



No judgement allowed!!



Everything is progress



Invest in the future
Help youth



It's all about
WHY?



PUBLIC GUARDIAN AND TRUSTEE OF BRITISH COLUMBIA

CHILD AND YOUTH GUARDIANSHIP SERVICES 2014–2015 REPORT

VALUES

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

INTEGRITY

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

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.



CLIENT CENTRED SERVICE

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

TEAMWORK

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

OPENNESS

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

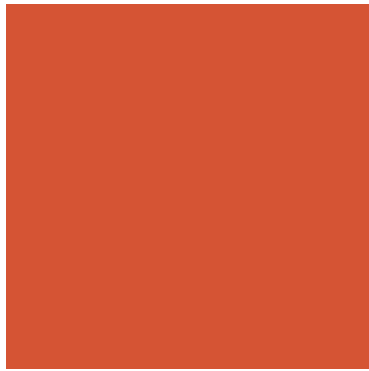
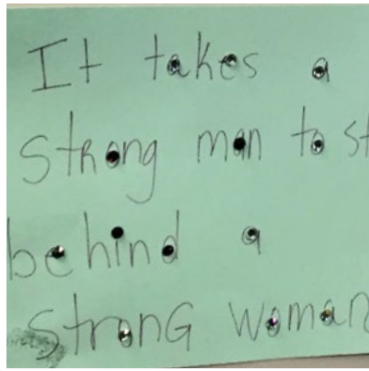


RESPECT

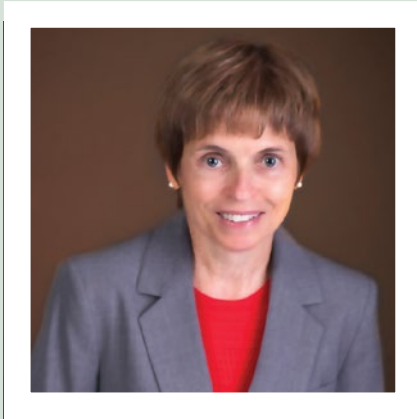
We treat clients, their family and friends in a courteous, respectful manner.

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MESSAGE FROM THE PUBLIC GUARDIAN AND TRUSTEE



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

British Columbians are concerned about children and youth in provincial care. They recognize the duty of a compassionate society is to care for its children who do not have parents or guardians or who cannot live with their families. They expect the province to shelter children and youth who are at risk of harm, to support and nurture them as they mature and to provide them with basic life skills necessary to assist them as they move on to adult life.

The PGT has an important role in supporting children and youth in continuing care by acting as their property guardian. While matters of personal security, health and well being are the responsibility of the Ministry of Children and Family Development (MCFD) and the Delegated Aboriginal Child and Family Service Agencies (DAAs) as guardians of person of the child, the PGT's duty is to protect the legal and financial interests of children in care. As property guardian the PGT secures financial benefits to which a child may be entitled, preserves or advances a child's legal interests and serves as trustee of a child's money or other property. Overall the PGT's objective is to build the potential for children in care to have positive future lives.

Recognizing the value that holding a Registered Disability Savings Plan (RDSP) can provide to create long term financial security to persons with a disability, the PGT has made it a priority to establish a RDSP for each eligible property guardian client. During the period covered by this report, the PGT administered 645 RDSP accounts valued at approximately \$5 million for children in continuing care. The funds held in RDSPs can provide financial support for medical and living expenses over the lifetime of an eligible child.

During the year, the PGT also secured a variety of other financial benefits for children in care and at March 31, 2015, the PGT held nearly \$14 million in trust for these young clients. Overall, the PGT's work as property guardian has resulted in more youth leaving care who have access to some measure of financial resources of their own to support their future lives.

Perhaps one of the most important duties of the PGT as property guardian is to respond to critical incident reports concerning children in continuing care. As part of their responsibilities, MCFD and the DAAs provide the PGT with reports concerning children in care which detail circumstances of events in which a child was at risk of harm or was injured. In this past year, the PGT received 618 critical incident reports and took legal action on behalf of clients where a viable legal claim was identified. Financial compensation for children in care who have been injured or suffered loss enables these children to purchase rehabilitative services and other supports to lessen the impact of their injury or loss on their future lives.

In recent years, the PGT has increasingly reached out to provide information and services to its child and youth clients in their own communities. By regularly participating in community events such as BC Child and Youth Care Week and Gathering Our Voices Aboriginal Youth Conference and by providing financial literacy training in schools and community based programs, the PGT has heightened awareness of its role and made its services more accessible. The highlight to community outreach this year was the PGT's partnership with the Representative for Children and Youth and the Federation of BC Youth in Care Network to facilitate the "Plan Your Path Tour." Together, staff from each organization travelled across British Columbia to meet directly with youth in care to provide rights advice and financial literacy and skills training. On the tour, PGT staff had the privilege of meeting with over 200 youth and had an opportunity to build relationships with service providers, foster parents and community partners in 20 communities across the province.

The PGT is committed to providing effective property guardianship services and to working together with coguardians MCFD and the DAAs to make a positive contribution to the lives of children and youth in continuing care. We look forward to the opportunities the coming year will bring as we continue to 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 British Columbia 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.

DELEGATED ABORIGINAL CHILD AND FAMILY SERVICE AGENCIES (DAAs)

Aboriginal agencies with statutory delegated authority for child protective services for Aboriginal 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

