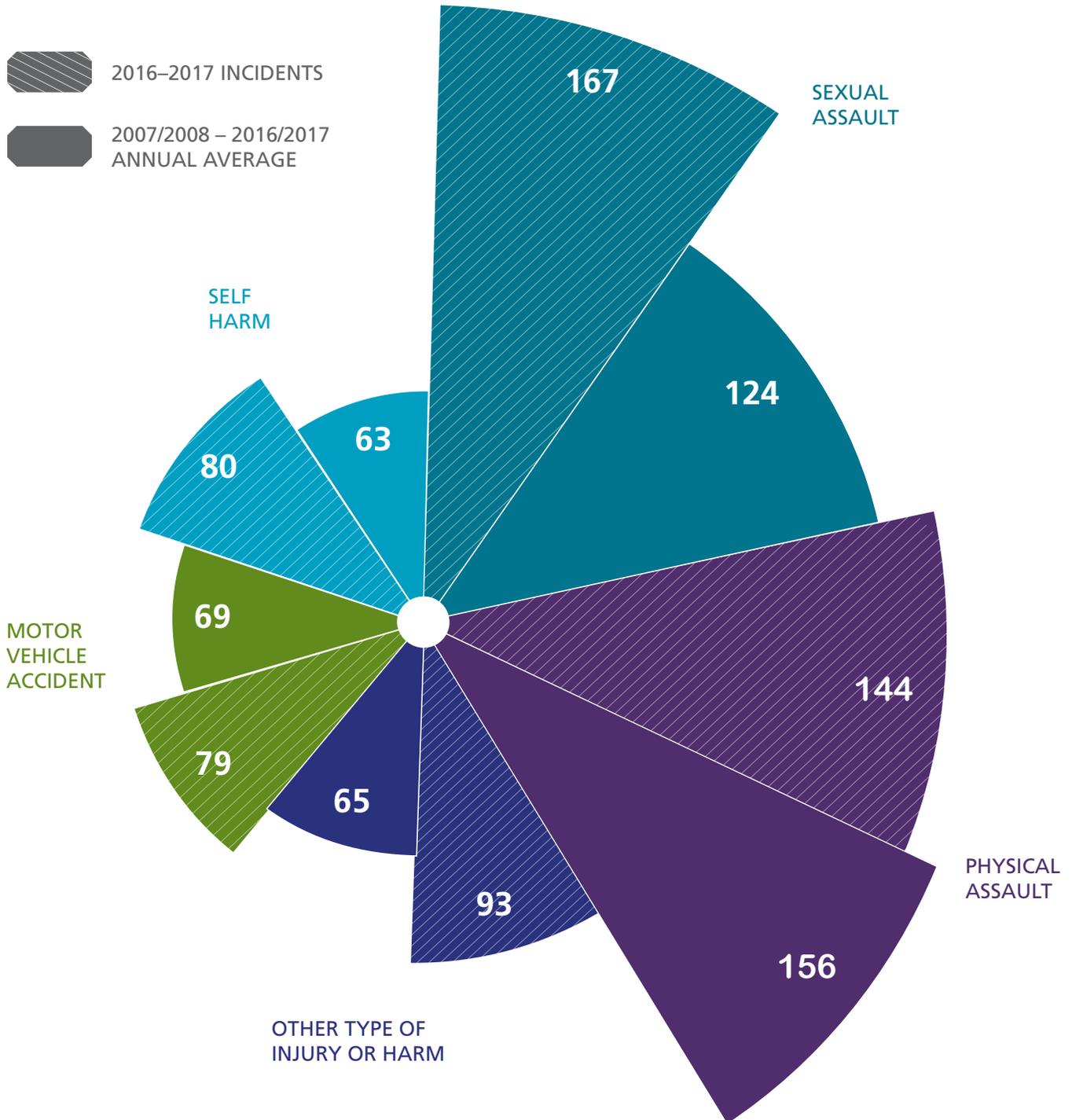
### NUMBER OF CIRs THAT REPORTED HARM OR NO HARM TO A CHILD OR YOUTH 2016–2017



NOTE: 99% OF CIRs WERE REVIEWED WITHIN 45 DAYS OF RECEIPT IN 2016–2017.

# CRITICAL INCIDENT REPORTS

## FIVE MAJOR CATEGORIES OF HARM EXPERIENCED BY CHILDREN AND YOUTH

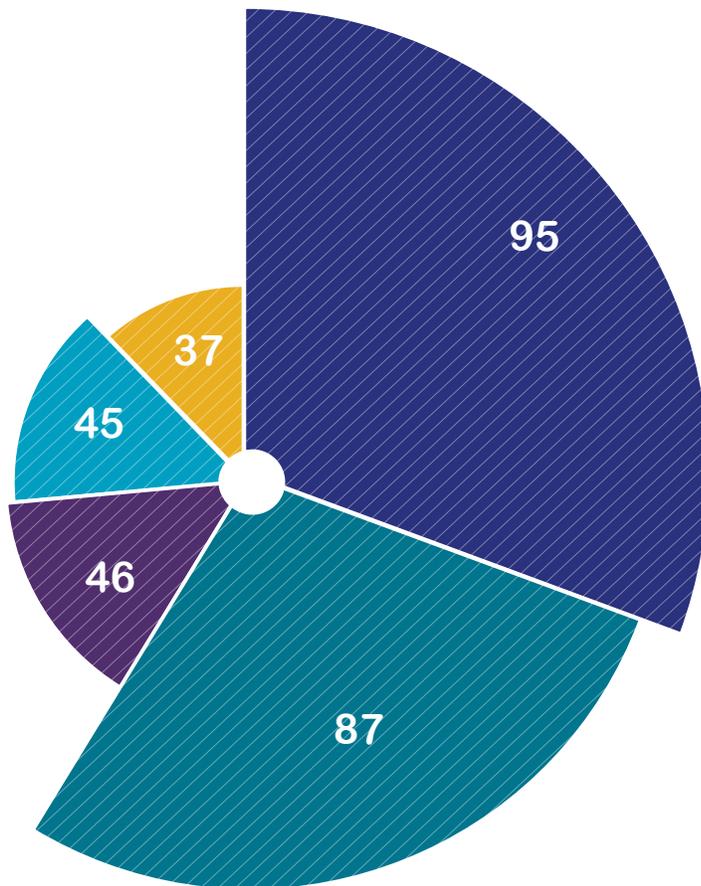


As the graph above demonstrates, “physical assault” and “sexual assault” are the most common types of harm reported to the PGT. The majority of injuries resulting from physical assault or sexual assault were suffered by youth who were aged 15 to 18 years at the time of the incident. The broad scope of the

