

# Child and Youth Guardianship Services

2021-2022 Report



We gratefully acknowledge that the PGT offices are located on the traditional territories of the xʷməθkʷəy̓əm (Musqueam), Tseil-Waututh and Skwxwú7mesh Úxwumixw (Squamish) peoples, on the traditional territories of the Esquimalt and Songhees peoples and on the traditional territories of the Sylix (Okanagan) and Nlakapamux peoples. Our commitment to walking respectfully on these lands is captured in our [Truth and Reconciliation Strategy](#). We recognize that many of the children and youth we serve are Indigenous.



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# Values in action

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



## Provide Client Focused Service

We put clients first when we make decisions.



## Show Accountability and Integrity

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



## Be Collaborative

We value collaboration with clients, colleagues and partners and believe in the importance of relationships in achieving positive outcomes for clients.



## Pursue Innovation

We seek to learn, pursue innovative practices and strive for continuous improvement.



## Demonstrate Openness

We describe our work, processes, timelines and decisions to the best of our ability. We seek input and welcome feedback.



## Be a People-Focused Workplace

We honour the experience and expertise of our employees. We support employee growth and development and believe a positive workplace contributes to improved relationships and services.



## Respect People

We recognize our inherent diversity and strive to ensure respect is reflected in our relationships and services.

# Message from the Public Guardian and Trustee



I am pleased to present the 2021-2022 Child and Youth Guardianship Services Report. This report details the work carried out by the Public Guardian and Trustee (PGT) for children and youth in care in British Columbia.

The 2021-2022 fiscal year was marked by the continuation of the COVID-19 pandemic and

the ongoing impacts of the poison drug supply crisis. Both of these crises have had many impacts on the most vulnerable in British Columbia, including youth in care.

The pandemic remained an ongoing concern for children and youth in care in 2021-2022. This was demonstrated by receipt of several Critical Incident Reports (CIRs) related to the pandemic. As part of their duties, the Ministry of Children and Family Development and Indigenous Child and Family Service Agencies (also known as Delegated Aboriginal Agencies) provide the PGT with initial reportable circumstance reports concerning children and youth in care, describing how they have suffered injury or been involved in a serious incident. The PGT reviews these reports to determine if the child or youth may have a legal claim for the PGT to pursue.

Also in this past year, the poison drug supply crisis continued to impact all British Columbians, including children and youth in care. There have been several reportable circumstances identifying youth or their family members experiencing overdoses and requiring emergency services, the use of naloxone and the notification of fatalities. The PGT as property guardian has completed significant work in ensuring that any estate entitlements or benefits are pursued on behalf of impacted children and youth.

The PGT continues to operate as property guardian for children in continuing care pursuant to the existing model of child protection in British Columbia. Sadly this includes a disproportionately high percentage of children who identify as Indigenous. In 2021-2022, the Province initiated a consultation process based on Bill C-92: An Act Respecting First Nations, Inuit and Métis children, youth and families, which included PGT participation, to begin specific discussions about the ongoing need for supports for Indigenous children and to partner and support Indigenous Peoples in developing future customized service models. The PGT is strongly committed to this work and will be continuing to work with Indigenous Peoples as they reclaim jurisdiction over the wellness of their children.

Through the 2021-2022 fiscal year the PGT continued implementation of our Seeking Truth, Pursuing Reconciliation Strategy. PGT actions supporting reconciliation this year focused on understanding the truth of colonialism and learning how to walk forward with humility. Priority is now given to developing relationships with Indigenous Peoples and supporting their chosen work as it affects Indigenous children in B.C.

The PGT remains committed to providing improved outcomes in the lives of children and youth in continuing care. We will continue to work together with our co-guardians, Indigenous Peoples and service partners as we look to the opportunities the coming year brings for this important work.

**Dana Kingsbury**  
Public Guardian and Trustee

# Child protection and guardianship

The delivery of child protection and guardianship services in B.C. 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 co-guardian of these children with MCFD and ICFSAs.

## Ministry of Children and Family Development (MCFD)

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

## Indigenous Child and Family Service Agencies (ICFSA)

With statutory delegated authority for child protective services for Indigenous children and youth at risk, as well as non-statutory voluntary services, some ICFSAs have personal guardian responsibilities and are co-guardian with the PGT for children and youth in continuing care. ICFSAs are also known as Delegated Aboriginal Child and Family Service Agencies (DAAs).

## Supreme Court of British Columbia

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

## Provincial Court of British Columbia

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

## Select Standing Committee on Children and Youth

This all-party committee is established by the B.C. Legislature to provide legislative oversight on provincial services for children and youth.

## Representative for Children and Youth (RCY)

The RCY 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

The Children's Forum is an information sharing forum for B.C. senior officials with an interest in child protection and related services and includes the PGT, MCFD, RCY, Chief Coroner, Provincial Health Officer, Ombudsperson and Human Rights Commissioner.



# 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 **281** full-time equivalent employee positions and served approximately **26,700** clients throughout 2021–2022. It administered over **\$1.3 billion** of client trust assets as of March 31, 2022. The PGT funds a large percentage of its actual expenditures through fees charged on client income and assets under PGT administration. Supplementary government funding supports public services such as regulatory and oversight activities.



# PGT Child and Youth Services

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

## 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, those without a legal guardian and in some cases, children in temporary care.

## Trustee

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

PGT guardianship duties and trustee duties for children and youth may overlap in some cases where, for example, a child or youth in continuing care is also the beneficiary of an estate. In such cases, the PGT is property guardian for the child or youth and also acts as trustee of the child or youth's interest in the estate. PGT property guardian clients may voluntarily enter into an agreement with the PGT to hold and manage their funds after reaching the age of majority up until the age of 27.

## Protective Legal Reviews

The PGT reviews all proposed settlements of claims for damages of children and youth for personal injury, a variation of a will (when asked to do so, usually by the Court) or trust and claims made under the Family Compensation Act to ensure outcomes are in the best interests of the child or youth.

Historically, the most common claims reviewed by the PGT have been related to motor vehicle accidents (MVs), though it is expected that this will continue to change as a result of ICBC's move to an enhanced care (sometimes referred to as "no fault") insurance model in May 2021.

The PGT also investigates concerns about trusts and estates in which children or youth may have an interest.

## Litigation Guardian

The PGT has authority to act as litigation guardian in order to advance a legal claim on behalf of a child or youth when no other suitable person is willing or able to take on this role. The PGT may agree to act as litigation guardian for minors when the PGT receives a request to act in this role and the PGT has no other authority for the person. When reviewing whether to act as litigation guardian, the PGT will consider if there is anyone else willing and able to act in the role, if there is a viable claim and if pursuing the legal claim is in the minor's best interests.

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**4,517**

Property Guardian  
Clients

**8,924**

Trustee Clients

**2,990**

Protective Legal  
Review Clients

**97**

Litigation Guardian  
Clients

# Guardianship services in B.C.

## Personal Guardianship

This function includes responsibility for making day-to-day decisions affecting the child and having day-to-day care and supervision of the child. This includes finding safe homes for children and youth and making decisions about their personal and health care needs.

## Property Guardianship

This is the duty to look after the legal and financial interests of children and youth. As property guardian, the PGT provides a range of services, including applying for financial benefits and reviewing incidents of harm for potential legal claims.

Personal guardianship and property guardianship are two separate functions that aim to safeguard different interests of the child. In most cases these two roles are carried out by a child's parents. However, when a child comes into the care of the Province the functions of personal guardianship and property guardianship are separated.

When a child is in the care of the Province, MCFD or an ICFSA takes on the role of personal guardian, but not the role of property guardian. Depending on the facts and circumstances of a particular situation, the role of property guardian may remain with a child's biological parents or existing guardian or may be transferred to the PGT.

When a statutory body, such as MCFD or an ICFSA and the PGT, take on guardianship duties, they are required to meet a certain standard of care. A child may acquire a legal claim against the personal guardian if it fails to meet that standard of care. Such a claim would be advanced by the property guardian against the personal guardian. It is therefore appropriate to separate the functions of personal and property guardianship when carried out by a statutory body due to the inherent conflict of interest between the two roles.