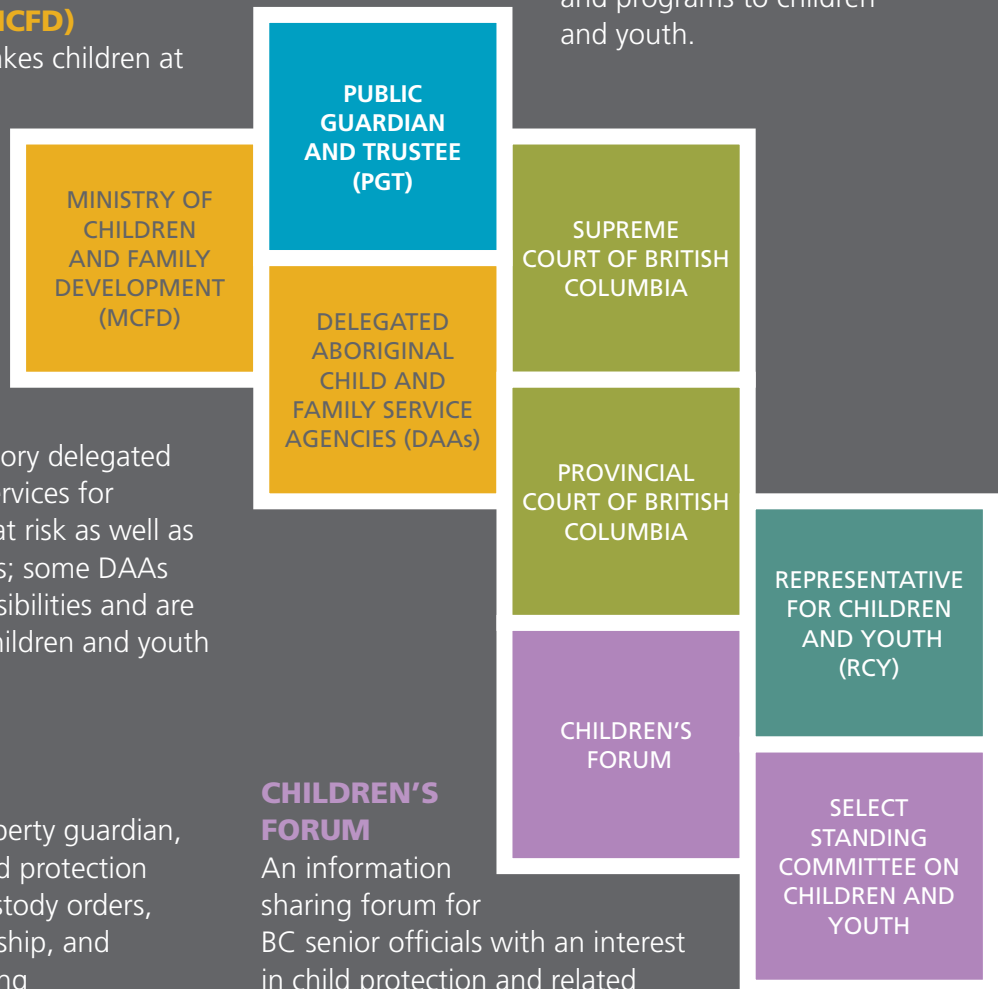
With respect to matters of property guardian, the Provincial Court grants child protection orders including continuing custody orders, may order transfer of guardianship, and adjudicates small claims involving personal injury.

SUPREME COURT OF BRITISH COLUMBIA

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

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.



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.

SELECT STANDING COMMITTEE ON CHILDREN AND YOUTH

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

INTRODUCTION

This is the seventh 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, 2014 to March 31, 2015, is to describe PGT services, key activities and outcomes related to supporting children and youth in continuing care of the province of British Columbia. The report also outlines emerging and continuing opportunities and challenges related to serving children and youth as property guardian.

PGT OVERVIEW

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:

Protect the legal and financial interests of children under the age of 19 years;

Protect the legal, financial, personal and health care interests of adults who require assistance in decision making; and

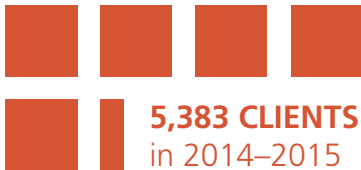
Administer the estates of deceased and missing persons.



The PGT provided services with 254 full time equivalent employee positions and served approximately 27,700 clients throughout 2014–2015. It managed \$877 million of client trust assets. 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

Through its **Child and Youth Services (CYS) Division**, the PGT acts on behalf 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 legal guardian, and in some limited 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 and part of the wages paid to child and youth actors. Funds are typically held in trust until children and youth turn 19, but may be used earlier if it is in the best interests of the child or youth.



PROTECTIVE LEGAL REVIEWS

In conducting protective legal reviews, the PGT reviews all proposed settlements of claims 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 its 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 funds.

PUBLIC GUARDIANSHIP SERVICES IN BC

When children lose their parents or legal guardians and have no one to provide guardianship protection to them, 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

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 be property guardian under a temporary custody order.

There are 46 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 extensively 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.

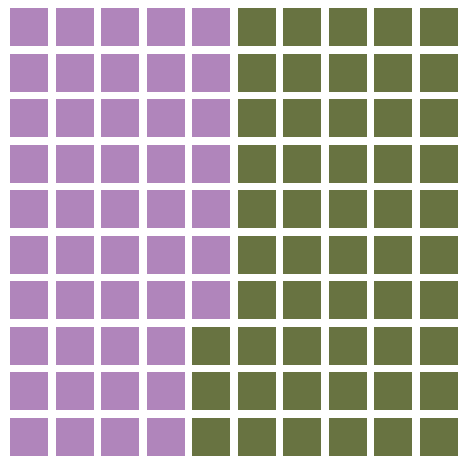
The PGT also receives copies of “Initial Reportable Circumstance” reports from MCFD and DAAs which are reviewed and referred to legal counsel if the information in the report indicates further investigation and possible legal action is required. The PGT refers to these reports as critical incident reports (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 all 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, 2014 to March 31, 2015.

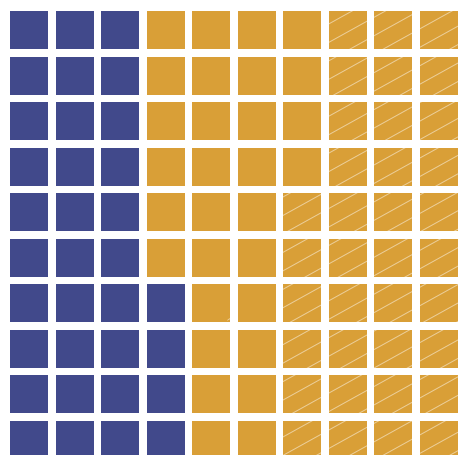
IF PGT PROPERTY GUARDIAN CLIENTS (AT MARCH 31, 2015) WERE IMAGINED AS A VILLAGE OF 100 CLIENTS, THEN:






47 FEMALES 
53 MALES 



6 OVER 19 
12 UNDER 4 
22 AGES 5–9 
25 AGES 10–14 
35 AGES 15–18 



ABORIGINAL CLIENTS
36 SERVED BY DAAs 
30 SERVED BY MCFD 
34 NON ABORIGINAL 

NOTE: ALL DATA IN THIS REPORT IS DERIVED FROM PGT SOURCES, EXCEPT FOR INFORMATION REGARDING ABORIGINAL IDENTITY, WHICH IS PROVIDED BY MCFD.

FINANCIAL SERVICES

The PGT pursuit of financial benefits and entitlements is generating growing financial assets for the children and youth served by the PGT as property guardian. At March 31, 2015, the PGT held approximately \$13.8 million in assets on behalf of these children and youth from a variety of sources.

A key area of focus for the PGT has been to establish Registered Disability Savings Plans (RDSPs) for children and youth who have received their Disability Tax Credit designation with 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.

As of March 31, 2015, the PGT had established 645 RDSPs for eligible children and youth valued at nearly \$5 million. Established accounts continue to grow as the PGT secures the annual \$1,000 bond for each eligible child or youth.