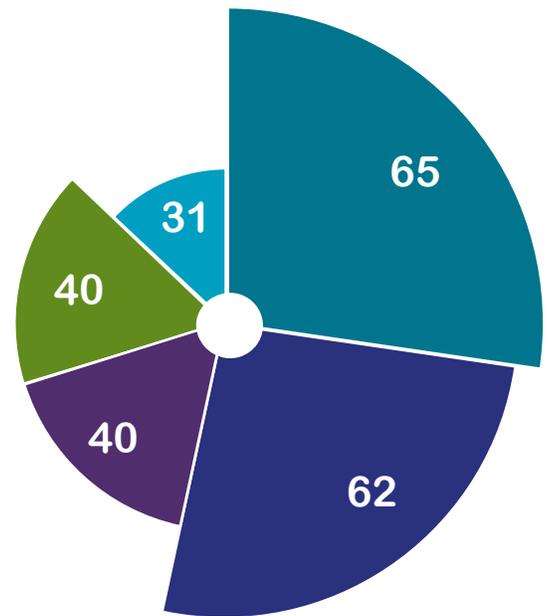
category “other type of injury or harm” allows for the inclusion of incidents where a child or youth was hospitalized due to severe intoxication by drugs or alcohol. The category “self harm” describes incidents where the child or youth intentionally caused self inflicted injury.

## FIVE MAJOR CATEGORIES OF ALLEGED HARMERS

2016–2017 INCIDENTS



2007/2008 – 2016/2017 ANNUAL AVERAGE



- |  |  |   |
|--|--|---|
|  OTHER FRIEND(S)/ACQUAINTANCE(S) (NON INTIMATE) |  RELATIONSHIP NOT KNOWN |  BOYFRIEND/GIRLFRIEND/SPOUSE |
|  OTHER RELATIONSHIP                             |  FOSTER PARENT(S)       |  PARENT(S)                   |

The category of alleged harmers varies according to the type of injury or incident at issue. The category “other relationship” to define an alleged harmer is applied to incidents in which there could be more than one harmer or where the alleged harmers did not fall into any other defined category. For example,

the category “other relationship” applies to alleged harmers where the incident at issue is a motor vehicle accident. This is due to the fact that when the PGT is provided with the CIR, it is not possible to determine who may be responsible for any injuries sustained by the child or youth.

## LEGAL SERVICES

The PGT provides a wide range of legal services for children in care. These services include:

- responding to applications to cancel a continuing custody order;
- reviewing applications for grants of probate or administration where a child in care may be entitled to a share of the estate and ensuring that share is protected;
- investigating whether a child or youth has a viable claim under the *Family Compensation Act* in relation to the wrongful death of a parent; and
- investigating incidents of injury or harm to a child for which a third party may be liable and pursuing legal claims where appropriate.

### IF PGT PROPERTY GUARDIAN CLIENTS WERE IMAGINED AS A VILLAGE OF 100 CHILDREN, THEN:



NOTE: DATA AT MARCH 31, 2017

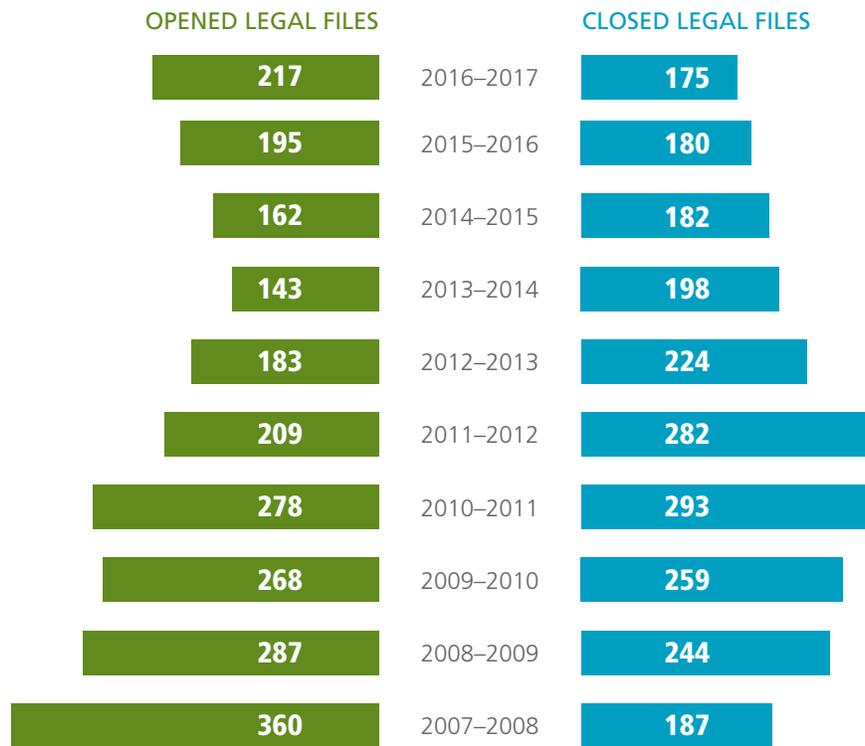
Legal referrals related to personal injury arising from sexual assault are consistently the largest category of potential civil claims, comprising 36% of legal referrals over the year. Of the legal files concluded over this period of time, the average amount of time to conclude the matter was 2.4 years.

There are several outcomes to legal referrals. If a legal action has been commenced and is still ongoing when the youth reaches the age of majority, the action is transferred to the young adult to continue. If no legal action has been commenced, the young adult may be provided

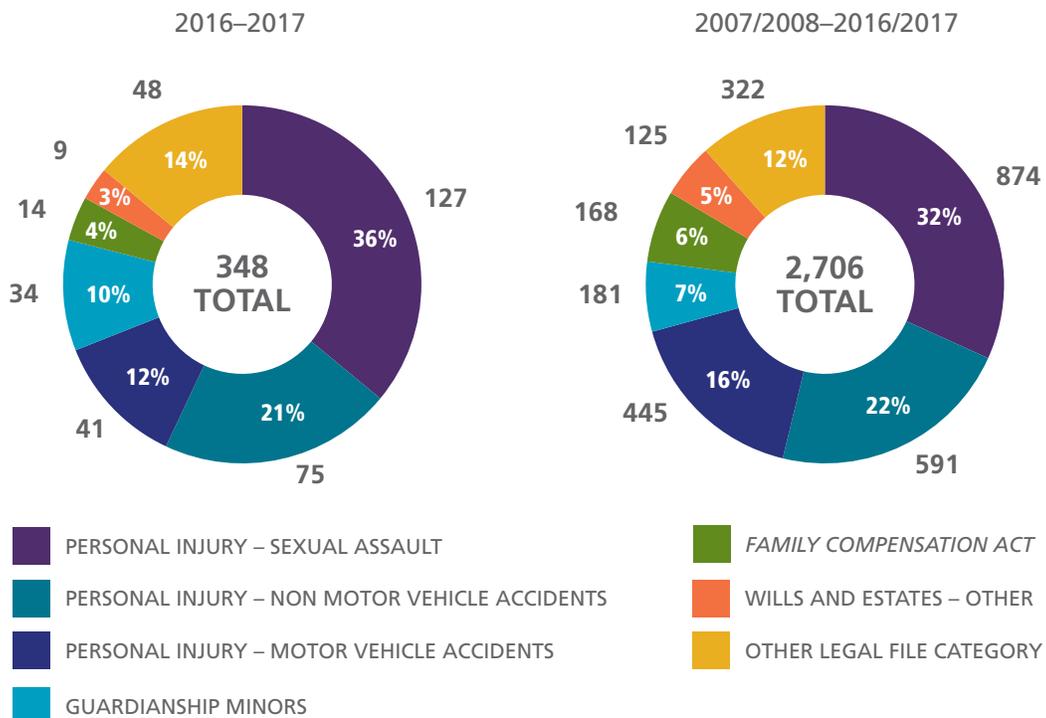
with a letter advising of their legal rights. Legal actions may be resolved by judgment or settlement of the claim prior to the child or youth reaching age 19. In other instances, matters are resolved by legal counsel and funds are obtained for the child or youth and civil litigation is not required. Between 2007–2008 and 2016–2017, the PGT collected approximately \$41.0 million from legal services carried out on behalf of children and youth in continuing care, including approximately \$6.1 million in 2016–2017.