# PGT property guardian 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, who are undergoing adoption, who are without a legal guardian (known as default property guardianship) or for whom the Court has ordered the PGT to be property guardian under a temporary custody order.

There are **45** PGT staff positions that provide services only to children and youth. Collaboratively, staff ensure that financial benefits to which individual child and youth clients are entitled to are collected and viable legal claims are pursued. In order to carry out many of its property guardianship duties, the PGT relies heavily on information it receives from MCFD and ICFSAs, particularly from MCFD and ICFSA guardianship workers who have day-to-day interactions with the children and youth for whom they are personal guardian and their caregivers.

There are numerous ways in which the PGT receives information from MCFD and ICFSAs 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 relate to historical events. Several communications processes are in place to facilitate information sharing between the PGT, MCFD and ICFSAs as co-guardians. MCFD forwards a monthly demographic report advising the PGT of which children and youth are in continuing care. When first informed that a child or youth is in continuing care, the PGT asks MCFD and ICFSAs to provide initial information about any legal or financial issues affecting the child or youth.

The PGT requests annual updates for each child and youth and provides MCFD and ICFSAs with annual information about the property guardianship services provided to the children and youth in their care.

Guardianship workers may also report incidents where a child or youth was injured or harmed directly to a PGT Guardianship and Trust Officer (GTO) or more formally, through Initial Reportable Circumstance reports, also referred to as Critical Incident Reports (CIRs). CIRs are reviewed and referred to PGT legal counsel if the information indicates that further investigation and possible legal action is required.

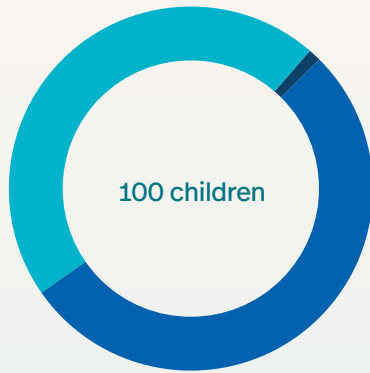
PGT property guardianship services legally end when the child reaches 19 years of age, when the child is adopted, when guardianship of the child is transferred, when the child is returned to the parent(s) or when the child dies.

The following sections of this report describe the key activities and outcomes for the year April 1, 2021 to March 31, 2022.

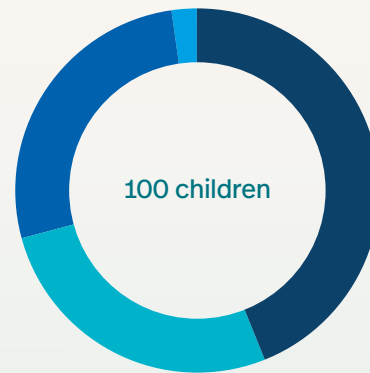


Demographic information of property guardian clients presented as a group of **100 children**<sup>1</sup>

- **53** Males
- **46** Females
- **1** Gender diverse

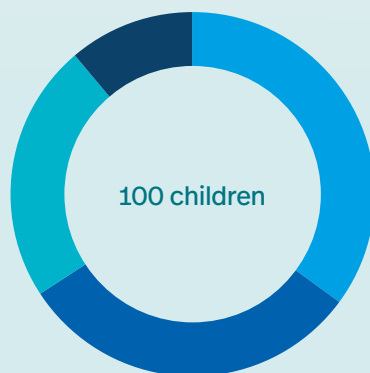


- **44** Indigenous children served by an ICFSA
- **27** Indigenous children served by MCFD
- **27** Non-Indigenous children served by MCFD
- **2** Children served by others<sup>2</sup>



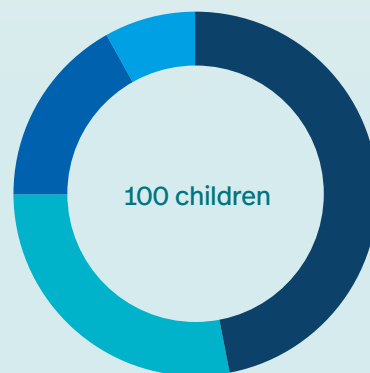
Current age of child or youth

- **11** Ages 0-4
- **23** Ages 5-9
- **31** Ages 10-14
- **35** Ages 15-18



Age of child or youth when they entered permanent care

- **47** Ages 0-4
- **28** Ages 5-9
- **17** Ages 10-14
- **8** Ages 15-18



<sup>1</sup> Data as of March 31, 2022. This number excludes all former property guardian clients that the PGT is working to transition legal and financial matters after PGT authority has ended.

<sup>2</sup> This represents property guardian clients who are served by the PGT but who are not served by MCFD or an ICFSA. This includes clients from self governing First Nations, those undergoing private adoption and those who have no legal guardian.

# Financial services

The PGT pursues financial benefits and entitlements for property guardian clients. These efforts have resulted in growing financial assets for the children and youth served by the PGT as property guardian. As of March 31, 2022, the PGT held approximately **\$59.1 million** in assets on behalf of these children and youth.

All funds collected by the PGT are typically held in trust accounts in the child or youth's name until they reach 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 financial support related to the child's day-to-day needs remains with their personal guardians, MCFD and ICFSAs. As such, the majority of funds collected on behalf of children and youth in care are preserved until age 19.

As described in further detail in this report, the PGT also offers post majority trust services to former property guardian clients. As of March 31, 2022, the PGT held an additional **\$518,000** on behalf of former property guardian clients who had entered into an agreement with the PGT for ongoing support.

The PGT works with young people during their transition to adulthood to help them identify financial goals and develop budgets and plans to support these goals. Post majority trust services help young people protect and potentially grow their funds by keeping their assets safe until they need them or decide they are ready to manage them on their own.

If PGT property guardian clients were imagined as a group of **100** children, then **31<sup>2</sup>** of them would have financial assets in trust with the PGT.



Types of funds held by the PGT for property guardian clients at March 31, 2022<sup>3</sup>

Source of funds	Total value
Personal injury proceeds	\$41,216,550
Registered Disability Savings Plans (RDSP)	\$11,079,616
Canada Pension Plan (CPP) Children's Benefits	\$2,843,533
Estate proceeds	\$1,244,594
Family Compensation Act proceeds	\$1,046,741
Tax credits	\$540,199
Insurance proceeds	\$518,817
Others	\$568,075
<b>Total</b>	<b>\$59,058,125</b>

## Major categories of assets at March 31, 2022<sup>1</sup>

Number of clients	Asset type	Total value
20	Holdings in investment accounts	\$38,530,257
1107	Trust accounts with cash balances	\$9,448,252
769	Registered Disability Savings Plans (RDSP)	\$11,079,616

<sup>1</sup>This represents the three major categories of assets held by the PGT for children and youth.

<sup>2</sup> This represents the percentage of children and youth served by the PGT as of March 31, 2022 with financial assets. All former property guardian clients that the PGT is working with to transition legal and financial matters are included.

<sup>3</sup> This represents the types of funds and values of all funds held in trust by the PGT for children and youth.



# Registered Disability Savings Plans (RDSPs)

A key responsibility of the PGT is to establish RDSPs for children and youth who have received the Disability Tax Credit (DTC) designation from the federal government. An RDSP is a tax deferred savings plan intended to provide significant long term financial benefits to children, youth and adults 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. These funds take the form of matching grants with a lifetime limit of **\$70,000** and annual bonds with a lifetime limit of **\$20,000**.

The PGT has made extensive efforts to open RDSPs for its eligible property guardian clients, resulting in **769** RDSPs worth approximately **\$11.1 million** at March 31,

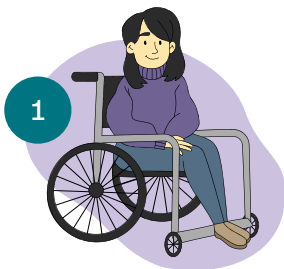
2022. The value of the established RDSPs continues to grow as the PGT secures the annual **\$1,000** bond for each eligible child or youth.