MAJOR CATEGORIES OF ASSETS AT MARCH 31, 2015

NUMBER OF CLIENTS	ASSET TYPE	TOTAL VALUE OF SELECTED ASSET
645	REGISTERED DISABILITY SAVINGS PLANS	\$4,997,134
830	TRUST ACCOUNTS WITH CASH BALANCES	\$7,213,853
16	HOLDINGS IN THE PGT BALANCED GROWTH FUND	\$1,601,383

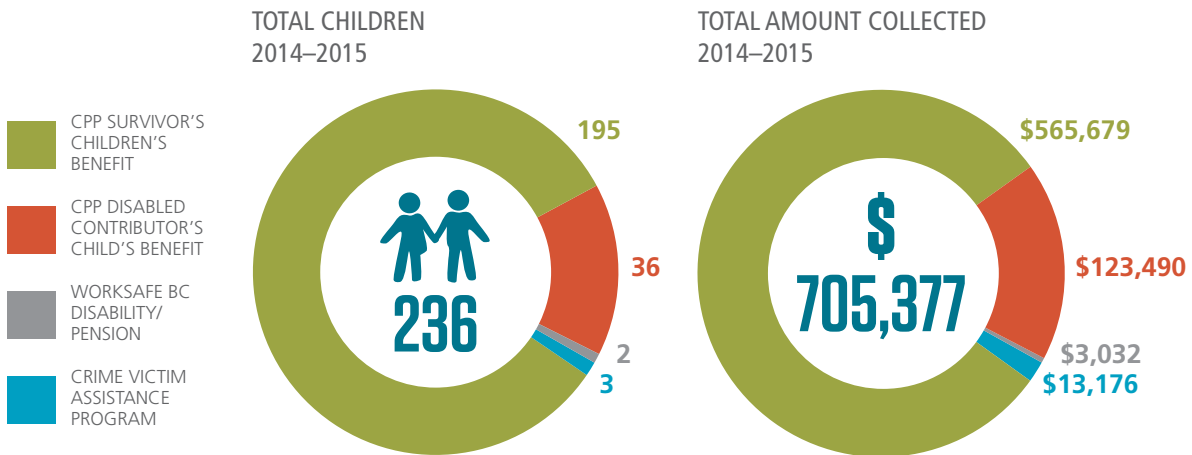
NOTE: THESE REPRESENT THE THREE MAJOR CATEGORIES OF ASSETS HELD BY PGT FOR CHILDREN AND YOUTH IN CARE.

SECURING RDSP BENEFITS



The PGT held a RDSP for Rachele, an 18 year old youth in care. The PGT became aware that the Child Disability Benefit expired on Rachele's 18th birthday, meaning she could lose her eligibility to have a RDSP. The PGT Guardianship and Trust Officer (GTO) was aware that Rachele's disability was likely to be lifelong, and contacted her social worker to advise her of the expired Child Disability Benefit. Together, the GTO and the social worker ensured that Rachele was reassessed for eligibility to receive the Child Disability Benefit prior to her 19th birthday, ensuring that Rachele would keep her RDSP.

FINANCIAL BENEFITS COLLECTED 2014–2015



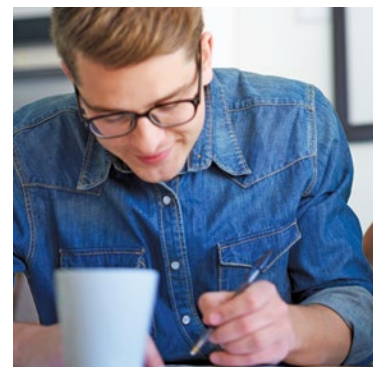
The PGT pursued and collected over \$700,000 in various financial entitlements and benefits on behalf of children and youth in 2014–2015. These can include death benefits, Aboriginal band benefits, private pensions and various federal and provincial government benefits. In addition, legal actions brought by the PGT on behalf of children and youth, including personal injury claims, resulted in the collection of over \$1.1 million on behalf of children and youth in 2014–2015.

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 2014–2015, PGT staff applied for 647 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.

Jonathan was placed in continuing care after his parents passed away. Jonathan was a dedicated student and received early acceptance into the university program of his choice. The PGT held funds in trust for Jonathan which were an inheritance from Jonathan's deceased parents. Jonathan contacted the PGT to request payment of his post secondary costs from his trust. The PGT worked in collaboration with Jonathan's social worker at MCFD to identify funding options to cover these expenses outside of the trust. These joint efforts resulted in MCFD securing alternative funding arrangements for Jonathan's tuition and living expenses which kept Jonathan's trust funds available for his use as an adult.

COLLABORATING WITH SERVICE PARTNERS TO BENEFIT CHILDREN AND YOUTH



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 2014–2015, 618 CIRs were received by the PGT involving 401 children and youth. 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.

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 on pages 24 and 25).