NOTE: GROSS VALUES, BEFORE DEDUCTIONS FOR LEGAL FEES AND PGT FEES.

## OPENED AND CLOSED LEGAL WORK BY YEAR



## TYPE OF LEGAL WORK



## LEGAL SERVICES

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### PROTECTING THE LEGAL INTERESTS OF CHILDREN WHO EXPERIENCE HARM – TAMMY AND DAVID’S STORY

#### NOTIFICATION

MCFD completed an Initial Reportable Circumstance report to inform that Tammy, a twelve year old child in foster care, had recently disclosed that she had been hurt by an adult friend of her parents before coming into the care of MCFD. The PGT receives Initial Reportable Circumstance reports from MCFD automatically by email for children in continuing care. PGT staff reviewed the report to determine what happened, who was responsible, the nature of Tammy’s injuries, and if there was sufficient information to obtain a legal opinion from a PGT lawyer about the potential to advance a civil claim for damages on Tammy’s behalf.

#### INITIAL INVESTIGATION

The report only provided details of the initial circumstances such as Tammy’s disclosure and how she was being supported in the immediate aftermath. PGT staff contacted the social worker involved to ask for the name of the person alleged to have hurt Tammy, whether she had received any medical intervention following the assault, and if the police had been involved. The PGT also inquired about Tammy’s emotional status after disclosing information about this painful event.

#### LEGAL CONSULTATION

With some additional details now available, PGT staff consulted with a PGT lawyer to review the circumstances of the case. As we believed there were medical and police records pertaining to this assault and the information provided by Tammy was sufficiently detailed, the PGT lawyer recommended that this matter be explored more fully to determine if a potential civil claim for compensation could be established.

#### INVESTIGATION INTO CIVIL CLAIM FOR DAMAGES

A PGT lawyer was assigned to Tammy’s case. Formal requests were made for Tammy’s hospital records and RCMP investigation records. Upon receiving and reviewing these records, the PGT lawyer discovered that Tammy had a half brother, David, who, according to police records, had also been victimized by the same person who had allegedly assaulted Tammy. David was living in another town, but was also in the continuing care of MCFD. The PGT was able to confirm that the alleged perpetrator had assets against which a settlement or judgment could be recovered.

#### ADVANCING THE LEGAL CLAIM

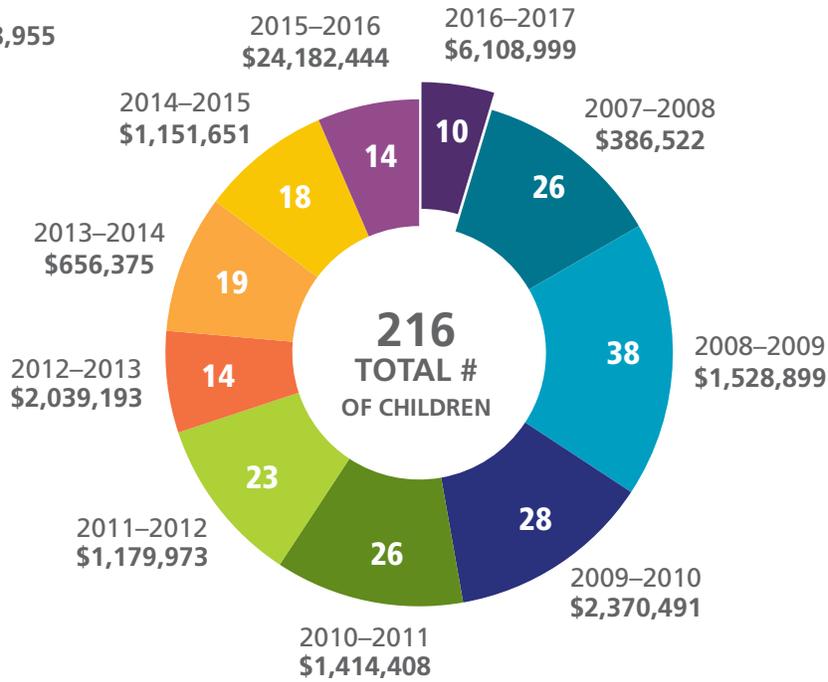
The PGT consulted with outside counsel who specializes in this area of the law and ultimately retained counsel to advance civil claims for damages on behalf of Tammy and David. Counsel retained by the PGT worked on the case for two years, and prepared the two youth to testify in court. David reached the age of majority before his civil claim was resolved. Although David was no longer a “child in care” once he reached 19 years of age, and the PGT was no longer his property guardian, the PGT worked with David to transition the conduct of his legal claim from the PGT to him directly. David decided to retain the same lawyer the PGT had retained for him and with whom he had already built a relationship.

#### COURT AWARD

Tammy and David’s civil claims proceeded to trial, and almost six years from the time that Tammy bravely shared her trauma with a trusted adult, she and her brother were awarded financial compensation for the harm they experienced as young children. While monetary compensation can never remove the harm experienced by Tammy and David, it does provide the means to pay for counseling and other specialized services to assist these young people to come to terms with their traumatic childhood experiences.