Additional funds are available from the Endowment 150 (E150) program for contribution to RDSPs. Administered by the Plan Institute and supported by the Vancouver Foundation, individuals and families with low incomes, including children in continuing care, are provided with one time gifts of **\$150** to help their RDSPs grow. The PGT applies for the E150 grant and deposits the **\$150** gift to each child's RDSP; this in turn attracts an additional **\$450** in matching grants from the federal government, resulting in further growth to RDSPs for children in continuing care.

Since Endowment **150** program was established, the PGT has collected **\$150,450** in E150 grants for **1,003** children and youth in care.

Initiating and maintaining RDSP accounts and payment of bonds for children in care is a multistep process requiring the participation of guardianship workers, doctors, the federal government and the PGT's RDSP service provider, the Bank of Montreal. The PGT works

## Kyla's Story (she/her)



Kyla is in continuing care. She has a disability that impacts her daily life.



Kyla's guardianship worker applies for her to have a Disability Tax Credit (DTC) with the federal government. Kyla's doctor helps with the DTC application.



Kyla's worker at the PGT (called a Guardianship and Trust Officer) finds out that Kyla's DTC is approved and applies for a Registered Disability Savings Plan (RDSP) benefit. An RDSP is a financial tool that helps youth in care save for the future.



The PGT will look to get other funding to help Kyla's RDSP grow over time.



daily with guardianship workers to share information and facilitate the setup, maintenance and transfer of RDSPs. There is also an option for foster parents, parents or other interested parties to contribute to a young person's RDSP and benefit from matching grants available from the federal government.

Essential DTC and RDSP information is available to guardianship workers across the province through iConnect, the shared information system for MCFD and ICFSAs. Depending on a child or youth's situation, their DTC eligibility status may expire before a young person reaches adulthood. In these situations, a child still may be eligible for the DTC though they may need to be reassessed by a doctor prior to turning 19 in order to confirm their disability status and maintain their DTC eligibility into adulthood. The PGT works with the guardianship worker to assist the young person in having their DTC re-assessed prior to adulthood when they may have fewer supports in their lives. Although the medical assessment fee required for the DTC is covered by MCFD while a youth remains in care, it is no longer covered once they reach the age of majority, creating another potential barrier if DTC eligibility status is not confirmed prior to a youth's 19th birthday.

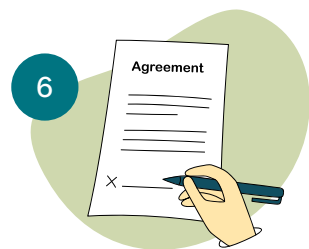
If eligibility for DTC is lost, a youth's RDSPs can remain open, meaning that federal bonds do not need to be returned due to an expired DTC status or failure to file taxes. The PGT will continue to work with young adults and their supports to transfer responsibility for their RDSP accounts to other suitable RDSP holders. Often this involves working with other service partners to identify suitable supports for vulnerable adults who need assistance in maintaining their RDSPs.

The PGT of British Columbia, along with other PGTs across Canada, continues to advocate for an extension to temporary federal government measures that expanded the definition of family members qualified to maintain RDSPs for young adults whose contractual competency is in doubt. This temporary measure is set to end on December 31, 2023, at which time only a legal guardian will be able to maintain RDSP for beneficiaries who are not able to do so on their own.

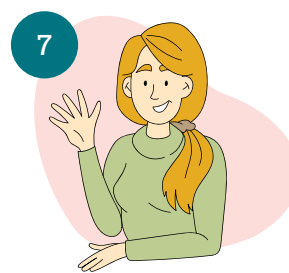
All names have been changed to protect the privacy of PGT clients.



Before she turns 19, Kyla's Guardianship and Trust Officer works with Kyla and her supports to provide information about the RDSP and its benefits. Kyla also learns about what to expect in transferring the RDSP.



The PGT must transfer Kyla's RDSP when she turns 19. The RDSP may be transferred to Kyla unless she wants help managing it. If so, other options such as a legal agreement (called a representation agreement), may be explored.



Kyla wants help managing her RDSP. She decides that a representation agreement is the best option and selects Lisa, the adult daughter of her foster mother, as the trusted adult she would like to represent her.



Lisa agrees to help Kyla with her RDSP and other money matters. The PGT works with Lisa and Kyla to transfer Kyla's RDSP for Lisa to hold.

# Collecting financial benefits

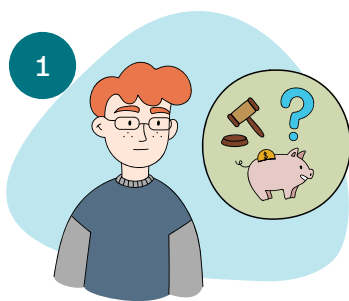
The PGT pursued and collected approximately **\$632,000** in various financial entitlements and benefits on behalf of children and youth in 2021–2022. These included death benefits, Indigenous benefits and various federal and provincial government benefits.

Additional amounts were collected on behalf of children and youth in 2021–2022 as a result of the work of the PGT’s legal services team, initiating legal actions such as personal injury claims on behalf of children and youth.

As personal identification is a key element to securing financial benefits, the PGT applies for birth certificates for all children and youth in care. In 2021–2022, PGT staff applied for **375** birth certificates from the BC Vital Statistics Agency. The PGT also applies for social insurance numbers (SINs) for children and youth in care and made **685** electronic SIN requests in the past year using an electronic portal with Service Canada.

## Phillip's Story (he/him)

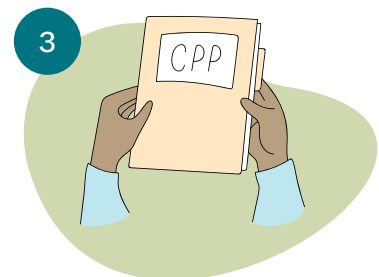
Canada Pension Plan, or CPP, is a federal benefit program that replaces earnings in the case of retirement, disability or death for a worker that paid into the program or their family members.



Phillip is now in continuing care. The PGT works with his guardianship worker to learn about Phillip and to see if there is any money available to him or legal claims to look into.



His guardianship worker tells the PGT that his mother died 6 months ago.



The PGT investigates Phillip’s mother’s estate. The PGT also applies for the CPP Surviving Child’s Benefit for him. He is approved to receive the monthly CPP benefit, which will be held by the PGT in trust.

## Financial benefits collected 2021–2022

Benefit	Number of clients	Total value
Canada Pension Plan (CPP) benefits	179	\$599,652
Indigenous benefits	35	\$10,634
Endowment 150 gifts	15	\$2,250
Crime Victims Assistance Program benefits	6	\$18,000
COVID-19 related benefits	2	\$1,650
<b>Total</b>	<b>227<sup>1</sup></b>	<b>\$632,186</b>

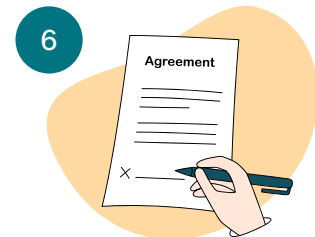
<sup>1</sup>The sum of children in receipt of each benefit type is greater than the total number of children receiving benefits, as some children may receive more than one benefit type.



After Phillip turns 14, the PGT, guardianship worker and Phillip talk yearly about the trust and any future plans for it.



Before turning 19, the PGT, guardianship worker and Phillip create a plan for his trust money. He is worried about managing his money on his own.



Phillip asks the PGT to continue to manage his CPP money. An agreement is signed after Phillip turns 19 and the PGT remains his trustee for as long as he would like.



Phillip sets some financial goals with the help of the PGT. The PGT also helps him create a budget and transfers money from his trust to him every month to meet his goals.



Phillip turns 25 and feels ready to manage his money by himself. The PGT transfers the balance of his trust fund to him and he uses the money to further his goals.