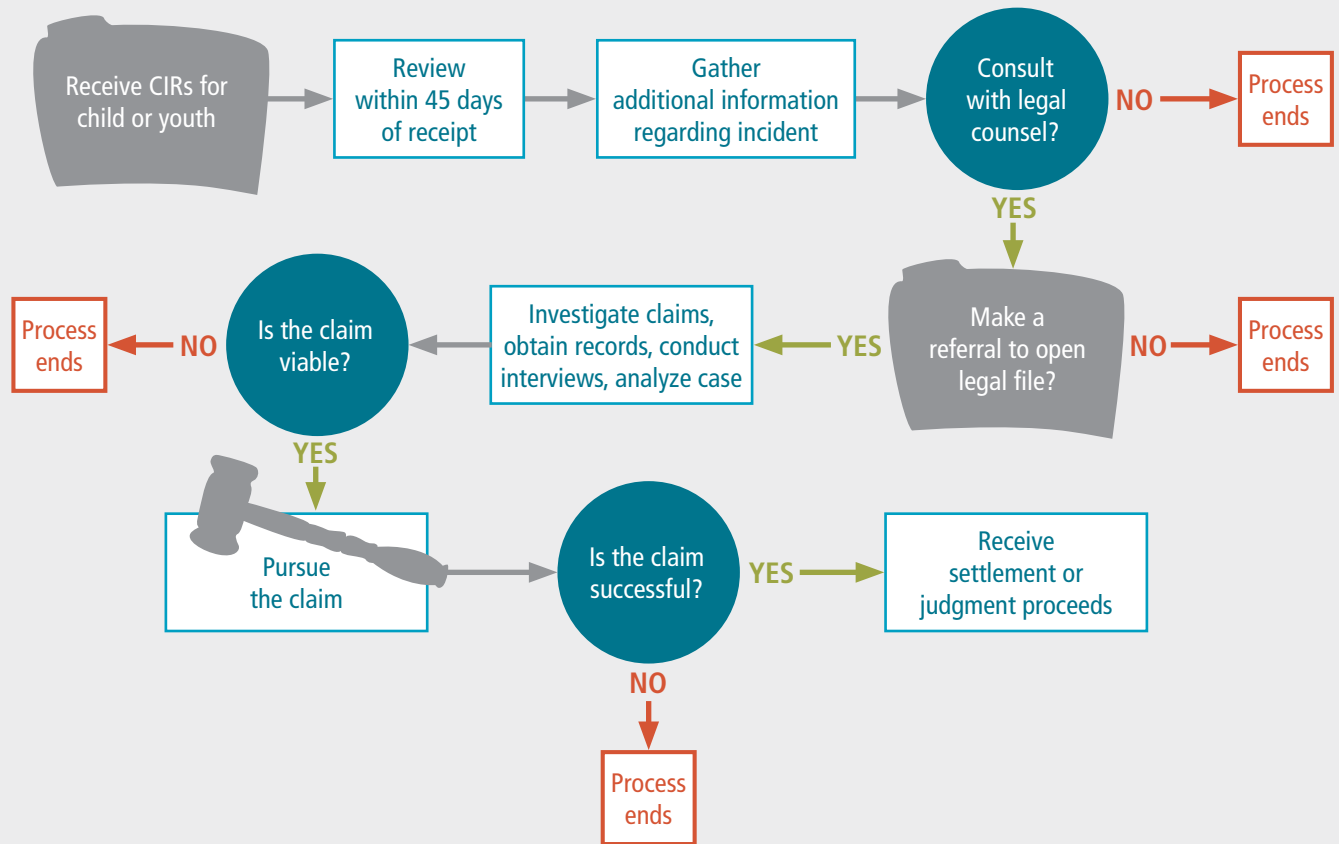
NUMBER OF CRITICAL INCIDENT REPORTS FOR CHILD OR YOUTH 2014–2015

# OF CIRs RECEIVED	# OF CHILDREN	% OF CHILDREN
1	284	71%
2	66	16%
3	25	6%
4	14	3%
5	7	2%
6	2	<1%
7	1	<1%
8	1	<1%
9	1	<1%
	401	100%

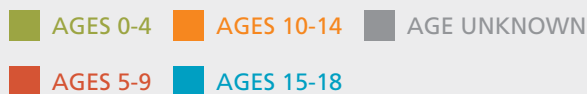
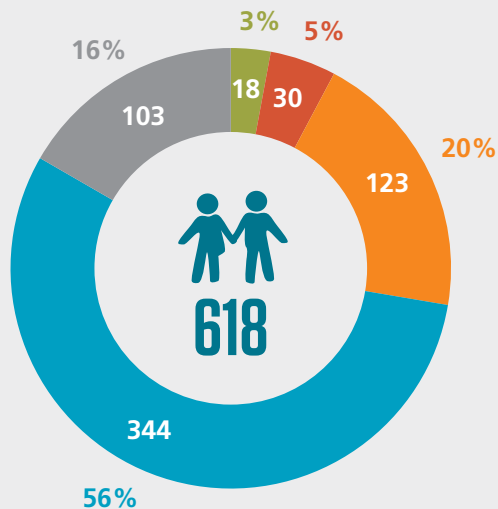


IN 2014–2015
THERE WERE
618 REPORTS
FOR
401 CHILDREN

PGT RESPONSE TO CRITICAL INCIDENT REPORTS 2014–2015

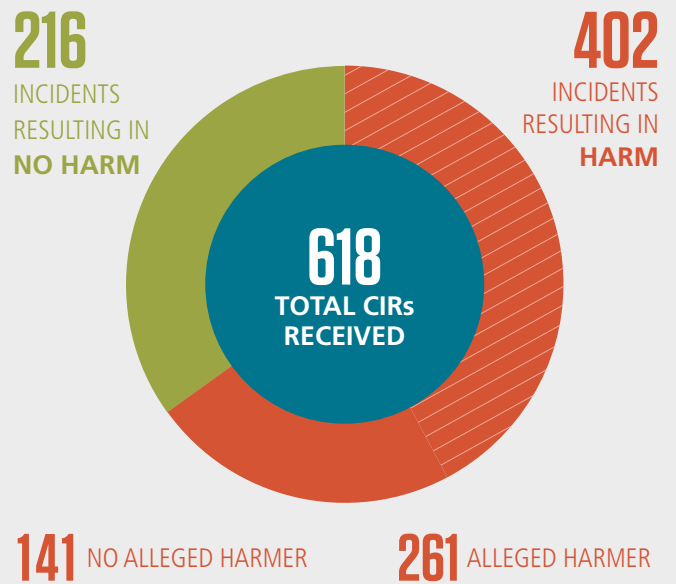


AGE OF CHILD OR YOUTH ON DATE OF INCIDENT 2014–2015



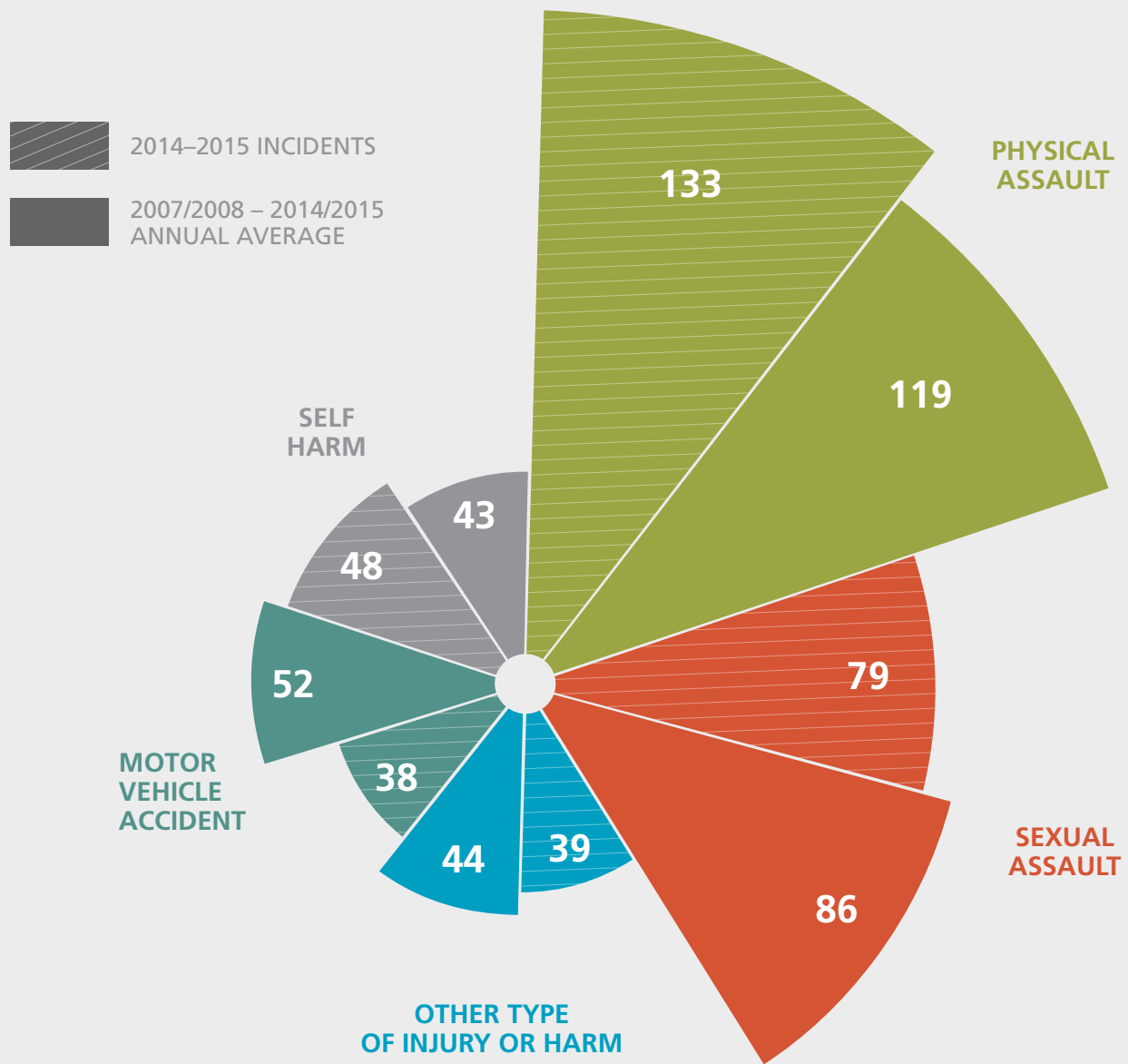
NOTE: "UNKNOWN" IS USED WHEN THE EXACT DATE OF THE INCIDENT IS UNKNOWN OR WHEN AN INCIDENT OCCURRED OVER A PERIOD OF TIME.

