



Keeping Families Together



March 30th, 2022

Via Email (CRATransformation@gov.bc.ca)

Ministry of Children and Family Development
PO BOX 9770 STN PROV GOVT
VICTORIA BC
V8W 9S5

Attn: Specialized Homes and Support Services Redesign Committee:

Dear Committee Members:

Re: Joint Submissions in response to MCFD's Specialized Homes and Support Services Redesign

Introduction

We are a group of front-line family support organizations, impacted parents, and feminist legal advocates with expertise in child protection law and practice. West Coast LEAF and Keeping Families Together make this submission on behalf of our collective.

West Coast LEAF is a BC-based legal advocacy organization. Our mandate is to use the law to create an equal and just society for all women and people who experience gender-based discrimination. In collaboration with community, we use litigation, law reform, and public legal education to make change. We aim to transform society by achieving access to healthcare; access to justice; economic security; freedom from gender-based violence; justice for those who are criminalized; and the right to parent.

West Coast LEAF recognizes our responsibility to work for the full realization of the rights of Indigenous peoples. In the context of historic and ongoing colonial violence and injustice, West Coast LEAF understands that fulfilling this responsibility requires a deep and continual commitment. We respectfully acknowledge that our office is located in Vancouver on traditional, ancestral, and unceded Coast Salish homelands, including the territories of the xwməθkwəyəm (Musqueam), Skwxwú7mesh (Squamish), and səłílwətaʔ/Selilwitulh (Tsleil-Waututh) Nations. We understand that many of us are uninvited to these territories. As an organization that

includes many settlers, we take responsibility for learning and seeking long-term transformation in our relationships with Indigenous peoples and lands.

Keeping Families Together (KFT) provides a link to support and advocacy with parents' consent. Advocates act in solidarity with parents and support them to find programs, attend court, and witness child apprehensions. Support is offered to make sure parents know that they are not alone. KFT creates community and connection as parents seek to move forward with the support their families deserve.

Our collective works directly with those affected by contracted bed-based services in BC regarding the impacts of engaging with these services on children, families, and communities.

Engaging in Transformative, Decolonizing Change and Upholding Indigenous Sovereignty

In reviewing the materials for the Specialized Homes and Support Services Redesign, our group is glad to see the acknowledgement that the ministry will uphold the “recognition of the inherent right of Indigenous communities to design and deliver services that meet the needs of their children, youth and families.”¹ We are encouraged that MCFD has shared a commitment to work with Indigenous governments and the First Nations Leadership Council (FNLC) when undertaking legislative and policy changes to transform MCFD services and systems.²

We are in a pivotal moment for true transformative change with the implementation of *Bill C-92* and BC adopting the *United Nations Declaration on the Rights of Indigenous People* (UNDRIP). MCFD is at a crossroads to embrace true transformative change that addresses the ongoing colonial legacy of the ministry and be an ally in Indigenous Nation's reclamation and revitalization of their sovereignty and self-determination.

In reviewing the materials provided, we are concerned that this opportunity for transformation, decolonization and the upholding of Indigenous sovereignty is not a foundational goal in the proposed changes. The service plan indicates that minor shifts in service delivery can be expected to facilitate cultural and community connections. However, it does not engage in deeper conversations and visioning about what could be possible when Indigenous Nations and communities are resourced and supported to envision what care for children and families can look like through their Indigenous legal traditions and practices.

The service plan uses the language of cultural relevance, but this cannot be achieved while MCFD continues to push communities and Nations into predetermined models like emergency care and long-term specialized homes that uphold existing systems and does not create transformative change. There must be the necessary space and resources for Nations and

¹ Ministry of Child and Family Development, *Supporting Better Outcomes for Children & Youth: MCFD's Specialized Homes & Support Services Redesign* (August, 2021), 6.