# Critical Incident Reports

The PGT receives reports, referred to as Initial Reportable Circumstances, from MCFD and ICFSAs of all critical injuries and serious incidents involving children and youth in continuing care. The PGT calls these reports Critical Incident Reports (CIRs).

The PGT, as property guardian, reviews CIRs to ascertain if there is any legal claim or financial benefit to pursue with respect to an incident. There are several different types of incidents, 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.

In 2021–2022, **2,062** CIRs were received by the PGT involving **812** children and youth. PGT staff have a service delivery target to review CIRs within **30** days of receipt in order to determine if any immediate action may be required to preserve a legal claim.

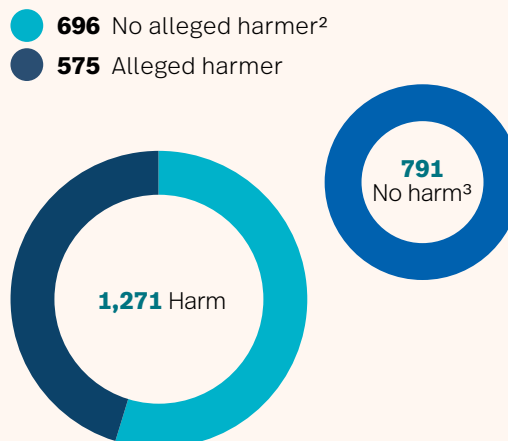
During the CIR review process, if a crime is alleged to have occurred, the PGT ensures that Crime Victim Assistance Program (CVAP) applications are submitted on behalf of youth who may be eligible for benefits under this program.



If PGT property guardian clients were imagined as a group of **100** children, then **18<sup>1</sup>** children would have been the subject of a Critical Incident Report



Number of CIRs that reported harm or no harm to a child or youth 2021–2022



Where an injury was caused by a person who directly harmed the 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 Appendix for more information).

### Number of CIRs 2021–2022

Number of CIRs received	Number of clients
1	451
2	147
3	65
4	55
5+	94
<b>Total</b>	<b>812</b>

### Age of child or youth on date of incident 2021–2022

Age on date of incident	Number of clients
Age 0-4	59
Age 5-9	161
Age 10-14	601
Age 15-18	1,103
Age unknown <sup>4</sup>	138
<b>Total</b>	<b>2,062</b>

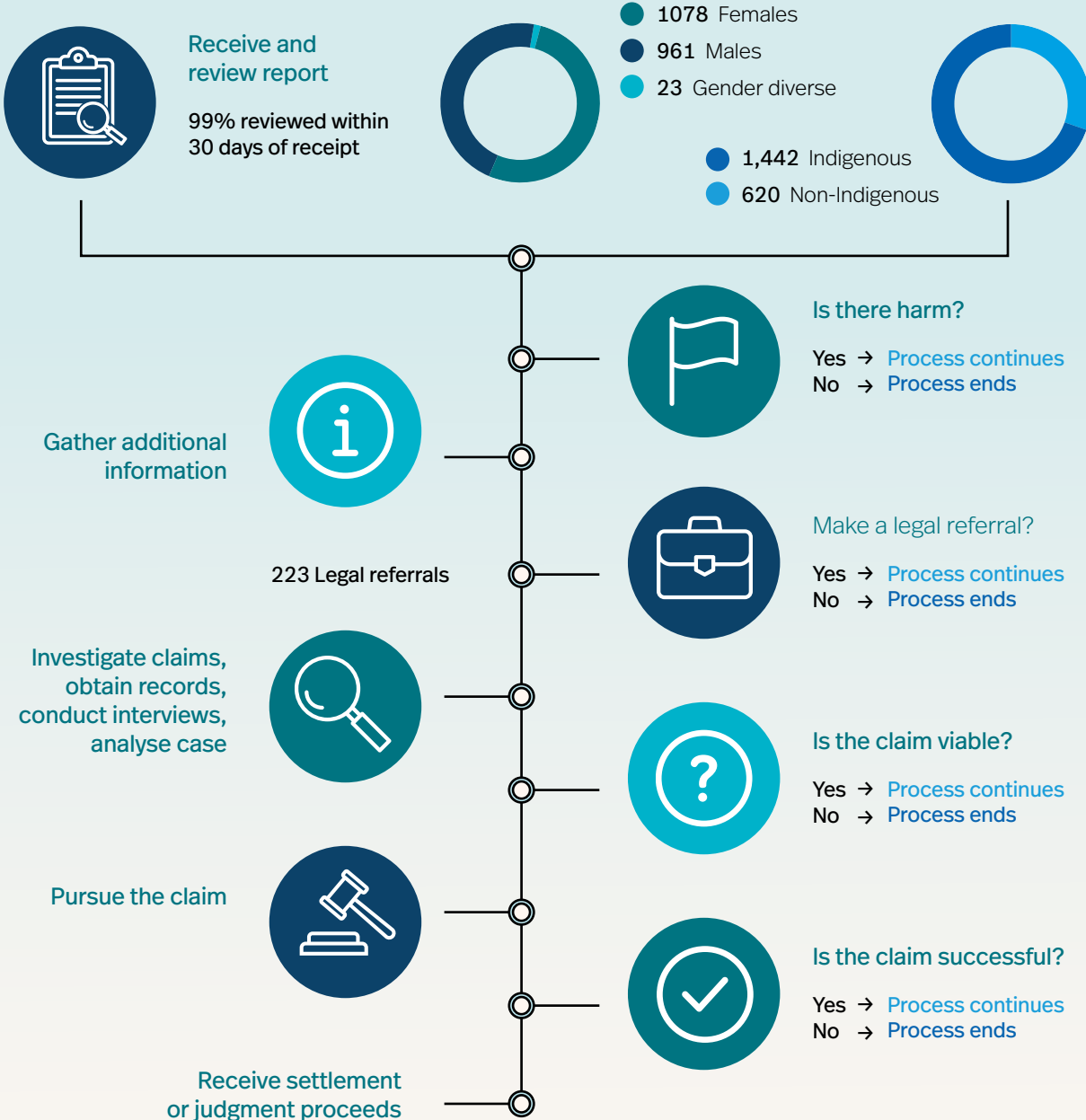
<sup>1</sup> This represents the percentage of children and youth served by the PGT in the fiscal year where the PGT received one or more critical incident reports.

<sup>2</sup> “No alleged harmer” indicates that an incident was due to an accident or self-inflicted injury.

<sup>3</sup> “No harm” refers to instances where there may be no specific or lasting harm to the child or youth related to a particular CIR. The “No harm” category includes a sub-category to track occurrences where a child or youth was absent or missing from their residence. In 2021–2022, there were 200 such instances.

<sup>4</sup> “Unknown” is used when the exact date of the incident is unknown or when an incident occurred over a period of time.

# 2,062 Critical Incident Reports received for 812 children



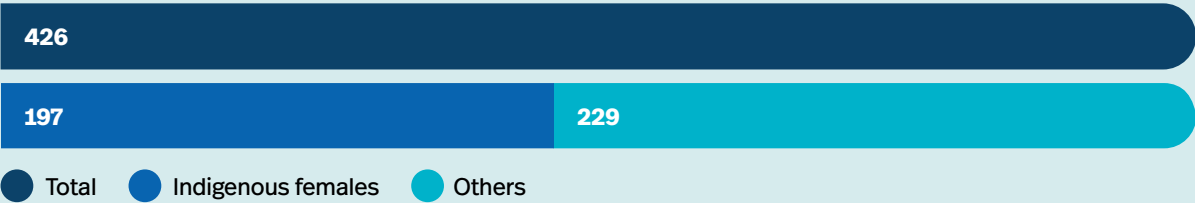
**Records requests:** In order to pursue all available financial records from different benefits and protect the legal interests of children and youth, the PGT must rely on receiving requested file records different agencies, including MCFD and ICFSAs, in a timely manner.

Information delays and/or the omission of information regarding a child or youth can result in the loss of financial benefits or can result in interference with a legal claim. The PGT continues to work with MCFD staff to improve MCFD's responsiveness to PGT information requests.