NUMBER OF CIRs THAT REPORTED HARM OR NO HARM TO A CHILD OR YOUTH 2014–2015



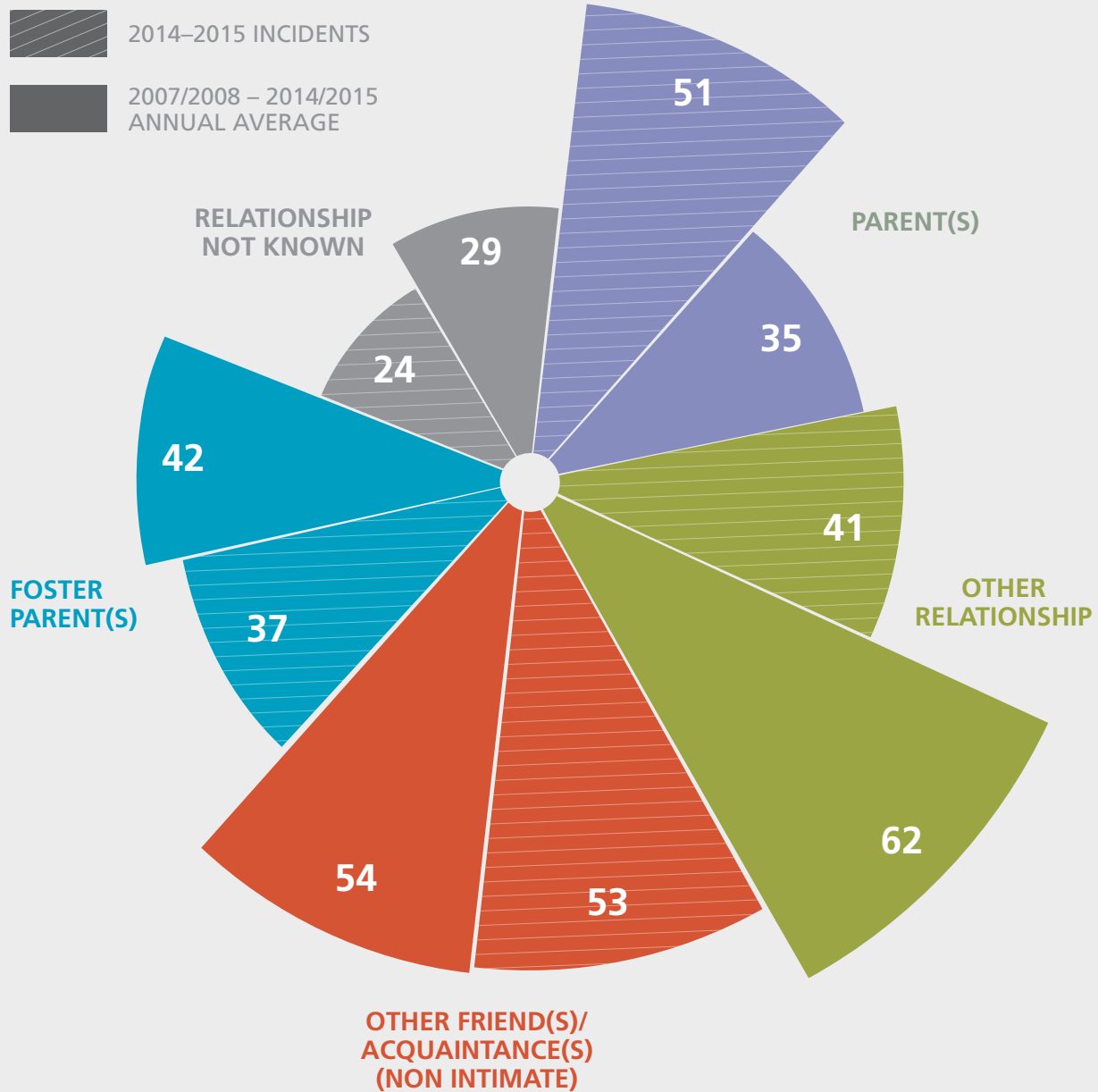
NOTE: 99% OF CIRs WERE REVIEWED WITHIN 45 DAYS OF RECEIPT IN 2014–2015.

FIVE MAJOR CATEGORIES OF HARM EXPERIENCED BY CHILDREN AND YOUTH



As the graph above demonstrates, “physical assault” is the most common type of harm reported to the PGT. The majority of injuries resulting from physical 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



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;
- monitoring the administration of a deceased person's estate in which a child may have an interest;
- 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 (AT MARCH 31, 2015) WERE IMAGINED AS A VILLAGE OF 100 CLIENTS, THEN:

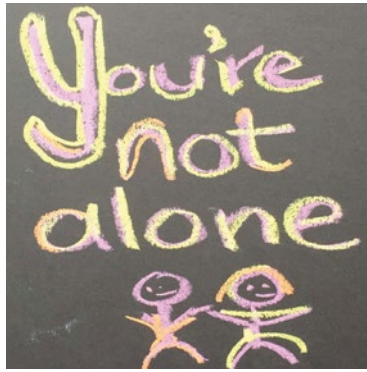


Since the introduction of automated reporting of critical incidents from MCFD and DAAs to the PGT in 2007, the number of incidents reported has grown significantly. Over the last several years, the PGT has developed more efficient business processes to improve the initial analysis of these reports and as a result, legal files are only opened where the PGT believes that a viable legal claim exists. Legal claims related to personal injury arising from sexual assault are consistently the largest category of potential civil claims, comprising 29% of legal referrals over the year.