² Mitzi Dean, *Letter of Commitment* (Victoria, BC: 2021).

communities to put down western ways of caring for children in times of crisis and be able to develop their own wholistic approaches to care.³

MCFD needs to meaningfully engage and take up the many prior recommendations that have called for the deep, transformative change of the current system. In reviewing the materials, the Calls for Justice from *Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls* are incredibly relevant and timely for these proposed changes, such as:

12.1 We call upon all federal, provincial, and territorial governments to recognize Indigenous self-determination and inherent jurisdiction over child welfare. Indigenous governments and leaders have a positive obligation to assert jurisdiction in this area. We further assert that it is the responsibility of Indigenous governments to take a role in intervening, advocating, and supporting their members impacted by the child welfare system, even when not exercising jurisdiction to provide services through Indigenous agencies.

12.2 We call upon all governments, including Indigenous governments, to transform current child welfare systems fundamentally so that Indigenous communities have control over the design and delivery of services for their families and children. These services must be adequately funded and resourced to ensure better support for families and communities to keep children in their family homes.⁴

12.14 We call upon all child welfare agencies to establish more rigorous requirements for safety, harm-prevention, and needs-based services within group or care homes, as well as within foster situations, to prevent the recruitment of children in care into the sex industry. We also insist that governments provide appropriate care and services, over the long term, for children who have been exploited or trafficked while in care.⁵

The Calls for Justice are a necessary foundation for any proposed system changes within MCFD to address the ongoing legacy of residential schools and the continued colonial harm perpetrated by the removal of Indigenous children and the policing of Indigenous families.

Upholding Family/Parental Rights

In reviewing the materials for MCFD's specialized homes & support services redesign, we are encouraged to see the Ministry's acknowledgement that the goal of these services is to "see fewer children and youth entering care."⁶ We are encouraged by the emphasis that MCFD has placed on assessing "what these [specialized homes & support] services are providing the

³ First Nations Leadership Council, *Bill C-92: Children and Families Jurisdiction Engagements Draft Interim Report* (Fall 2021).

⁴ National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming Power and Place: Executive Summary of the Final Report* (Canada: 2019), 80.

⁵ National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming Power and Place: Executive Summary of the Final Report*, 81.

⁶ Ministry of Child and Family Development, *Supporting Better Outcomes for Children & Youth: MCFD's Specialized Homes & Support Services Redesign*, (August, 2021), p. 1.

children and youth who are accessing them.”⁷ A missing piece in this redesign is a recognition of parental rights and the power differential between parents and MCFD that makes it difficult for parents to assert their rights.⁸ Upholding parental rights is especially important because poverty that is construed as neglect is often the basis of MCFD’s apprehension of children. This basis for intervention punishes parents for the poverty they experience.⁹

The child welfare system significantly impacts the rights of parents.¹⁰ Additionally, the welfare system negatively affects the health of parents when their connection to their children is severed¹¹ – with one study finding that mothers whose children are apprehended are more likely to accidentally overdose.¹²¹³ We are concerned that the redesign does not sufficiently consider parental and family rights and family well-being.

Upholding family and parental rights includes putting advocacy support in place for parents. As West Coast LEAF recommended in 2019, we would encourage MCFD to put in place supportive housing resources for families who are at risk to enable families to stay together while the harm and its root causes are addressed.¹⁴ Additionally, we encourage MCFD to ensure that parents engaged with the specialized homes and support services have access to a community-based support worker.¹⁵ Families and parents should have access to support services that facilitate their voice and wishes being heard and respected. Respect for parental rights is particularly essential for Indigenous families given the rights of Indigenous Nations and communities to self-determination.¹⁶

Whenever a child is removed from their family, it is vital that the family is fully engaged in the process and informed of their options and rights. To protect the rights of the families in this process, access to support and information outside of this system is essential. We are concerned about support for parents being embedded within the proposed services. In our shared experience, many parents often do not feel that they can assert themselves vis-à-vis a state representative who has a high degree of control over their family’s future. We hear from many parents that they have regretted signing a voluntary agreement or a safety plan. Some

⁷ Ministry of Child and Family Development, *Supporting Better Outcomes for Children & Youth: MCFD’s Specialized Homes & Support Services Redesign*, (August, 2021), 1

⁸ *Kawartha-Haliburton Children’s Aid Society v. M.W.*, 2019 ONCA 316 at para 69; *New Brunswick (Minister of Health and Community Services) v. G. (J.)*, [1999] 3 SCR 46 at para 114.