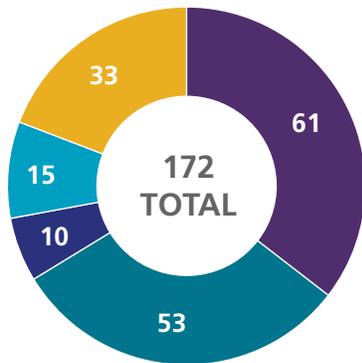
## AMOUNTS COLLECTED FROM LEGAL WORK

2007/2008–2016/2017  
TOTAL AMOUNT  
COLLECTED **\$41,018,955**

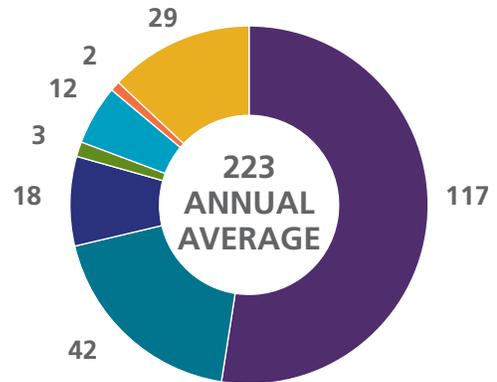


## OUTCOMES OF LEGAL WORK

2016–2017 TOTAL NUMBERS



2007/2008–2016/2017 ANNUAL AVERAGE



- CLIENT ASSUMED CONDUCT OF LEGAL ACTION OR LEGAL INFORMATION LETTER PROVIDED POST MAJORITY
- SETTLEMENT REACHED
- TRANSFERRED TO OTHER PGT AUTHORITY
- LEGAL ACTION NOT PURSUED OR CHILD DIED PRIOR TO ACTION BEING CONCLUDED
- INFORMATION TRANSFERRED TO OTHER PROPERTY GUARDIAN
- OTHER

## TRANSITION SERVICES

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The PGT role as property guardian typically ends when a youth reaches 19 years of age, the age of majority in BC. Other events may end PGT authority prior to age 19 including adoption, a transfer of guardianship, the cancelling of a continuing custody order or the death of the child. On average, 73 children and youth transition out of care each month.

When a youth reaches 17 years of age and has assets and/or complicated and ongoing legal issues, the PGT commences transition planning with the social worker and youth, if appropriate. The PGT also liaises with the youth's support network and relevant service providers, such as Community Living British Columbia (CLBC), to best support the youth's transition to adulthood. Through these discussions, the PGT seeks information on the youth's ability to manage their financial assets or legal issues and what supports are required to assist

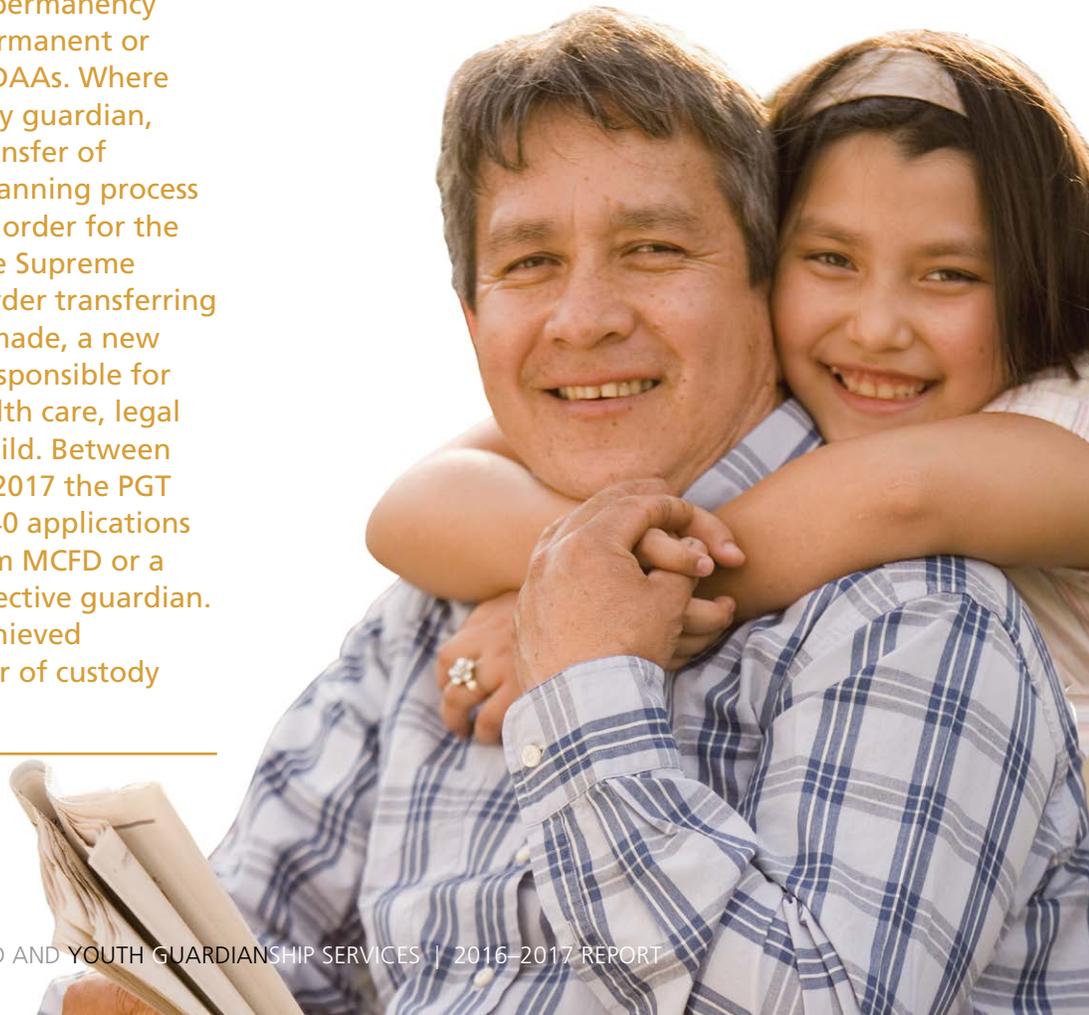
the youth. Both formal and informal supports are explored when the PGT collaborates with involved parties to determine the most effective, least intrusive means of assisting the youth with their financial assets or legal issues. Financial literacy information is also provided to help prepare youth to independently manage trust funds held for them by the PGT.

Where there is information which suggests that a youth may be incapable of managing their ongoing financial and legal affairs as an adult, and there is no support network willing and able to assist, ongoing services from the PGT Services to Adults Division may be required. In 2016–2017, the PGT was appointed to act as committee of estate under the *Patients Property Act* for two former children in continuing care.

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Transfer of guardianship, or “transfer of custody” under the *Child, Family and Community Service Act*, is a permanency option for children in the permanent or temporary care of MCFD or DAAs. Where the PGT is the child's property guardian, the PGT is involved in the transfer of guardianship permanency planning process and must provide consent in order for the application to proceed to the Supreme Court of BC. Once a Court Order transferring custody of a child has been made, a new guardian is in place and is responsible for protecting the personal, health care, legal and financial rights of the child. Between April 1, 2016 and March 31, 2017 the PGT reviewed and consented to 40 applications to transfer guardianship from MCFD or a DAA and the PGT to a prospective guardian. Most of the children who achieved permanency through transfer of custody are indigenous.