# 1,271 reported incidents of harm

**Incident classification:** The PGT classifies CIRs according to categories adapted from the World Health Organization International Classification of Diseases. See the Appendix for more details.

## Physical assault, sexual assault or both



## Self-harm



## All other incidents of harm



## Medical condition



## Motor vehicle accident



## Five major categories of harm experienced by children and youth

2021-2022		5 year annual average	
Other type of injury or harm to child	375	Other type of injury or harm to child	237
Physical assault <sup>1</sup>	260	Physical assault	242
Self-harm <sup>2</sup>	185	Self-harm	179
Sexual assault <sup>1</sup>	151	Sexual assault	141
Medical condition	162	Medical condition	87

**Poison drug supply:** The poison drug supply crisis in B.C. has been tragically ongoing since 2016. People are losing their loved ones every day from a poison drug supply and youth are not immune. The PGT does not directly track the amount of CIRs that detail incidents involving children and youth in continuing care who overdose. However, the PGT does track the number of incidents involving a youth being hospitalized or treated due to drug or alcohol intoxication. In 2021-2022 there were **104** of these incidents.

During 2021-2022, the PGT received **51** CIRs directly related to the COVID-19 pandemic. "COVID-19 related" CIRs included circumstances such as:

- Testing for COVID-19 (regardless of outcome);
- Testing positive for COVID-19; and
- Losing family member(s) due to COVID-19.

## Age on date of suicide attempt 2021-2022

Age on date of suicide attempt	Number of CIRs	Number of clients
12	6	4
13	7	4
14	11	8
15	8	7
16	14	14
17	16	12
18	17	12
<b>Total</b>	<b>79</b>	<b>58<sup>3</sup></b>

<sup>1</sup> This figure does not include incidents where the child or youth experienced both physical and sexual assault. There were 15 of these incident in 2021-2022.

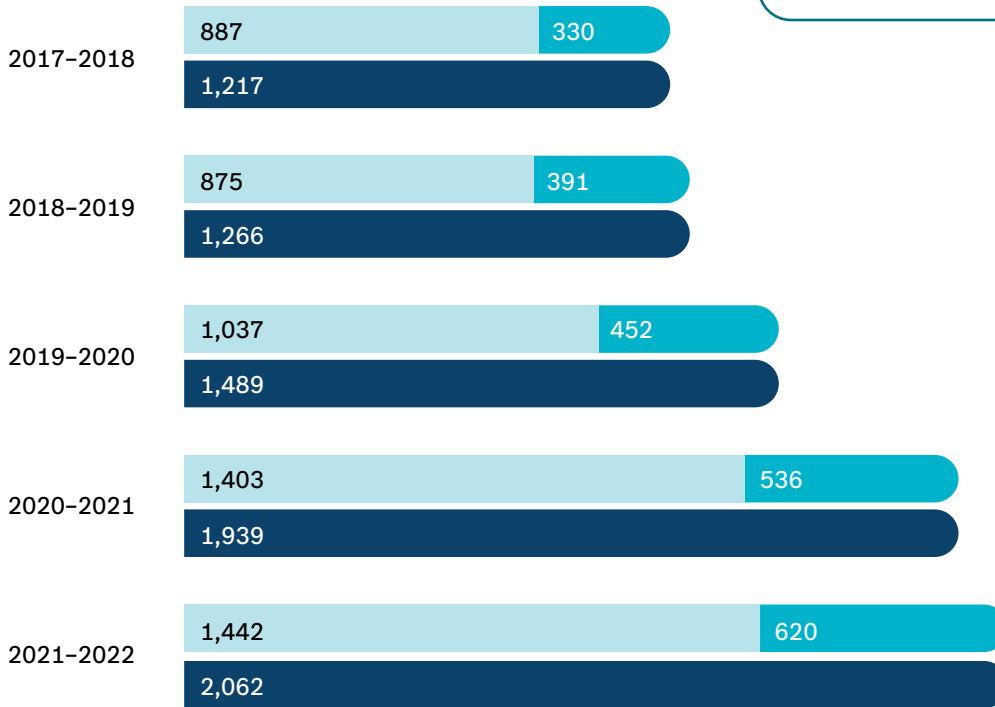
<sup>2</sup> The "Self-harm" category describes incidents where the child or youth intentionally has caused self-inflicted injury, including suicide attempts and death by suicide.

<sup>3</sup> The total number of children shown represents individual children. Because of this, the total is less than the sum of the number of children because a child could have attempted suicide more than once at different ages.



## Number of CIRs received by the PGT

● Indigenous 
 ● Non-Indigenous  
● Total number of CIRs



There has been a significant increase in the number of CIRs received by the PGT over the past five years as the PGT continually works with MCFD and ICFSAs to improve the reporting of incidents. Of **7,973** CIRs received by the PGT in the last five years, **65%** were reports of injury or harm to the child or youth.



# Legal services

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

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

Legal referrals related to personal injury arising from sexual assault are consistently the largest category of potential civil claims, comprising **38%** of legal referrals over the year. Of the legal files concluded over this period of time, the average amount of time to conclude the matter was **2.4** years.

There are several outcomes to legal referrals. If a legal action has been commenced and is still ongoing when the youth reaches the age of majority, the action is transferred to the young adult to continue.

This transition usually begins at age 18. If no legal action has been commenced, the young adult may be provided with a letter advising them of their legal rights. Legal actions may be resolved by judgment or settlement of the claim prior to the child or youth reaching age 19. In other instances, matters are resolved by legal counsel and funds are obtained for the child or youth and civil litigation is not required. Between 2017–2018 and 2021–2022 (over the last 5 years), the PGT secured approximately **\$46.8 million<sup>1</sup>** from legal services carried out on behalf of children and youth in continuing care, including approximately **\$105,000** in 2021–2022.

Adverse childhood experiences (ACEs) are potentially traumatic events that occur in childhood. ACEs can include detachment from family, unstable or impermanent living arrangements, exposure to violence, neglect, abuse and growing up with household dysfunction. Toxic stress from ACEs can change brain development in children and affect how the body responds to stress. ACEs are linked to chronic health problems, mental illness, and substance misuse in adulthood. ACEs can significantly affect a child's ability to function effectively as an adult. Globally, knowledge about the prevalence and consequences of ACEs has increased in recent years. The PGT began work in 2021–2022 to review the potential to pursue legal claims associated with ACEs on behalf of children in continuing care.

<sup>1</sup> Dollar amounts are gross values, before deductions for legal fees and PGT fees.

## Luciana's Story (they/them)



1 Luciana's Guardianship and Trust Officer (GTO) receives a report that Luciana was bitten by a dog while at their neighbour's house.



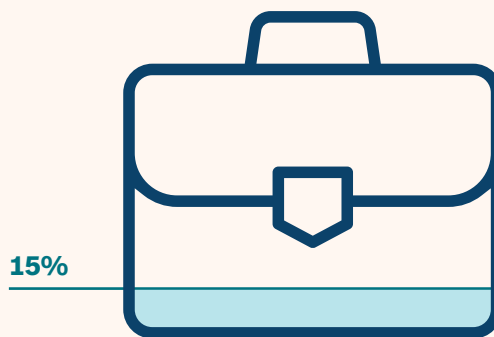
2 The GTO asks Luciana's guardianship worker for more information. The GTO learns that Luciana was bitten on their face and needed stitches.



3 The GTO reviews the incident with the PGT lawyer. The lawyer opens a legal file to explore a civil claim for Luciana.

If PGT property guardian clients were imagined as a group of **100 children**, then **15<sup>1</sup>** received PGT legal services

<sup>1</sup> This represents the percentage of children and youth served by the PGT in the fiscal year where the PGT provided legal services.



### Types of legal work opened

2021-2022	
Personal injury – sexual assault	148
Personal injury – non-MVA	138
Personal injury – MVA	35
Guardianship minors	24
Other legal file category	19
Family Compensation Act	16
Wills and estates	12
<b>Total opened</b>	<b>392</b>

5 year annual average	
Personal injury – sexual assault	104
Personal injury – non-MVA	89
Personal injury – MVA	37
Guardianship minors	28
Other legal file category	21
Family Compensation Act	12
Wills and estates	10
<b>Average opened</b>	<b>301</b>



The lawyer collects Luciana’s medical and counselling reports, which show that they have a scar from the bite and are now afraid of dogs.