⁹ West Coast LEAF, *Pathways in a Forest: Indigenous guidance on prevention-based child welfare*, (Vancouver, BC: 2019), 23.

¹⁰ West Coast LEAF and Rise Women’s Legal Centre, *Joint Submissions in response to the British Columbia Law Institute Consultation Paper on Modernizing the Child, Family and Community Service Act*, (January 2021), 9.

¹¹ Representative for Children and Youth, *Skye’s Legacy: A Focus on Belonging*, (June 2021), 15.

¹² Meaghan Thumath et al., “Overdose among mothers: The association between child removal and unintentional drug overdose in a longitudinal cohort of marginalized women in Canada” *International Journal of Drug Policy*, 2020, 102977, ISSN 0955-3959 <https://doi.org/10.1016/j.drugpo.2020.102977>;

¹³ West Coast LEAF and Rise Women’s Legal Centre, *Joint Submissions in response to the British Columbia Law Institute Consultation Paper on Modernizing the Child, Family and Community Service Act*, (January 2021), 9.

¹⁴ West Coast LEAF, *Pathways in a Forest: Indigenous guidance on prevention-based child welfare*, 95.

¹⁵ West Coast LEAF, *Pathways in a Forest: Indigenous guidance on prevention-based child welfare*, 97.

¹⁶ UN General Assembly, United Nations Declaration on the Rights of Indigenous Peoples, A/ RES/61/295 at art 3 [UNDRIP].

parents have told us they did not know what they were signing and were worried that if they objected, they would appear to be ‘uncooperative’ and face negative consequences.¹⁷

Shifting from Apprehension to Prevention

In reviewing the materials, our group is encouraged to see this process unfold and the commitment to establish service expectations for these services that have developed over the decades in a patchwork, ad hoc process. However, we are concerned that the review does not acknowledge that these services were developed to serve a system focused on child apprehension rather than one of support and prevention for children, families and communities. As MCFD acknowledges, for transformation to occur, it must “address the legacy of residential schools, the ongoing impact of colonialism on Indigenous children, families and communities and the epidemic of Indigenous children in government care.”¹⁸ Simply redesigning existing services is not enough to undo and shift the tides from apprehension to prevention and support.

We are concerned that this process continues to normalize and entrench the removal of children from their families and the trend of the government spending more funds on children after children are removed from their homes instead of investing in prevention and working with families using the least intrusive measures.¹⁹ We strongly caution against increased investment in systems that separate children from their families without deeper transformation that fundamentally shifts MCFD dollars to directly supporting families and enabling communities and Nations to care for families and their children.

Specific Recommendations

Clarifying the Role of Services and Supports as Prevention-Based

In reviewing the four service areas of emergency care, respite/relief, low barrier stabilization and long-term specialized care we recognize that with specific considerations, these services can play an essential prevention role for some families, and as noted in the materials “prevent family breakdown”²⁰ and be part of a prevention-based, creative and least disruptive response for some families in BC.

However, it is unclear how MCFD will protect families from breakdown through these services and ensure families do not face coercion and escalation towards apprehension. We are

¹⁷ West Coast LEAF and Rise Women’s Legal Centre, *Joint Submissions in response to the British Columbia Law Institute Consultation Paper on Modernizing the Child, Family and Community Service Act*, (January 2021), 10

¹⁸ Mitzi Dean, *Letter of Commitment*, 3.