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## **TRANSFERRING GUARDIANSHIP – CHELSEY FINDS PERMANENCY**

### **NOTIFICATION**

The PGT received an email from a DAA social worker advising that a plan was underway to transfer the guardianship of 11 year old Chelsey, a child under a continuing custody order, to her maternal uncle, with whom she has lived for the last 4 years. PGT staff reviewed Chelsey's file to determine whether there were any unresolved financial or legal matters concerning Chelsey which required attention. Chelsey had a PGT trust for monthly Canada Pension Plan (CPP) payments arising from the death of her mother several years before, but there were no other legal or financial issues.

### **COLLABORATION**

PGT staff worked collaboratively with the social worker to provide information to Chelsey's uncle about the duties of a property guardian and to advise the uncle of the process for applying for CPP payments once he was Chelsey's guardian. The PGT informed the uncle that he would be required to complete a form for the PGT confirming he understood and accepted the duties of a property guardian for Chelsey.

### **INFORMATION SHARING**

The social worker shared Chelsey's current plan of care (POC) with PGT staff which contained social, educational, cultural and medical information for Chelsey, along with some background information about her life and the circumstances that brought her into care. PGT staff reviewed Chelsey's POC, identifying potential future needs and any associated costs which would fall to her uncle as her guardian. Chelsey was an athletic girl who was active in school and community sports. She was a particularly gifted runner and had competed at the provincial level. Chelsey was an above average student in school, though she did not yet have post secondary plans. Chelsey was a healthy young person with no medical concerns. There was an identified need for orthodontic work in the near future. Much of her family lived in the nearby area, so travel was not a concern for maintaining relationships and cultural connections.

### **PLANNING MEETING**

A meeting was scheduled between PGT staff, the social worker and Chelsey's uncle. During the meeting, the PGT obtained information from Chelsey's uncle about family income and expenses. Chelsey's uncle was self employed but his spouse worked and had a company health plan which covered orthodontics. Chelsey's uncle did not have any concerns about financially supporting Chelsey's athletic endeavours, or even post secondary education if she chose to continue her studies after high school. During the meeting, PGT staff confirmed the uncle's understanding of property guardianship duties, advised about future education funding that may be available to Chelsey as a former child in care, and discussed issues such as inheritance law and the uncle's responsibility as property guardian to ensure Chelsey's legal rights were preserved, just as the PGT had done.

### **CONSIDERATION AND CONSENT TO TRANSFER**

Once PGT staff determined that the transfer of property guardianship to Chelsey's uncle was in Chelsey's best interests, a letter was prepared for court which provided the PGT's consent to the transfer. The PGT's consent was included in the application for the transfer of guardianship of Chelsey to her uncle. The court order was granted, which gave Chelsey and her family the permanency concerning guardianship they were hoping for.

### **FINAL TRANSITION**

Once Chelsey's uncle was her guardian, the PGT provided the necessary information to Service Canada and to Chelsey's uncle so that monthly CPP payments would be paid to Chelsey's uncle as her new guardian. The PGT continued to serve as the trustee of the CPP funds already collected for Chelsey. These funds will be distributed to Chelsey when she reaches the age of majority.

## TRANSITION SERVICES

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### PGT EDUCATIONAL ASSISTANCE FUND

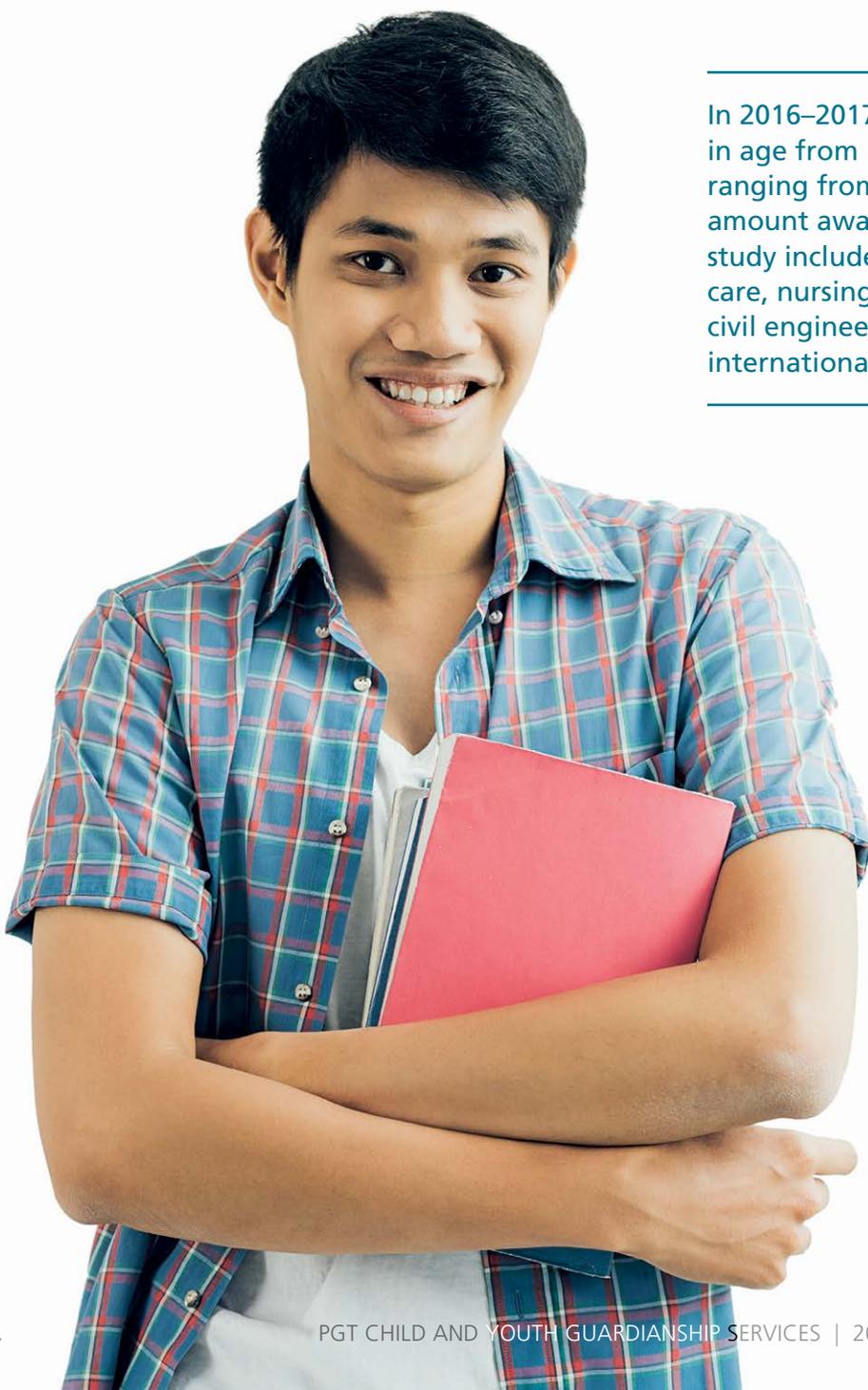
The Public Guardian and Trustee Educational Assistance Fund was first established in 1989 from the generous donations of three private benefactors who wished to help former youth in care to reach their educational and vocational goals. The fund provides bursaries to eligible individuals over age 19, who were formerly in the

continuing care of the province of BC. The bursary is meant to help recipients with the costs for fees, books, living expenses or any other financial need standing in the way of being able to achieve their educational goals. Bursaries are awarded annually.