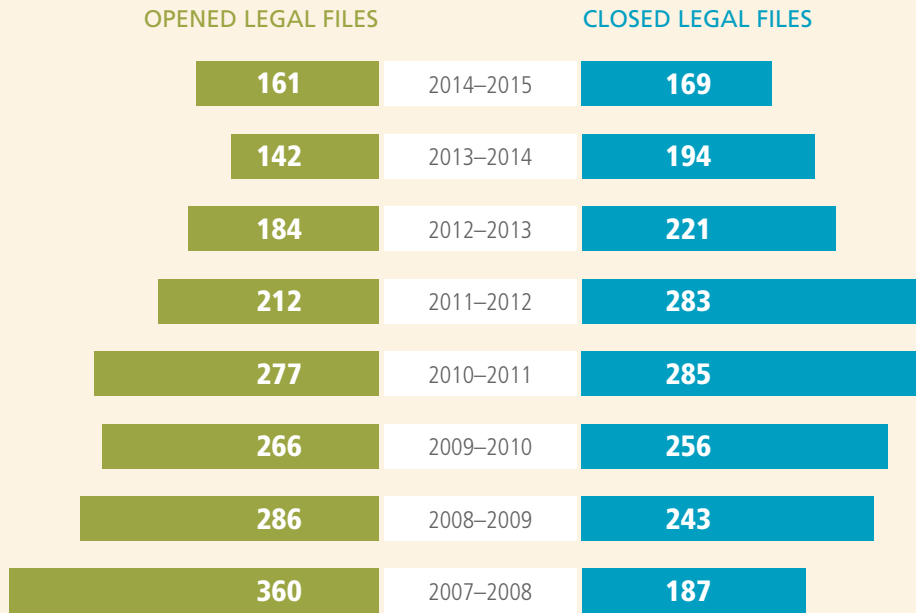
In 2014–2015, 161 new legal files were opened and 169 were concluded.

There have been 1,838 legal files concluded for children in care between 2007–2008 and 2014–2015. Of the legal files concluded over this period of time, the average amount of time to conclude the matter was approximately two and a half 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 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. Between 2007–2008 and 2014–2015, the PGT collected nearly \$10.4 million from legal actions commenced on behalf of children and youth, including approximately \$1.1 million in 2014–2015.

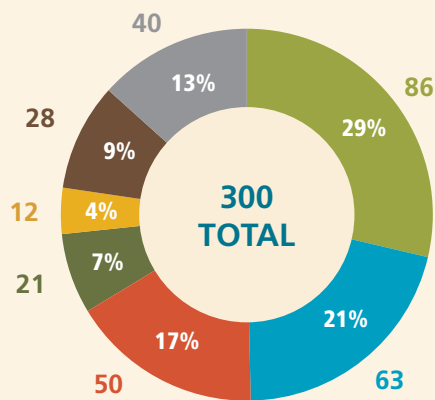


OPENED AND CLOSED LEGAL WORK FOR PROPERTY GUARDIAN CLIENTS BY YEAR

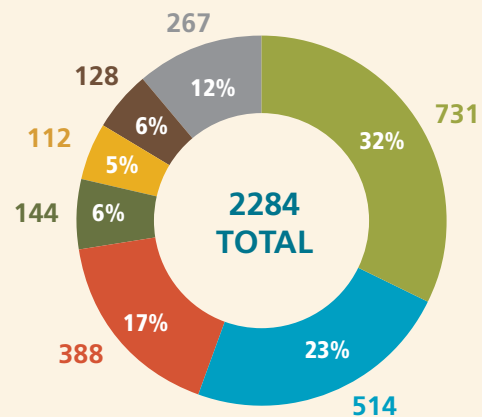


TYPE OF LEGAL WORK FOR PROPERTY GUARDIAN CLIENTS

2014–2015 TOTAL



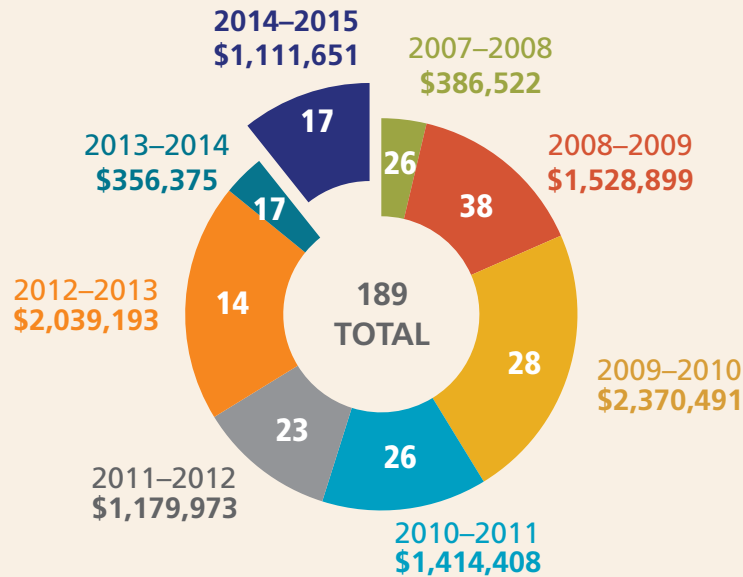
2007/2008–2014/2015 TOTAL



- PERSONAL INJURY – SEXUAL ASSAULT
- PERSONAL INJURY – NON MOTOR VEHICLE ACCIDENTS
- PERSONAL INJURY – MOTOR VEHICLE ACCIDENTS
- FAMILY COMPENSATION ACT

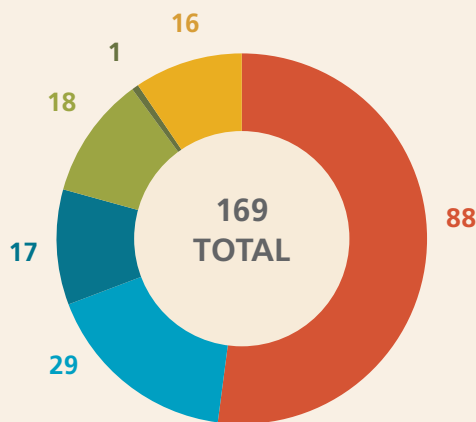
- WILLS AND ESTATES – OTHER
- GUARDIANSHIP MINORS
- OTHER LEGAL FILE CATEGORIES

AMOUNTS COLLECTED FROM LEGAL CLAIMS MADE ON BEHALF OF PROPERTY GUARDIAN CLIENTS
 2007/2008–2014/2015 TOTAL AMOUNT COLLECTED **\$10,387,512**