¹⁹ Ashley Quinn and Michael Saini, “Touchstones of Hope: Participatory Action Research to Explore Experiences of First Nation Communities in Northern British Columbia Evaluation Report,” Factor-Inwentash Faculty of Social Work, University of Toronto (2012).

²⁰ Ministry of Child and Family Development, *Supporting Better Outcomes for Children & Youth: MCFD’s Specialized Homes & Support Services Redesign*, 11.

concerned that the lack of explicit action and consideration of prevention-based responses in the redesign process will negatively impact families. If these services are temporary stop gaps that aim to facilitate the return of children/youth to out-of-care living, for this aim to be achievable, parents and families need to be supported to prevent breakdowns in the living arrangement. The proposed models will be ineffective in returning children to out-of-care living if MCFD does not invest in prevention and support for children, families, and communities.

Parents need to be supported if they wish to engage with the Specialized Homes and Support Services through a prevention lens and their rights and goals need to be explicitly protected and supported in the redesign.

We recommend that:

1. MCFD assess how the supports and services proposed through the redesign process strengthen or hinder the legal duty of the Ministry to consider less disruptive measures and develop policy and guidelines to ensure this legal duty is upheld.²¹
2. MCFD fund child and family advocates and ensure every family that is engaging with the Specialized Homes and Support Services System is linked to an advocate to ensure parental rights are upheld when engaging with this system.²²

Maintaining Family and Cultural Ties and Relationships

We recognize that the MCFD's specialized long-term care is a service "intended to provide a safe, loving and nurturing environment for children/youth who need more intense supervision and support."²³ The short-term services similarly are designed to provide a safe environment for children and youth experiencing a crisis.²⁴ Despite these good intentions, we know that children in care have poorer outcomes in general well-being, education, etc.²⁵

Considering the nature of these services, it is unclear how the MCFD will prioritize and maintain family and cultural ties and relationships. The lack of clear communication regarding actions that MCFD will undertake to maintain family and cultural ties is concerning because this loss of connection can negatively impact children and their families. We are concerned that the redesign does not sufficiently consider the benefits of belonging and it is a continuation of MCFD's policy to prioritize safety over other considerations.²⁶

Family and cultural connections are essential for children and youth because they can create a sense of belonging. Children and youth discover themselves through experiences of

²¹ West Coast LEAF, *Pathways in a Forest: Indigenous guidance on prevention-based child welfare*, 94.

²² West Coast LEAF, *Pathways in a Forest: Indigenous guidance on prevention-based child welfare*, 97.

²³ Ministry of Child and Family Development, *Service Expectations: Specialized Long-Term Care*, (n.d.), 1.

²⁴ Ministry of Child and Family Development, *Service Expectations: Low-Barrier Short-term Stabilization Care*, (September 2021), 1.

²⁵ Grand Chief Ed John, *Indigenous Resilience, Connectedness and Reunification - from Root Causes to Root Solutions*, BC Aboriginal Child Care Society, 2016, 35; Office of the Ombudsperson of British Columbia. *Alone: The Prolonged and Repeated Isolation of Youth in Custody*, Special Report No. 48, (June 2021), 20.

²⁶ West Coast LEAF, *Pathways in a Forest: Indigenous guidance on prevention-based child welfare*, 42-43.

belonging.²⁷ Short-term and long-term care can be an act of “unbelonging” due to the separation of the child/youth from their family and community.²⁸ MCFD must ameliorate this “unbelonging” that can occur due to separation from families until such a time where no children/youth are separated from their families: because “to decolonize is to come home to connection and belonging.”²⁹

Children and youth should be supported if they wish to maintain or renew their family and cultural ties and relationships. The MCFD should address barriers that prevent children/youth from keeping and strengthening relationships including, for example, staff shortages. Maintaining family and cultural ties is important because “research shows that many who continue to have relationships with their birth parents and extended birth families experience better outcomes.”³⁰

We concur with the RCY’s call for “MCFD to ensure that every child the ministry supports has a strong sense of belonging, regardless of permanency plan.”³¹

We recommend that:

3. MCFD should include as an outcome in the specialized long-term care services connection to family and maintenance of those relationships. The potential indicators that this outcome is being met should consist of frequent visits with family, an increase in self-assessed sense of belonging, and family reunification.³²
4. MCFD should consider the inclusion of family members in the meetings with the contractor designed to assess the effectiveness of the placement. The voice of parents should be heard throughout the stay of the child/youth in long-term care.