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In 2016–2017, 14 individuals ranging in age from 19 to 35 received bursaries ranging from \$750 to \$1,875. The total amount awarded was \$16,600. Fields of study included social work, child and youth care, nursing, arts and science, business, civil engineering, political science and international relations.

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## COMMUNITY ENGAGEMENT AND OUTREACH

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The PGT welcomes and seeks out opportunities to build and strengthen relationships and connections with children in care, MCFD and DAAs, community partners, stakeholders and other youth serving agencies.

### BC CHILD AND YOUTH IN CARE WEEK

June 2016 marked the sixth year of celebrating BC Child and Youth in Care Week (BCCYICW) in British Columbia. BCCYICW is dedicated to raising awareness about the stigma and barriers that children and youth in care can face and also celebrates and acknowledges their resiliency, diversity, talents and accomplishments. It is a youth driven and planned week of activities through the partnership of a many organizations including the Federation of BC Youth in Care Networks, Adoptive Families Association, Vancouver Foundation, Federation of Aboriginal Foster Parents, BC Federation of Foster Parent Associations, BC Association of Aboriginal Friendship Centres, Métis Nation BC, MCFD and the PGT. The PGT is pleased to be an ongoing partner in the BC Child and Youth in Care Week planning committee and an enthusiastic participant in the annual celebrations.

### BROADWAY YOUTH RESOURCE CENTRE

This year marked a decade in the PGT's partnership with the Broadway Youth Resource Centre (BYRC), an award winning, community based resource centre located in Vancouver. The BYRC provides a wide range of social, health, education, employment and life skills services to youth. PGT staff regularly attend the BYRC to provide financial literacy workshops and to talk with young people in care about the PGT's financial and legal services as their property guardian.

### COLLECTIVE IMPACT FOR YOUTH LEAVING CARE

Building on the Vancouver Foundation's "Fostering Change" initiative, the PGT is an ongoing member of Collective Impact - Youth Aging Out of Care in Vancouver (CI-YAOC Vancouver).

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**"Collective Impact" is a term used to describe the commitment from different sectors to a common agenda for solving a specific social problem using a structured form of collaboration.**

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This initiative is a partnership between the City of Vancouver, the Vancouver Foundation, McCreary Centre Society and the Federation of Community Social Services of BC and brings together a coalition of over 50 grassroots community groups and service providers in the lower mainland interested in improving outcomes for youth leaving care. The membership seeks to identify common solutions and implement systemic changes needed to improve the lives and future prospects for young people leaving government care. Youth in and from care are also engaged in this important initiative through the support of the Vancouver Foundation Youth Advisory Council.



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## FINANCIAL LITERACY WORKSHOPS

The PGT considers financial literacy to be a critical life skill needed by all young people to successfully navigate adulthood and manage their lives independently. Over the past year, PGT staff facilitated 49 financial literacy workshops, offering basic money management and budgeting strategies to youth in and from care at a wide range of agencies and venues across the province.

Financial literacy can be defined as the “ABCs of learning about money.” In the financial literacy workshops delivered by PGT staff, a wide variety of topics were covered, including how personal values can affect how one chooses to spend money and how to set goals for the future. Other topics included learning how to read a pay stub, why it is important to file income tax returns, the risks associated with loans and credit cards, contracts and big purchases. Money related activities are demonstrated and practiced, videos on money related topics such as goal setting and how to track spending are viewed and the impact of advertising on spending habits is discussed and explored. PGT facilitators have found that youth attending the workshops can be a strong resource for one another. Together, PGT facilitators and youth participants have shared tips on saving money, where to shop economically and how to entertain on a tight budget. Workshop venues and hosts over the past year have included shelters for homeless youth, a wide range of alternative education programs, a youth custody centre, life skills programs and youth groups.

## INDIGENOUS PARTNERSHIPS AND OUTREACH

The PGT welcomes opportunities to connect and partner with indigenous organizations throughout BC in support of children and youth in care.

The PGT is honoured to be an annual participant in the National Indigenous Peoples Day celebrations, hosting an information table at the day long festivities at Trout Lake in Vancouver. This community based celebration is hosted by the Vancouver Aboriginal Friendship Centre Society and features a full day of events to recognize and celebrate the unique heritage, diverse cultures and outstanding contributions of First Nations, Inuit and Métis peoples. PGT staff also volunteered at the Federation of Aboriginal Foster Parents’ Pow Wow, held to honour indigenous youth in care.

PGT staff also attended as a guest at a variety of indigenous youth serving organizations and conferences during 2016–2017:

- Annual Gathering Our Voices Indigenous Youth Conference, Victoria, BC
- Quarterly presentations on the role of the PGT and property guardianship to new social workers through Indigenous Perspectives Society’s Aboriginal Social Work program, required training for social workers employed by DAAs
- Cochair of the Indigenous Financial Literacy Committee, a partnership including First Nations, the federal government, indigenous and private sector organizations committed to sharing knowledge, materials and training to improve financial literacy for indigenous children, youth, adults, families and elders in BC.



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## **INFORMATION SESSIONS FOR SOCIAL WORKERS**

As part of the PGT's ongoing commitment to education and outreach, Child and Youth Services staff regularly present workshops on a variety of aspects of property guardianship to coguardians in MCFD and DAA offices throughout the province. Over the 2016–2017 year, 22 presentations were provided to social workers, either in person, or through teleconferences or webinars. Presentation topics included RDSPs, transition planning, children's legal and financial rights and entitlements, and property guardianship and joint guardianship roles. In September 2016, Child and Youth Services staff also presented a workshop at MCFD's Guardianship Forum on helping to protect and improve present and future financial best interests of children and youth in care.