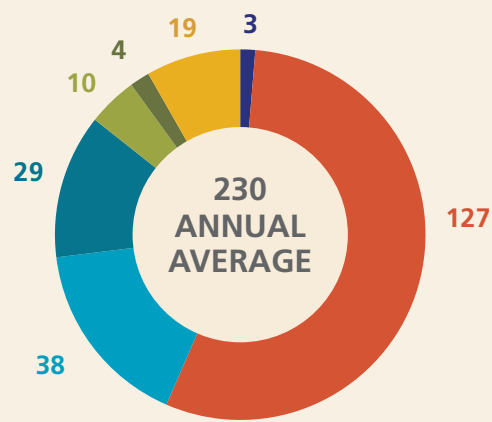


OUTCOMES OF LEGAL PROPERTY GUARDIAN WORK

2014–2015 TOTAL NUMBERS



2007/2008–2014/2015 ANNUAL AVERAGE



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



LEGAL SUPPORT FOR CHILDREN AND YOUTH

Selina’s social worker advised the PGT that Selina’s father recently passed away. Selina was the named beneficiary of an insurance policy on her father’s life which consisted of both life insurance and accidental death benefits. The PGT applied for these funds on Selina’s behalf, but the insurer denied the accidental death benefits claim due to the cause of her father’s death. The PGT provided legal advocacy that resulted in Selina receiving the funds from both insurance policies.

TRANSITION SERVICES

The PGT role as property guardian typically ends when a youth reaches 19 years of age, the age of majority in British Columbia. 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, 80 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 BC (CLBC), to best support the youth to 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 2014–2015, the PGT was appointed to act as committee of estate under the *Patients Property Act* for four former children in continuing care.



TRANSITION PLANNING – CONNECTIONS TO COMMUNITY

The PGT held trust funds for Janet and Cindy, each of whom was approaching her 19th birthday. The Guardianship and Trust Officer (GTO) was advised by MCFD that it was likely neither of the girls would be capable of managing her funds independently at age 19 and would require a legal representative to assist. Both Janet and Cindy resided in a small town in BC and did not have a large support network. The PGT worked together with MCFD, the youths' caregiver, and Janet and Cindy to identify individuals with whom the girls had trusted relationships and who the girls could potentially appoint as their respective representatives. As a result of these collaborative efforts, two former school teachers with whom Janet and Cindy had established close relationships over the years were identified. The GTO contacted the teachers who were very willing to assist the girls by acting as representatives. The GTO explained to Janet and Cindy the process for making a representation agreement and directed each of them to obtain professional advice to prepare a representation agreement. By making representation agreements, Janet and Cindy were able to appoint trusted friends to manage their funds, thus securing the girls' future financial well being.



COMMUNITY ENGAGEMENT AND OUTREACH

The PGT welcomes and seeks out opportunities to build and strengthen relationships with property guardian clients, coguardians at MCFD and DAAs, community partners and stakeholders and other youth serving agencies.

COMMUNITY EVENTS

Each year, the PGT is an active participant in annual community events such as National Aboriginal Day, BC Child and Youth in Care Week, and the Gathering Our Voices Aboriginal Youth Conference. The PGT also continues to participate as a member of the provincial Services to Adults with Developmental Disabilities (STADD) committee, the Indigenous Financial Literacy Committee and the Children's Forum.

BROADWAY YOUTH RESOURCE CENTRE

For the past eight years, PGT Child and Youth staff have been present at the Broadway Youth Resource Centre (BYRC), an award winning youth serving organization that serves youth in Vancouver by providing a wide range of social, health, education, employment and life skills services. While at the BYRC, PGT staff provide youth with information on property guardianship services, along with holding regular financial literacy workshops for youth at risk and current or former youth in care.

MAKING CONTACT THROUGH COMMUNITY CONNECTIONS



Noah, a youth in care, recently learned from his Guardianship and Trust Officer that the Public Guardian and Trustee was holding funds on his behalf. While at the Broadway Youth Resource Centre, Noah met with a PGT staff member who discussed with Noah the benefits of financial planning. Noah then took part in a six week PGT financial literacy workshop to learn how to manage his funds independently once he reaches the age of majority and transitions out of care. Having these funds and knowing how to manage them will enable Noah to focus on his goals, such as furthering his education.

PLAN YOUR PATH TOUR

The PGT also participated in the Delegated Agency Rights Tour. Coordinated by the Representative for Children and Youth (RCY) and hosted by 22 of the 23 DAAs in BC, the "Plan Your Path Tour" workshops were cofacilitated by the RCY, the Federation of BC Youth in Care Networks (FBCYICN) and the PGT. Together, staff from all three agencies travelled extensively throughout the province from October 2014 to May 2015 to visit with DAAs throughout BC. PGT staff met directly with Aboriginal youth in care to discuss their rights and provide workshops on the supports and skills they will need as they transition to adulthood.

While on the tour, PGT staff had the privilege of meeting over 200 youth and more than 120 service providers, foster parents, and community members in 20 communities, to discuss PGT partnerships, explain the PGT's role in protecting and advancing the financial and legal interests of youth it serves, and to introduce financial literacy tools and concepts to PGT property guardian clients. Workshop participants were given financial literacy tools and information and advised where they could learn more about how to manage their money, with the key message being that knowledge, skills, and trustworthy relationships are power. Positive outcomes from these workshops included youth gaining an understanding of the relationship between one's values and goals and the importance of creating workable budgets, opening bank accounts, filing taxes and establishing some savings goals.

GOAL SETTING FOR YOUTH IN CARE

The PGT facilitated weekly financial literacy workshops for youth over a six month period through Vancouver's Urban Native Youth Association's Cedar Walk Program. One of the exercises provided by the PGT staff member was on goal setting. Following the exercise, Michael, a youth in care, identified working at Starbucks as one of his goals and a PGT staff member worked with him to identify the steps needed to achieve this goal. Michael worked hard at completing the steps to reach his goal and was hired by Starbucks within two months.



FINANCIAL LITERACY WORKSHOPS

The PGT considers financial literacy skills to be essential to the ability of youth to successfully transition to adulthood and manage independently as young adults. Over the past year, PGT staff provided 31 financial literacy workshops to youth through a wide range of agencies throughout the province.