Accountability and Transparency for Parents, Families, Nations, and Communities

A. Accountability and Transparency Framework

This proposed reform is taking place on the heels of the Auditor General of British Columbia’s June 2019 report finding that MCFD was not effectively overseeing contracted residential services, was not monitoring the quality of care that contractors provided and ministry, and that culturally appropriate services were lacking, among other critical findings.³³ It also follows the Representative for Children and Youth’s March 2013 Audit on Plans of Care which found

²⁷ Representative for Children and Youth, *Skye’s Legacy: A Focus on Belonging*, (June 2021), 36.

²⁸ Representative for Children and Youth, *Skye’s Legacy: A Focus on Belonging*, (June 2021), 37.

²⁹ Representative for Children and Youth, *Skye’s Legacy: A Focus on Belonging*, (June 2021), 37.

³⁰ Representative for Children and Youth, *Skye’s Legacy: A Focus on Belonging*, (June 2021), 49-50.

³¹ Representative for Children and Youth, *Skye’s Legacy: A Focus on Belonging*, (June 2021), 47.

³² West Coast LEAF, *Pathways in a Forest: Indigenous guidance on prevention-based child welfare*, 96.

³³ Auditor General of British Columbia, *Oversight of Contracted Residential Services for Children and Youth in Care*, June 2019, p. 4.

disturbingly low compliance with MCFD's own standards.³⁴ Based on these reports and lived experiences, children, youth, families, communities, and Nations have good reasons to be concerned that the principles articulated in the service model may not be upheld in practice and need to see accountability in the service model.

Children, youth, families, communities, and Nations are key stakeholders in this process and must have mechanisms for accountability that are accessible and meaningful to them built into the service model. A review of the materials indicates that MCFD has given no consideration to how it will be publicly accountable for the principles, practice standards, and programmatic features outlined in the service models and accountable to children, youth, families, communities, and Nations who are affected by the service plan. The service plan also does not clearly articulate how MCFD will conduct its oversight and monitoring of the services.

We recommend that:

5. Given the significant rights at stake in MCFD staff's decisions and practices for children and youth as well as their families, communities, and Nations, the service model must include a robust accountability framework including MCFD's accountability and transparency goals in relation to these key stakeholders.³⁵ This accountability framework must be built into each of the service types.
6. Decisions taken by MCFD staff including social workers and service providers should be clear and transparent and communicated to parents and families in writing.
7. The process for how MCFD will oversee and ensure standards are maintained by its contractors should be clearly explained in the service model including the qualitative or quantitative performance measures that will be relied on by MCFD in its oversight.
8. The service model must include a process for ongoing feedback from parents and families and responses to parents and families on the implementation of its practice principles such that accountability and transparency is an ongoing commitment.
9. The service plan must include a framework for public accountability so that communities are updated on the quality of service and improvements in service with respect to implementing principles, practice standards, and programmatic features.

B. Least Intrusive Options Assessment

We are encouraged to see a commitment to ensuring the service types are considered only after exploring less intrusive options to meet a child/youth and family's needs, such as wrap around supports within a child's home, supports through extended family, community, or the Family Care Home network, as indicated in MCFD materials.³⁶ However, we are concerned that the materials contain no information on what mechanisms will be put in place to ensure accountability to parents, extended families, and Nations with respect to assessing the least intrusive options and the process to reassess these options on an ongoing basis.