The PGT hires a lawyer to move forward with Luciana’s personal injury claim.



The claim is successful. Luciana is paid money for the lasting injury and the PGT will hold the money in a trust account for Luciana until they turn 19.

## Outcomes of legal work

2021-2022	
Client assumed conduct of legal action or legal information letter provided post majority	79
Legal action not pursued or child deceased prior to action being concluded	19
Information transferred to other property guardian	16
Guardianship matter concluded <sup>1</sup>	11
Court award made or settlement reached	7
Other	7
PGT authority ended – continuing custody order cancelled <sup>1</sup>	2
Transferred to other PGT authority	1
<b>Total number of files with outcomes</b>	<b>142</b>

5 year annual average	
Client assumed conduct of legal action or legal information letter provided post majority	80
Legal action not pursued or child deceased prior to action being concluded	33
Information transferred to other property guardian	16
Court award made or settlement reached	7
Other <sup>1</sup>	24
Transferred to other PGT authority	3
<b>Average number of files with outcomes</b>	<b>171<sup>2</sup></b>

## Amounts secured from legal work<sup>3</sup>

Fiscal year	Amount	Number of clients
2017-2018	\$15,818,220	14
2018-2019	\$382,522	11
2019-2020	\$26,790,101	4
2020-2021	\$734,289	15
2021-2022	\$105,235	8

<sup>1</sup> Two new categories “Guardianship matter concluded” and “PGT authority ended – continuing custody order cancelled” were created in 2020-2021 to further describe the legal outcomes which were previously represented within the “Other” category.

<sup>2</sup> This represents the average number of files per year with outcomes for the last 5 years and is not equal to the sum of the annual average outcomes because there were two new legal outcome categories added in 2020-2021

<sup>3</sup> These amounts are typically held in trust.

## ICBC changes

On May 1, 2021, enhanced care automobile insurance came into effect under B.C.'s motor vehicle insurance laws, meaning that individuals harmed in motor vehicle accidents were to be better supported in their recovery, and most can no longer pursue a legal claim against the responsible driver in most circumstances. As a result of the changes, the PGT no longer has a routine role in reviewing settlements or pursuing claims for motor vehicle accidents occurring on or after May 1, 2021.

There are still several claims for accidents that occurred prior to May 1, 2021 that are being pursued and reviewed by PGT staff, including claims on behalf of children in continuing care. The PGT will continue to review critical incident reports on behalf of children and youth involved in motor vehicle accidents with criminal responsibility.

## Making wills for youth in care

The Wills, Estates and Succession Act (WESA) allows a person aged 16 and over to make a will if the person has testamentary capacity. This ability is of particular importance to children in continuing care who may have assets in trust with the PGT or elsewhere and who may have specific wishes regarding what happens to their estate if they die. When a person in British Columbia dies without a will, WESA directs that the estate be distributed first to any spouse and children, followed by parents and then to siblings. If children have been removed from their parents' care and are in the care of MCFD or an ICFSA, they may not wish for their estate to be distributed in this way for a variety of reasons.

As property guardian, the PGT assists clients who want to make a will. The PGT can support any youth who is 16 years or older, in the continuing care of the Province and who wants to make a will by finding an estate lawyer in the young person's geographical area. The PGT considers making a will to be a key element of transition planning for youth who have assets in trust.

Recognizing that making a will may be particularly important to young people with assets, PGT staff provide information about will making when working with youth during the transition process.



# Transition services

The PGT’s role as property guardian typically ends when a youth reaches 19 years of age, the age of majority in B.C. 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 a child or youth. On average, **34** children and youth transition out of care each month.

## Average duration of service for PGT property guardian clients<sup>1</sup>



## Reason PGT’s property guardianship role ended<sup>2</sup>

Age of majority	59%
Adoption order granted	32%
Other reason <sup>3</sup>	4%
Transfer of guardianship	5%

## Age of child or youth when PGT involvement ends

0-4 years	11%
5-9 years	11%
10-14 years	11%
15-18 years	5%
19 and over <sup>4</sup>	61%

<sup>1</sup> This is the average duration from when the PGT first provided service to March 31, 2022 or file closure. This figure excludes any clients over the age of 19 on March 31, 2022.

<sup>2</sup> Only includes files where the PGT has completed transitioning legal and financial matters.

<sup>3</sup> The "Other reason" category includes when a child or youth under a continuing custody order is cancelled or when a client dies

<sup>4</sup> The "19 and over" category represents the number of former property guardian clients that the PGT was working with to complete the transition of legal and financial matters.



## Section 54.1 transfer of guardianship

Transfer of guardianship to a new guardian under Section 54.1 of the Child, Family and Community Service Act is a permanency option for children in the continuing care of MCFD or ICFSAs. As property guardian, the PGT is involved in the permanency planning process and must provide consent to MCFD in order for the transfer to proceed. Once a court order transferring custody of a child has been made, all duties and responsibilities transfer to the new guardian(s). Between April 1, 2021 and March 31, 2022, the PGT reviewed and consented to **28** applications to transfer guardianship from MCFD or an ICFSA and the PGT to a prospective guardian. **21** of the children who were permanently placed through transfer of custody were Indigenous. The PGT may also review transfer of guardianship court applications under Section 54.01 when the PGT is named as property guardian on a Temporary Custody Order.

## Transition planning

The PGT engages in planning for youth preparing to transition out of care.

The GTO works with the youth, their guardianship worker and their supports to create a plan for the transfer of financial assets or legal matters for when a young person turns 19. When a child in care has funds in trust with the PGT, GTOs begin annual transition planning discussions with their guardianship worker and where appropriate, after the youth turns 14 years of age. Where a child in care has an RDSP to be transferred, GTOs begin annual transition planning discussions at age 17. The GTO considers the child or youth's circumstances, needs, vulnerabilities, capacity and wishes when determining a plan.

Where a young person requires some level of assistance in managing their financial or legal matters as an adult, they may benefit from a representation agreement (through which they choose a trusted, unpaid person in their life to take a supportive role).

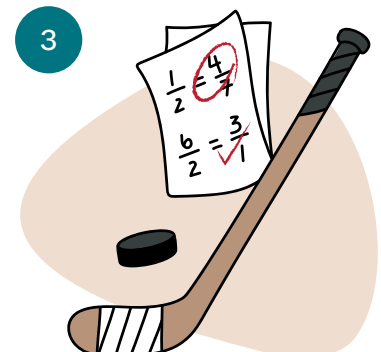
## Vikram's Story (he/him)



Vikram's guardianship worker tells the PGT that his aunt and uncle wish to become his permanent guardians by applying for a transfer of custody order.



The PGT looks over his file to see if there are any money or legal issues. The PGT sends Vikram's aunt and uncle a letter about their potential responsibilities as guardian when it comes to legal and financial issues (property guardian duties).



The PGT looks over Vikram's care plan for any needs that may require financial support. The care plan notes that he enjoys hockey and struggles with math in school.



When a young person may not be capable of managing their future financial and legal affairs and they do not have a suitable support network, a referral to the Assessment and Investigation Services department of the PGT's Services to Adults division may be required for a formal capability assessment. This department may determine that a young person requires the PGT to be appointed as committee of estate to assist with management of their financial and legal affairs. Between April 1, 2021 and March 31, 2022, the PGT was appointed to act as committee of estate under the Patients Property Act for 4 former children in continuing care.

As part of transition planning, communicating with the youth can also create opportunities to offer post majority trust services and financial wellness materials to supplement and support the young person's plans. Engaging in transition planning requires a high level of sensitivity, particularly when funds originate from

significant loss, such as the death of a parent or as a result of a personal injury that may be emotionally painful. With this reality in mind, GTOs consciously incorporate trauma-informed principles into their practice.