## **POWERPAGES MAGAZINE**

The Federation of BC Youth in Care Networks (FBCYICN) is a youth driven provincial nonprofit organization dedicated to improving the lives of young people in and from care in BC between the ages of 14 and 24. The FBCYICN's PowerPages magazine provides a forum for connecting youth in and from care, service providers and caregivers across BC. The PGT is an ongoing regular contributor to the magazine. In the last year, PGT staff contributed to the magazine and reported on the PGT Educational Assistance Fund for post secondary educational expenses and also on the PGT's role to collect financial benefits for children in continuing care and to facilitate financial literacy workshops. Through this publication, the PGT is able to connect with a readership of over 5,000 young people, service providers and caregivers.

## **MONEY SENSE QUEST ON AGEDOUT.COM**

AgedOut.com is an interactive website filled with resources for young adults who were in government care. The website was developed by the Adoptive Families Association of BC (AFABC) in partnership with MCFD and the Federation of BC Youth in Care Networks. The insights and thoughts of former youth in care from all over BC who have transitioned out of care are profiled through a variety of "quests", or interactive learning modules. As part of the PGT's commitment to engage in meaningful transition planning with youth in continuing care, a financial literacy quest titled "Money Sense" was developed in 2016–2017 with the assistance of staff and AFABC's youth advisory committee. Based on the PGT's Dollar\$ and \$ense Guide and Workbook and the experiences of the PGT's financial literacy workshop facilitators and youth leaving care, the Money Sense quest provides information about money management and fosters skills development to assist learners in making responsible financial decisions. With interactive tasks in the style of online games, concepts such as values, money goals, spending tracking and budgeting are explored. Each quest activity is built around the story of two roommates who are experiencing money issues. Learners guide the roommates through each activity, making choices and solving puzzles on their behalf. The PGT is pleased to be able to reach youth transitioning out of care across the province through this easily accessible online tool.

## FUTURE CHALLENGES AND OPPORTUNITIES

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In order to provide the most effective and meaningful property guardianship services possible, the PGT continuously attempts to address ongoing and emerging challenges.

### ACCESS TO INFORMATION

#### MCFD AND DAA RECORDS

Where the PGT has been notified that a child has been injured or harmed and is investigating potential legal claims on behalf of the child, production of the MCFD and DAA records is requested in order to obtain all relevant information. For several years, as has been highlighted in previous PGT Child and Youth Guardianship Services reports, the PGT has had concerns about the length of time it takes MCFD to produce these records. Without these records, it is not possible to determine whether a youth has a potential legal claim and if they do, to advance that claim on the youth's behalf while the youth is still in care and receiving PGT assistance. As a result, the youth's legal interests may not be adequately addressed if the youth is required to independently pursue a legal claim once the youth has transitioned out of care.

MCFD and the PGT have been working in close collaboration to monitor the overall progress of records production. MCFD has acknowledged the importance of addressing the backlog of records requests, and this year additional short term resources were assigned to the MCFD team responsible for producing MCFD and DAA records for the PGT. While the additional resources had a significant effect on the records production, they were temporary in nature and the backlog remains. The production of large volumes of MCFD and DAA records is a challenge, and the PGT will remain vigilant in closely monitoring the issue.

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Between April 1, 2008 and March 31, 2017 the PGT submitted 566 requests for records to MCFD. As of March 31, 2017, 69% of the requests had been responded to by MCFD, 13% remained outstanding and 18% had been abandoned due to the youth leaving care due to adoption, transfers of custody, return to parent or reaching age 19. MCFD made significant progress by targeting some of the oldest outstanding records requests over this past year. As of March 31, 2017, only five PGT requests for MCFD/DAA records were pending for three or more years.

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## LAW REFORM

### DEFINING THE ROLE OF PUBLIC GUARDIANS

As noted in previous reports, the *Family Law Act* has clarified parental roles and duties and provided meaningful guidance to private guardians of children. However, the nature and scope of public guardianship duties for both MCFD and the DAAs as personal guardians and in particular, for the PGT as property guardian have not been adequately addressed in the law. The existing definition of public guardianship as set out in the *Infants Act* continues to be based on the law of England in 1660.

A modern statutory definition of public guardianship of children and youth would provide clarity about the role for the benefit of public guardians as well as the general public.

Modernizing the definition of public guardianship may also offer opportunities to address gaps between legislation and practice that have resulted

in public property guardian services not being available to children and youth who are in long term care but for whom a continuing custody order has not been issued. Alternative care arrangements provide greater flexibility in meeting the needs of personal guardians, but fail to offer the protections of property guardianship to children in such care arrangements.

The PGT, MCFD and the Ministry of Justice discussed potential legislative amendments to modernizing the definition of public guardians of children and youth over the last year. Some progress was made, however consensus has not been reached on the path forward. The PGT remains committed to addressing the current gaps in legislation and moving towards the creation of a modern statutory definition of public guardianship.



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## **ORDER IN COUNCIL AMENDMENT TO THE YOUTH CRIMINAL JUSTICE ACT**

Disclosure of youth justice records under the *Youth Criminal Justice Act* is extremely restricted for the purpose of protecting privacy interests. Over the past several years, the PGT recognized challenges in obtaining this restricted information, as it relates to the investigation of potential civil claims for children in continuing care. For example, where an incident of harm occurred to a child in continuing care while they were in a youth custody setting, the PGT was prohibited from receiving any information or records that would disclose the child was in youth custody. The PGT worked in collaboration with MCFD and the Ministry of Justice to successfully obtain a regulatory exemption under the *Youth Criminal Justice Act* to include the PGT within a category of prescribed persons who may receive information and records pertaining to a child in continuing care in youth custody under specific circumstances and criteria. Presently, the PGT and MCFD are at the beginning stages of

establishing processes for the disclosure of youth justice information and records for children and youth in care for whom the PGT is investigating legal claims.

This change in the law will assist the PGT in advancing the legal and financial interests of property guardian clients.

## **TRANSITION PLANNING**

The PGT's work to secure financial benefits for children in care has resulted in increased numbers of youth who have financial assets when they leave care. When the PGT is holding trust funds or a RDSP or is investigating whether a child or youth has a viable legal claim, PGT staff are involved in the planning to ensure all legal and financial matters are effectively transitioned to the youth or their legal representative. To allow sufficient time for a smooth transition, the PGT generally begins discussions and planning with MCFD and DAA social workers when the youth is aged 17.

Even with sufficient transition planning in place, turning 19 can be a very stressful time for a young person aging out of care, often involving radical and abrupt changes in housing, financial and social supports. Unlike other young people who can rely on family supports long past their 19th birthday, youth leaving care often do not benefit from such a safety net and are left to manage complex decision making alone. Many may not have the skills to make good choices around finances or lack trusted mentors who can provide effective guidance. The current opioid crisis in BC and across the country adds an additional layer of complexity for those youth who may be struggling with substance use.

The PGT recognizes the adversity that youth aging out of care experience and has been advocating for legislative amendments that will allow the PGT to continue to act as trustee through a transition period for youth leaving care who have assets, upon their request.