³⁴ Representative for Children and Youth, *Much More than Paperwork: Proper Planning Essential to Better Lives for B.C.'s Children in Care: A Representative's Audit on Plans of Care*, March 2013, pp. 3, 96.

³⁵ West Coast LEAF, *Pathways in a Forest: Indigenous guidance on prevention-based child welfare*, p. 50.

³⁶ Service Expectation – Emergency Care, p. 1; Service Expectation – Long-term Specialized, p. 1

Families who have engaged with the child welfare system have reported frustration with the lack of accountability from social workers and the discrepancies in social work practice that have undermined prevention-based efforts.³⁷ The service model lacks an accountability framework which creates a power imbalance between parents, extended families, communities, and social workers that undermines prevention efforts.³⁸

We recommend that:

10. The service model should include a specific requirement that social workers make active efforts to place children/youth with extended family members.³⁹
11. The service model should include a priority list of adults that should be considered if a parent is unable to provide care, beginning with a family member, and in the case of an Indigenous child/youth, a member from a child/youth's Indigenous community, or an adult from another Indigenous community.⁴⁰
12. The service model should specifically require that the Ministry respond to alternative proposals by parents, extended family, Nations, and community-based organizations that support the parent.⁴¹
13. The service model should require that the availability of alternative placements with parents and/or extended family members be reassessed on an ongoing basis.⁴²

C. Complaints, Remedies, and Redress Processes

Each of the service models places considerable decision-making power in the hands of social workers and/or other MCFD staff. For example, in the Emergency Care service, social workers will have critical decision-making powers related to the determination that a child/youth urgently requires a "safe landing place" and that extended family, a community member, or a family care home is unavailable to the child/youth.⁴³ In the Long-term Specialized Care service, MCFD staff have the power to decide about the need for stable long-term placement based on the best interests and needs of the child/youth.⁴⁴

Despite the significant rights at stake in MCFD staff's decisions and practices for children/youth as well as their families, communities, and Nations, including their reliance on staff to facilitate family connection and access, the service model does not explain or consider how the above stakeholders will be able to enforce practices and standards by bringing forward concerns or complaints and seeking remedies and redress for failures to uphold standards.

The current process for making a complaint about MCFD is a broken process that does not result in meaningful or timely dispute resolution for the concerns of parents, extended families,

³⁷ West Coast LEAF, *Pathways in a Forest: Indigenous guidance on prevention-based child welfare*, 5.

³⁸ West Coast LEAF, *Pathways in a Forest: Indigenous guidance on prevention-based child welfare*, 51.

³⁹ West Coast LEAF, *Pathways in a Forest: Indigenous guidance on prevention-based child welfare*, 51.

⁴⁰ West Coast LEAF, *Pathways in a Forest: Indigenous guidance on prevention-based child welfare*, 50.

⁴¹ West Coast LEAF, *Pathways in a Forest: Indigenous guidance on prevention-based child welfare*, 51.

⁴² West Coast LEAF, *Pathways in a Forest: Indigenous guidance on prevention-based child welfare*, 51.

⁴³ Service Expectation – Emergency Care, pp. 1, 2

⁴⁴ Service Expectation – Long-Term Specialized Care, p. 2

and communities. Members of our collective have expressed concern that the complaint process redirects them to taking up their issue with the social worker who they have complaints about. The process is ineffective because it does not consider the power imbalance between the social worker and the complainants. The process also does not protect complainants from the fear of retaliation or actual retaliation for making a complaint. An effective complaint resolution process is critical to rebuilding trust and ensuring the service model is responsive to parents and extended families, which is critical to prevention efforts. The current broken complaints system must be addressed if the service model is to uphold its practice principles and meet its stated deliverables and its intended outcomes.