### Post majority trust services

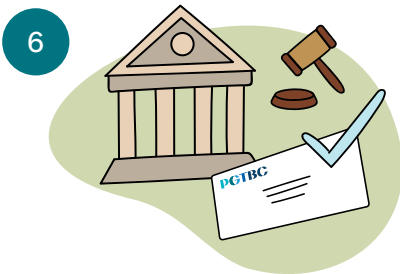
Young people being served under a Continuing Custody Order or for whom the PGT is default guardian and are approaching the age of majority may voluntarily enter into an agreement with the PGT to hold and manage their funds up until the age of 27. This option is highlighted during transition planning discussions with the young person. When providing post majority trust services, the PGT assists young adults to create realistic budgets that support long term goals. The PGT connects individuals with resources that will help them understand how to manage their money.



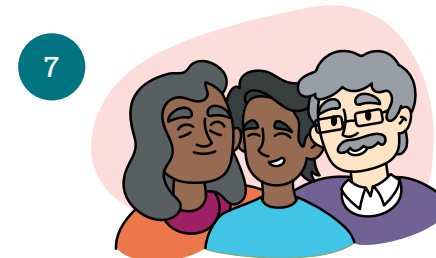
The PGT schedules a phone call with Vikram's guardianship worker and his aunt and uncle. The family confirms that there is money in place for Vikram to play hockey and get tutoring for math, as well as extended health coverage for his future medical and dental needs.



The PGT confirms that Vikram's aunt and uncle understand and agree to protect his legal and financial rights (property guardianship).



The PGT agrees to the guardianship transfer to Vikram's aunt and uncle. A PGT consent letter is included in the materials that go to court for the decision about guardianship.



The transfer of custody is approved and a court order confirms Vikram's aunt and uncle are his new guardians.

## Enhanced post majority trust services for class action members

In 2018, the PGT learned that an MCFD employee hired as a guardianship worker had diverted funds intended for the benefit of children in care for his own use. This caused harm to the children and youth in his care through neglect, misappropriation of funds and with respect to Indigenous children and youth, failure to take steps to preserve their cultural identities.

These actions had devastating impacts on the young people he was expected to protect. The employee was arrested, criminally charged and prosecuted as a result of his actions.

The PGT, as property guardian for many of the children and youth impacted by the actions of this individual, commenced litigation pursuing a class action and ultimately obtaining compensation for the

impacted children and youth. Settlement negotiations commenced with MCFD and a settlement was approved by the Court in 2020.

In addition to financial settlements, other services and supports were and continue to be made available to eligible class members. The PGT has assigned a specific guardianship and trust officer (GTO) to work with class members. The GTO continues to collaborate regularly with MCFD, ICFSAs, Community Living BC and the Representative for Children and Youth to provide coordinated and ongoing support services. Available services and supports include post majority trust services and financial wellness workshops. A referral may also be made to the PGT's Assessment and Investigation Services for adult class members to determine if further services are warranted by PGT through PGT's Services to Adults division.

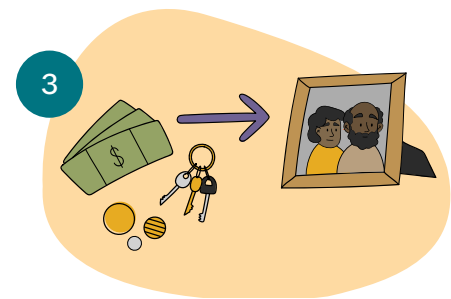
## Keana's Story (she/her)



Keana works 2 jobs and has savings and money being held in trust at the PGT.



Keana wonders what would happen to her money and belongings if she were to pass away. She and her guardianship worker contact the PGT for help with her estate planning.



The PGT tells Keana that if she passes away without a will and has no spouse or children, all of her money and belongings will be given to her parents.

## PGT Educational Assistance Fund

The Public Guardian and Trustee Educational Assistance Fund was first established in 1989 from the generous donations of three private benefactors who wished to help former youth in care to reach their educational and vocational goals. The fund provides bursaries to eligible individuals over age 19 who were formerly in the continuing care of the Province. Under the terms of the trust, applicants are assessed on grades, financial needs, career goals, personal commitment and other sources of funding available to cover education costs. The bursaries are awarded annually to help recipients with the costs of fees, books, living expenses or any other financial need standing in the way of a former youth in care achieving their educational goals.

In 2021–2022, **11** individuals ranging in age from 21 to 42 received bursaries ranging from **\$1,600** to **\$3,500**. The total amount awarded was **\$25,000**.

The recipients are involved in a wide variety of fields of study, including accounting, psychology, social work, live art and performance studies, nursing, criminology, physical education and farrier science.

The PGT congratulates the recipients of these bursaries as they pursue their education and career goals.



Keana wants her sister and best friend to get her things and any money if anything happens to her.



The PGT helps Keana find a lawyer that will help her document her final wishes legally. The PGT connects Keana with a lawyer that will help her make a will and the will making costs can be covered by her trust funds.



Keana is happy to know that if she passes away, her wishes will be known and respected.

# Community engagement and outreach

Outreach to clients and community partners continues to be an essential part of the work done in Child and Youth Services (CYS) and each year sees a broader range of young people and partners reached. In 2021–2022, CYS staff participated in **50** presentations and collaborations, including financial wellness workshops and information sessions for guardianship workers and community partners.

## Education materials for youth

The PGT works to help simplify and explain the protective legal and financial work undertaken on behalf of children and youth in continuing care as this is not often apparent or understood. The PGT has developed youth-centered publications, including several illustrated ‘one-pagers’ that visually tell the stories of the property guardianship work that the PGT performs. The PGT strives to use inclusive and trauma-informed language in writing its youth-centred publications.

In collaboration with the Federation of BC Youth in Care Networks (FBCYICN), a PGT youth-friendly information card appeared in several editions of Power Pages. Power Pages is the FBCYICN's youth-driven publication, connecting youth in and from care, their service providers and caregivers across B.C.

In 2021–2022, the PGT started work to revamp its public education materials online, working on a new website, including plain language content that is more accessible and user-centric.

## Community and government partnerships

The PGT continues to work to improve outcomes for children in care and for youth transitioning from care through active membership in the Children’s Forum, the MCFD led RDSP Action Group, Youth Futures Educational Advisory Committee, the TRRUST Collective Impact initiative (a shared effort initiative, including non-profit organizations, government agencies and young people with lived experience in care with a common interest to achieve system-wide improvements in the outcomes for youth transitioning out of government care in Vancouver) and a cross governmental table to support youth transitioning out of care.

The PGT is also an ongoing partner of BC Child and Youth in Care Week (BCCYICW), a working group coming together to celebrate the achievements and resiliency of children in provincial care. CYS held a fundraiser to celebrate the BCCYICW and raised funds for the Federation of BC Youth in Care Networks.

## Financial wellness

Financial wellness continues to be an essential focus for PGT outreach work with property guardian clients. For many reasons, children and youth in care may not have the benefit of continuous guidance and mentorship around financial matters. Many may leave care with limited knowledge about managing their personal finances, which can be particularly important for children and youth who have funds that will be paid out to them upon reaching the age of majority. Financial management is a critical life skill and the PGT strives to reach as many youth in care as possible through our financial wellness workshops and to provide clients with some tools and empowerment around their financial future.

In 2021–2022, the PGT directly reached **182** children and youth through the delivery of **27** financial wellness workshops.

Workshops are offered virtually and in-person at a variety of venues such as alternative schools, youth advisory committees and life skills and employment programs. Working from the philosophy that it is never too early to start gaining money management skills, the PGT has successfully tailored the workshops to a wide range of children and youth, from as young as 10 years old through to early adulthood.

Financial wellness workshops have also been developed for a youth pregnancy and parenting program, a life skills program for youth struggling with substance use, an Indigenous youth employment training program and for various programs offered through Vancouver Coastal Health.