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## CHANGING DIRECTION OF INDIGENOUS CHILD WELFARE IN BC

In November 2016, Grand Chief Edward John, special advisor to MCFD, released his report, “Indigenous Resilience, Connectedness and Reunification – From Root Causes to Root Solutions,” in which he made 85 recommendations to change or enhance child welfare services provided to indigenous children in BC. Many of the recommendations addressed the future devolution of indigenous child welfare from the province to first nations communities. While the report made many important recommendations regarding enhanced and equitable supports and services for indigenous children in care, their families and communities, property guardianship matters were not considered or addressed.

It is clear that there is an impetus for changes to the direction of child welfare practices in the province and for improved outcomes for indigenous children and families. The role of a property guardian for indigenous children in continuing care must also be considered as part of this new vision for child welfare. The PGT is an active and engaged participant in the changing environment of child welfare in BC, working collaboratively with MCFD, first nations communities and other stakeholders towards a new vision for the protection of children’s legal and financial rights and interests.



# PGT CLASSIFICATION OF CRITICAL INCIDENT REPORTS

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**A. INCIDENT TYPES** The PGT reviews critical incident reports from MCFD and DAAs upon receipt and categorizes the reported incident types according to classifications adapted from the extensive World Health Organization International Classification of Diseases. For more information see the complete classification system at [who.int/classification/icd/en](http://who.int/classification/icd/en).

The PGT sorts CIRs according to all of the following categories. However, for clarity in reporting, these categories are grouped as below to reflect the five major groupings of types of incidents that are most frequently reported with all other incident types grouped as “other.”

- 1. PHYSICAL ASSAULT** – Injuries inflicted by another person with intent to injure or kill, by any means. Includes corporal punishment, assault that does not result in an injury, and injuries inflicted by the police or other law enforcement agents on duty.
- 2. SEXUAL ASSAULT** – Sexual assault or abuse, including rape, sexual interference, sexual touching and invitation to sexual touching, sexual exploitation or similar actions.
- 3. MOTOR VEHICLE ACCIDENTS**  
(includes the following incident types):
  - **Motor vehicle accident – child cyclist** – Child was riding on a pedal cycle and involved in a collision or non collision injury associated with a motor vehicle.
  - **Motor vehicle accident – child driver** – Motor vehicle accident where the child was the operator of the motor vehicle excluding motorized bicycle.
  - **Motor vehicle accident – child passenger** – Motor vehicle accident where the child was a passenger in the motor vehicle.
  - **Motor vehicle accident – child pedestrian** – Child was a pedestrian injured in any collision or non collision traffic incident involving a motor vehicle.
- 4. OTHER TYPE OF INJURY OR HARM TO CHILD**  
(includes the following incident types):
  - **Other type of injury or harm to child** – The following are examples of incidents in this category: environmental; poisonings (accidental); foreign body; machinery in operation; overexertion; firearms; other and unspecified environmental exposures and unspecified accidental causes.

## 5. SELF HARM

(includes the following incident types):

- **Self inflicted injury** – All intentionally self inflicted injuries except those resulting from suicide attempts or suicide.
- **Suicide attempts** – Suicide attempts where child survived.

## 6. ALL OTHER INCIDENT TYPES

(includes the following incident types):

- **Cutting / piercing** – Injury caused by cutting or piercing instrument or object. Excludes assault with a sharp object and self inflicted injury with a sharp object.
- **Death** – The reported incident was that the child's death was accidental, homicide, natural death, or suicide.
- **Dog bite** – Injuries resulting from a dog bite.
- **Drowning / submersion** – Accidental drowning or submersion involving watercraft, fall or activity in water resulting in resuscitation / medical attention excluding intent to self harm.
- **Fall** – Falls due to accidental pushing or collision with other person, or diving or jumping into water.
- **Fire / flames / hot substances** – Injuries caused by fire and flames; hot appliances, objects or liquids; steam; acid burns.
- **Medical condition** – Illnesses or complications arising from surgery, medical care or medical treatment including hospitalizations due to medical illness.
- **Non motor vehicle cycle accident** – Child was injured in a non motor vehicle incident involving a pedal cycle including falls from bicycle.
- **Physical and sexual assault** – An incident where both physical and sexual assault are believed to have occurred.
- **Struck by object** – Child was struck by falling object, striking against or struck by persons or objects, or caught unintentionally between objects excluding motor vehicle.
- **Suffocation** – Inhalation and ingestion of food or objects causing obstruction of respiratory passage, or suffocation, unintentional mechanical suffocation, and smothering or choking.

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**B. ALLEGED HARMERS** This category identifies the relationship to the child of the person alleged to have harmed the child (intentionally or by accident). This category does not include agencies that may have a legal responsibility to care for the child (e.g. MCFD or DAA). It was adapted from the extensive International Classification of External Causes of Injuries. For more information, see the complete classification at: [rivm.nl/who-fic/ICECI/ICECI\\_1-2\\_2004July.pdf](http://rivm.nl/who-fic/ICECI/ICECI_1-2_2004July.pdf).

The PGT sorts alleged harmers according to all of the following categories. However, for clarity in reporting, these categories are grouped as below to reflect the five major groupings of types of alleged harmers that are most frequently reported with remaining categories of alleged harmers grouped as “all other alleged harmers.”

The alleged harmer category of relationships includes:

1. **Other relationship** includes incidents in which there could be more than one harmer or where the alleged harmers did not fall into any other defined group
2. **Other friend(s) / acquaintance(s)** (does not include intimate partners).
3. **Foster parent(s)**
4. **Relationship not known**

## 5. Parent(s)

### 6. All other alleged harmers

(includes the following categories):

- Another child(ren) in care
- Boyfriend / girlfriend / spouse – includes intimate partner(s)
- Other relative(s)
- Person(s) in official or legal authority – includes: teachers, church ministers, sports coaches, police, guards, etc.
- Stranger(s)
- Unrelated caregiver(s) – includes child care provider(s)



PUBLIC GUARDIAN  
AND TRUSTEE OF  
BRITISH COLUMBIA

## General Inquiries

 Public Guardian and Trustee of British Columbia  
700-808 West Hastings Street, Vancouver, BC V6C 3L3

 Phone 604.660.4444

 Fax 604.660.0374

 Email [mail@trustee.bc.ca](mailto:mail@trustee.bc.ca)

 Website [www.trustee.bc.ca](http://www.trustee.bc.ca)

 Toll free calling is available through Service BC. After dialing the appropriate number for your area (see below) request to be transferred to the Public Guardian and Trustee.

 Vancouver 604.660.2421

 Victoria 250.387.6121

 Other areas in BC 1.800.663.7867

 PGT hours of operation Monday to Friday 8:30 a.m. to 4:30 p.m.