We recommend that:

14. MCFD address the broken complaint system and implement the recommendations from the Ombudsperson of BC's Complaint Handling Guide: Setting up Effective Complaint Resolution Systems in Public Organizations, Special Report No. 46, December 2020, to develop a meaningful, timely, robust, and accessible complaint system that furthers accountability and recognizes the significant interests of parents and extended families.⁴⁵
15. The complaint system must be accessible to parents and extended families. The service model should include specific directions that MCFD staff must advise parents and extended family members and other community members of their ability to make a complaint and how a complaint can be made.
16. The complaint system must be procedurally fair to parents and extended families. This includes timeliness and responsiveness to the urgent nature of the concerns that may arise from decisions made under this service model, including for example with respect to parents and extended families reliance on staff to facilitate family connections and access.
17. The complaint process must include remedies and forms of redress for parents and extended families if and when practice principles and standards in the service plan are not upheld. This should include effective resolution of complaints, including reconsidering or reversing decisions, expediting an action, commitments to follow, review or amend policies or procedures to prevent future problems, explanations for any errors made and the steps MCFD is taking to prevent errors from happening again, and acknowledgement and apologies for errors.⁴⁶
18. The MCFD complaint process ought to be staffed by skilled, unbiased, and non-judgmental adjudicators, who are trained in cultural humility and trauma informed practices.

⁴⁵ Office of the Ombudsperson of British Columbia. *Complaint Handling Guide: Setting up Effective Complaint Resolution Systems in Public Organizations*, Special Report No. 46, December 2020.

⁴⁶ Office of the Ombudsperson of British Columbia. *Complaint Handling Guide: Setting up Effective Complaint Resolution Systems in Public Organizations*, Special Report No. 46, December 2020, p. 18.

Conclusion

We are encouraged by MCFD's commitment to work with Indigenous communities and Nations, see fewer children enter care, and explore less intrusive options to meet the needs of children and families. We urge MCFD to embrace transformative change that will go beyond minor shifts and short-term fixes. To that end, MCFD should implement the following reforms to the Specialized Homes and Services Redesign. First, MCFD should resist practices that entrench the removal of children from their families and communities and invest in prevention instead. Second, MCFD should prioritize and maintain family and cultural ties and relationships. Third, MCFD should create accountability mechanisms that assess MCFD's use of least intrusive measures to ensure accountability to parents, extended families, and Nations.

Thank you for the opportunity to provide feedback on the Specialized Homes and Services Redesign.

Sincerely,



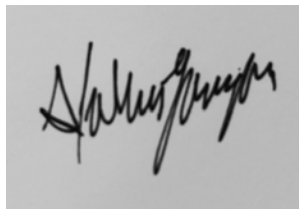
Humera Jabir
Staff Lawyer
West Coast LEAF