During the COVID-19 pandemic, the PGT continued to deliver financial wellness workshops for partner host programs such as the Strive life skills program for youth transitioning from care and the Broadway Youth Resource Centre in Vancouver. The PGT also partnered with the FBCYICN and participated in virtual meetings that included a financial check-in and discussion of various topics related to financial wellness.

For further information about the financial wellness services offered by the PGT, please see the PGT website or contact PGT Child and Youth Services at [cys@trustee.bc.ca](mailto:cys@trustee.bc.ca) or 604-775-3480.

### Information sessions for guardianship workers and community partners

Throughout the year, PGT staff provided workshops and presentations to guardianship workers, transition workers and other community partners, throughout B.C., on the role of the PGT and the property guardian services provided to children and youth in care. Over 2021–2022, CYS staff conducted **23** presentations and workshops for guardianship workers and community partners mostly via webinar or teleconference. Topics included the role of a property guardian, RDSPs, transition planning considerations for youth with funds, making wills for youth and post majority trustee services for young people transitioning from care.



# Truth and Reconciliation

“The purposes of this Act are as follows:

**(a) to affirm the application of the Declaration (United Nations Declaration on the Rights of Indigenous Peoples) to the laws of British Columbia;**

**(b) to contribute to the implementation of the Declaration;**

**(c) to support the affirmation of, and develop relationships with, Indigenous governing bodies.”**

– Section 2 of B.C.'s Declaration on the Rights of Indigenous Peoples Act

The PGT remains committed to truth and reconciliation and increasing our Indigenous cultural awareness. The PGT is acutely aware of the continuing impacts of colonization, the residential school system and child and family services system on Indigenous children and families. Institutional and systemic racism in B.C. has led to cultural and societal harms that have profoundly impacted generations of Indigenous families and their communities and has contributed to an overrepresentation of Indigenous children and youth currently in care. The PGT is working with Indigenous Governing Bodies and other government service partners to implement changes to the child and family services legislation. This work continues currently and will remain a major priority for the foreseeable future.

The PGT welcomes and seeks out opportunities to connect and partner with Indigenous organizations and communities throughout B.C. in support of children and youth in care, so that we can better serve our clients in a culturally appropriate and safe way. The PGT supports children and youth in developing and maintaining connections with their Indigenous communities and culture in different ways, for example:

- Approving disbursements from trust funds that support cultural connections;
- Considering cultural connections when reviewing requests to consent to transfer guardianship for an individual child or youth; and
- Working with individuals from First Nations and Indigenous communities to support Indigenous youth transitioning from care.

The PGT looks forward to listening to and working with First Nations and Indigenous Communities to understand their current and future needs. The PGT,

in alignment with the Province’s Declaration Action Plan, is taking action to support Indigenous Peoples through a distinctions based approach, a manner that acknowledges the specific rights, interests, priorities and concerns of each, while respecting these distinct Peoples with unique cultures, histories, rights, laws and governments. We look forward to further reporting on our progress in next year’s Guardianship Services Report.

## Nation entitlements

When the PGT learns that a young person in care is Indigenous, inquiries are made with their Nation with respect to any entitlements or benefits available to them through the Nation. This may include educational and land entitlements, as well as potential dividends or other payments. In some instances, the entitlements may be held in trust by the Nation or, when requested, by the PGT. In other instances, eligibility begins at age 19 and the PGT transitions the information to the young person or their guardianship worker.

## Indigenous Perspectives Society: centre of excellence in community education

The PGT is honoured to be a regular guest speaker for the Indigenous Perspectives Society: Centre of Excellence in Community Education, a not for profit social enterprise organization that strengthens the voice of Indigenous communities through education and professional development. PGT staff are invited to provide training on property guardianship services to students in the Indigenous Child and Family Services Training program. The program combines best practices in Indigenous child and family services with B.C. provincial legislation and standards.

## Seeking truth, pursuing reconciliation

The PGT has committed to working towards meaningful truth and reconciliation and to building respectful relationships with Indigenous communities. In February 2020, the PGT introduced its “Seeking Truth, Pursuing Reconciliation” strategy for 2020– 2023. The reconciliation strategy draws guidance from three key documents and their calls to action:

1. The United Nations Declaration on the Rights of Indigenous Peoples;
2. Truth and Reconciliation Commission of Canada: Calls to Action; and
3. The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls.

The reconciliation strategy is a living document that has measurable actions throughout the organization. It offers a framework for individual learning and meaningful steps to help inform our current practice. The PGT is using this strategy as an ongoing call to motivate action, create change, reveal truth and meaningfully pursue reconciliation. It is incumbent on the PGT to learn as much as we can about our clients’ lived experiences in order to provide the highest level of culturally safe and respectful services to the Indigenous clients we serve.

In 2022, the PGT released the second annual progress report on the implementation of the Public Guardian and Trustee’s Seeking Truth and Pursuing Reconciliation Strategy. The PGT has substantively increased the number of hours devoted to learning about the historical and current impacts of colonialism. Going forward the strategy is being converted to a framework that will support ongoing active efforts of reconciliation.

The PGT acknowledges and regularly participates in the following events to support truth and reconciliation:

- The annual Women’s Memorial March for missing and murdered Indigenous women;
- Moose Hide Campaign Day, a grassroots movement of Indigenous and non-Indigenous men standing up against violence towards women and girls;
- Indigenous Peoples Day;
- National Day for Truth and Reconciliation/Orange Shirt Day, a day to encourage meaningful discussion about the effects of Residential Schools and the legacy they have left behind; and
- Events and workshops provided by Reconciliation Canada, an organization providing reconciliation dialogue workshops and events across Canada.



# PGT classification of Critical Incident Reports

## A. Incident types

The PGT reviews critical incident reports from MCFD and ICFSAs 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 <https://www.whoic.nl/sites/default/files/2018-05/ICECI%20in%20English.pdf>.

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. 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 the child survived.

- **Death-suicide** – The reported incident indicates the child's death resulted from suicide.

### 4. Medical condition

Illnesses or complications arising from surgery, medical care or medical treatment, including hospitalizations due to medical illness.

### 5. Motor vehicle accidents

Injuries resulting from a motor vehicle accident.

### 6. All other incident types

Includes the following incident types:

- **Cutting/piercing** – Injury caused by a cutting or piercing instrument or object. Excludes assault with a sharp object and self-inflicted injury with a sharp object.
- **Death** – The reported incident indicates the child's death was an accidental, homicide or natural death, but does not include suicide, which is captured by "self-harm".
- **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.
- **Non-motor vehicle cycle accident** – Child was injured in a non-motor vehicle incident involving a pedal cycle including falls from bicycle.
- **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.

- **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 between the child and 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 ICFSA).

It was adapted from the extensive International Classification of External Causes of Injuries. For more information, see the complete classification at <https://www.whofic.nl/sites/default/files/2018-05/ICECI%20in%20English.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. Foster parent(s)
2. Parent(s)
3. Other friend(s)/acquaintance(s) (does not include intimate partners).
4. Stranger(s)
5. Relationship not known
6. All other alleged harmers (includes the following categories):
  - Another child(ren) in care
  - Boyfriend/girlfriend/spouse – includes intimate partner(s)
  - Other relative(s)
  - Unrelated caregiver(s) – includes child care provider(s)
  - Person(s) in official or legal authority – includes: teachers, church ministers, sports coaches, police, guards, etc.
  - Other relationship – where the alleged harmer(s) did not fall into any other defined group
  - Multiple harmer – where there is more than one alleged harmer

# Rights, choices and security for British Columbians





# General inquiries

## Public Guardian and Trustee of British Columbia

700-808 West Hastings Street, Vancouver, B.C. V6C 3L3

**Phone** 604-660-4444  
**Fax** 604-660-0374  
**Email** [mail@trustee.bc.ca](mailto:mail@trustee.bc.ca)  
**Website** [www.trustee.bc.ca](http://www.trustee.bc.ca)

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

**Vancouver** 604-660-2421  
**Victoria** 250-387-6121  
**Other areas in B.C.** 1-800-663-7867

## PGT hours of operation

Monday to Friday, 8:30 a.m. to 4:30 p.m.