Financial literacy workshops have been provided directly to youth through the Cedar Walk Program, an educational partnership with Urban Native Youth Association and the Vancouver School Board (VSB). Funded by MCFD and the VSB, Cedar Walk is an alternative educational day program in Vancouver for First Nations youth ages 16 to 18 years old who have MCFD involvement. A series of financial literacy workshops was offered once per week for 12 weeks. Topics included values, goal setting, budgeting, credit and credit pitfalls, contracts and big purchases, how and why to file taxes, and money saving ideas.

The PGT also presented ongoing workshops through the Strive program, a project codeveloped by MCFD and the YWCA Metro Vancouver to help provide youth who are in the process of transitioning out of government care with the life and work skills they need to become independent. As part of the program, the PGT conducted workshops on financial literacy and provided hands on information and guidance on financial values, goal setting, budgeting and banking.

POWER PAGES MAGAZINE

One of the many ways that the PGT reaches out to the youth it serves is by submitting quarterly contributions to the Federation of BC Child and Youth in Care Networks' Power Pages magazine, a youth generated publication for youth in and from the care of the province. In the last year, PGT Child and Youth Services staff wrote youth friendly articles on topics such as Financial Literacy, Transitioning to Adulthood, Will Making, and RDSPs. By providing this information through this platform, the PGT was able to reach more than 5,000 young people, service providers and caregivers.

INFORMATION SESSIONS FOR SOCIAL WORKERS

Child and Youth Services staff also regularly provide educational sessions on different aspects of property guardianship to coguardians in MCFD and DAA offices. From April 2014 to March 2015, staff made over 20 presentations to MCFD and DAA staff, either in person, or through teleconferences or webinars. Presentation topics included the PGT's role as a coguardian, RDSPs, investigating legal claims related to reportable circumstance reports, transition planning, and children's legal and financial rights and entitlements. PGT staff provided ongoing quarterly training on the role of the PGT to new social workers through the social worker training program at the Indigenous Perspectives Society. Child and Youth Services staff also presented workshops on joint guardianship and transition planning to MCFD social workers at the two day MCFD Guardianship Forum held in Richmond BC in Spring 2014.

CONTRIBUTING TO THE CHILDREN IN CARE COMMUNITY

PGT staff are committed to its mandate of protecting the legal and financial interests of children. To demonstrate this support, staff hold an annual bake sale during BC Child and Youth in Care week and donate all proceeds to youth serving organizations.

CHALLENGES IN THE YEAR AHEAD

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

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 file records is usually requested in order to obtain all relevant facts concerning the potential claim. All of the PGT's requests for MCFD and DAA records are processed through MCFD's Disclosure and Document Management division. The PGT's 2013-2014 Child and Youth Guardianship Services report highlighted concerns regarding the length of time it was taking MCFD to produce these records. Since that report was published, the PGT and MCFD met to discuss the challenge. MCFD expressed its commitment to resolving this matter and has made it a priority to decrease the backlog and improve the response times to MCFD and DAA records requested by the PGT. The PGT is appreciative of MCFD's focused attention on this issue.

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 for the PGT as property guardian have not been addressed in the law. The existing BC statutory framework for public guardianship continues to be based on the law of England in 1660.

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 children in such care arrangements the protections of property guardianship. The PGT continues to advocate for this very important law reform initiative.

Post Majority Services

The PGT's 2014-15 Service Delivery Plan included a performance measure for the PGT to make recommendations regarding law reform that would permit the PGT to deliver appropriate support services to youth for whom the PGT is property guardian, when they are leaving the care of the province upon attaining the age of majority. After careful review, the PGT has put forward a recommendation to the Ministry of Justice and Attorney General that the *Infants Act* be amended to allow the PGT to continue to act as trustee for former property guardian clients with their consent. The current legislative scheme which requires the PGT to pay any funds held for property guardian clients to that client when they reach the age of 19 is not always in the best interests of the youth. In some instances, these youth may not yet have the necessary financial skills or stability in their lives to make responsible financial decisions. Many of these youth are aware that they are not yet able to manage their funds and would appreciate the continued support of the PGT in holding their funds until they have achieved greater stability and are able to take on the responsibility themselves.

REGISTERED DISABILITY SAVINGS PLANS (RDSP)

Endowment 150 Program for Children in Care

BC was the first province to support the RDSP and leads the provinces and territories for the percentage of RDSPs opened. In October 2014 the provincial government proclaimed the first RDSP Awareness month in BC. In support of RDSP Awareness month, the Vancouver Foundation announced an expansion of the Endowment 150 (E150) program to include children in continuing care. The E150 program provides one time gifts of \$150 to RDSPs to help people with disabilities save for the future. The PGT recognizes that RDSPs for children and youth can be a mechanism to provide long term financial benefits and stability for persons with disabilities and has initiated a project with the Vancouver Foundation to collect the E150 for children and youth in continuing care. Contributing the \$150 gift to a child's RDSP will result in an additional \$450 in matching grants from the federal government, resulting in a further growth to RDSPs for children in continuing care.

While BC is a national leader in opening RDSPs, more can still be done to raise awareness about the long term financial benefits of the program for children and adults with disabilities. The PGT looks forward to collaborating with co-guardians, other ministries and non profit organizations to develop strategies to increase the number of RDSPs for eligible British Columbians.

Transferring RDSPs to Young Adults

While the PGT's authority to manage RDSP accounts ends at age 19, many young adults are not prepared to consider the benefits of the RDSP as a long term savings plan, nor to complete the paperwork required to transfer the RDSP. Youth leaving care often have more pressing matters to attend to such as where they will live and how they will financially support themselves. Often youth transitioning out of continuing care may be unaware of their disability designation and the existence of the RDSP account or may have only recently become aware of these matters. Maintaining existing RDSPs during transition from continuing care into adulthood is a significant consideration, as the RDSPs may collapse and federal funds may be clawed back unless sufficient supports are provided to vulnerable and/or incapable youth who are unable to manage these accounts on their own. If clawed back, the federal grants and bonds will never be repaid even if the RDSP account is reestablished. As a result, the PGT has continued to maintain RDSPs for these vulnerable young adults who may not have formal supports such as CLBC, or trusted informal supports, to assist them through the transition.

The PGT has begun to initiate transition planning with MCFD and DAAs for youth with RDSPs at an earlier age and has achieved greater success in transferring RDSPs once the youth turns 19. The PGT will continue to explore further opportunities to support the transition and ongoing maintenance of RDSPs for youth transitioning out of continuing care.

ENHANCED TRANSITION SUPPORT

Enhanced transition supports for young adults who are former children in care continues to be an area of interest to the PGT. The PGT participates in cross ministry committees whose objectives are to improve transition services. The PGT also participates in community outreach initiatives and offers financial literacy workshops to provide continued support and education to youth and young adults transitioning out of government care. The PGT is committed to continuing to support these programs and initiatives.

PGT CLASSIFICATION OF CRITICAL INCIDENT REPORTS

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

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.

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

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)



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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.



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PGT hours of operation Monday to Friday 8:30 am to 4:30 pm