Lori Damon, MA, RCC
Mental Health Clinician
Keeping Families Together



Bety Tesfay
Articling Student
West Coast LEAF



Sharnelle Jenkins-Thompson
Manager of Community Outreach
West Coast LEAF

Submission Recommendations

1. MCFD assess how the supports and services proposed through the redesign process strengthen or hinder the legal duty of the Ministry to consider less disruptive measures and develop policy and guidelines to ensure this legal duty is upheld⁴⁷
2. MCFD fund child and family advocates and ensure every family that is engaging with the Specialized Homes and Support System is linked to an advocate to ensure parental and family rights are upheld when engaging with this system⁴⁸
3. MCFD should include as an outcome in the specialized long-term care services connection to family and maintenance of those relationships. The potential indicators that this outcome is being met should consist of frequent visits with family, an increase in self-assessed sense of belonging, and family reunification.⁴⁹
4. MCFD should consider the inclusion of family members in the meetings with the contractor designed to assess the effectiveness of the placement. The voice of parents should be heard throughout the stay of the child/youth in long-term care.
5. Given the significant rights at stake in MCFD staff's decisions and practices for children and youth as well as their families, communities, and Nations, the service model must include a robust accountability framework including MCFD's accountability and transparency goals in relation to these key stakeholders. This accountability framework must be built into each of the service types.⁵⁰
6. Decisions taken by MCFD staff including social workers and service providers should be clear and transparent and communicated to parents and extended families in writing.
7. The process for how MCFD will oversee and ensure standards are maintained by its contractors should be clearly explained in the service model including the qualitative or quantitative performance measures that will be relied on by MCFD in its oversight.
8. The service model must include a process for ongoing feedback from parents and families and responses to parents and families on the implementation of its practice principles such that accountability and transparency is an ongoing commitment.
9. The service plan must include a framework for public accountability so that communities are updated on the quality of service and improvements in service with respect to implementing principles, practice standards, and programmatic features.
10. The service model should include a specific requirement that social workers make active efforts to place children/youth with extended family members.⁵¹
11. The service model should include a priority list of adults that should be considered if a parent is unable to provide care, beginning with a family member, and in the case of an Indigenous child/youth, a member from a child/youth's Indigenous community, or an adult from another Indigenous community.⁵²

⁴⁷ West Coast LEAF, *Pathways in a Forest: Indigenous guidance on prevention-based child welfare*, 94.

⁴⁸ West Coast LEAF, *Pathways in a Forest: Indigenous guidance on prevention-based child welfare*, 97.

⁴⁹ West Coast LEAF, *Pathways in a Forest: Indigenous guidance on prevention-based child welfare*, 96.

⁵⁰ West Coast LEAF, *Pathways in a Forest: Indigenous guidance on prevention-based child welfare*, p. 50.

⁵¹ West Coast LEAF, *Pathways in a Forest: Indigenous guidance on prevention-based child welfare*, 51.

⁵² West Coast LEAF, *Pathways in a Forest: Indigenous guidance on prevention-based child welfare*, 51.

12. The service model should specifically require that the Ministry respond to alternative proposals by parents, Nations, and community-based organizations that support the parent.⁵³
13. The service model should require that the availability of alternative placements with parents and/or extended family members be reassessed on an ongoing basis.⁵⁴
14. MCFD address the broken complaint system and implement the recommendations from the Ombudsperson of BC's Complaint Handling Guide: Setting up Effective Complaint Resolution Systems in Public Organizations (Special Report No. 46: December 2020) to develop a meaningful, timely, robust, and accessible complaint system that furthers accountability and recognizes the significant interests of parents and extended families.⁵⁵
15. The complaint system must be accessible to parents and extended families. The service model should include specific directions that MCFD staff must advise parents and extended family members and other community members of their ability to make a complaint and how a complaint can be made.
16. The complaint system must be procedurally fair to parents and extended families. This includes timeliness and responsiveness to the urgent nature of the concerns that may arise from decisions made under this service model, including for example with respect to parents and extended families reliance on staff to facilitate family connections and access.
17. The complaint process must include remedies and forms of redress for parents and extended families if and when practice principles and standards in the service plan are not upheld. This should include effective resolution of complaints, including reconsidering or reversing decisions, expediting an action, commitments to follow, review or amend policies or procedures to prevent future problems, explanations for any errors made and the steps MCFD is taking to prevent errors from happening again, and acknowledgement and apologies for errors.
18. The MCFD complaint process ought to be staffed by skilled, unbiased, and non-judgmental adjudicators, who are trained in cultural humility and trauma informed practices.

⁵³ West Coast LEAF, *Pathways in a Forest: Indigenous guidance on prevention-based child welfare*, 51.

⁵⁴ West Coast LEAF, *Pathways in a Forest: Indigenous guidance on prevention-based child welfare*, 51.

⁵⁵ Ombudsperson of BC's Complaint Handling Guide: Setting up Effective Complaint Resolution Systems in Public Organizations (Special Report No. 46: December 2020)

<https://bcombudsperson.ca/assets/media/OMB-ComplaintsGuide-Dec2020web.pdf>

References

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