



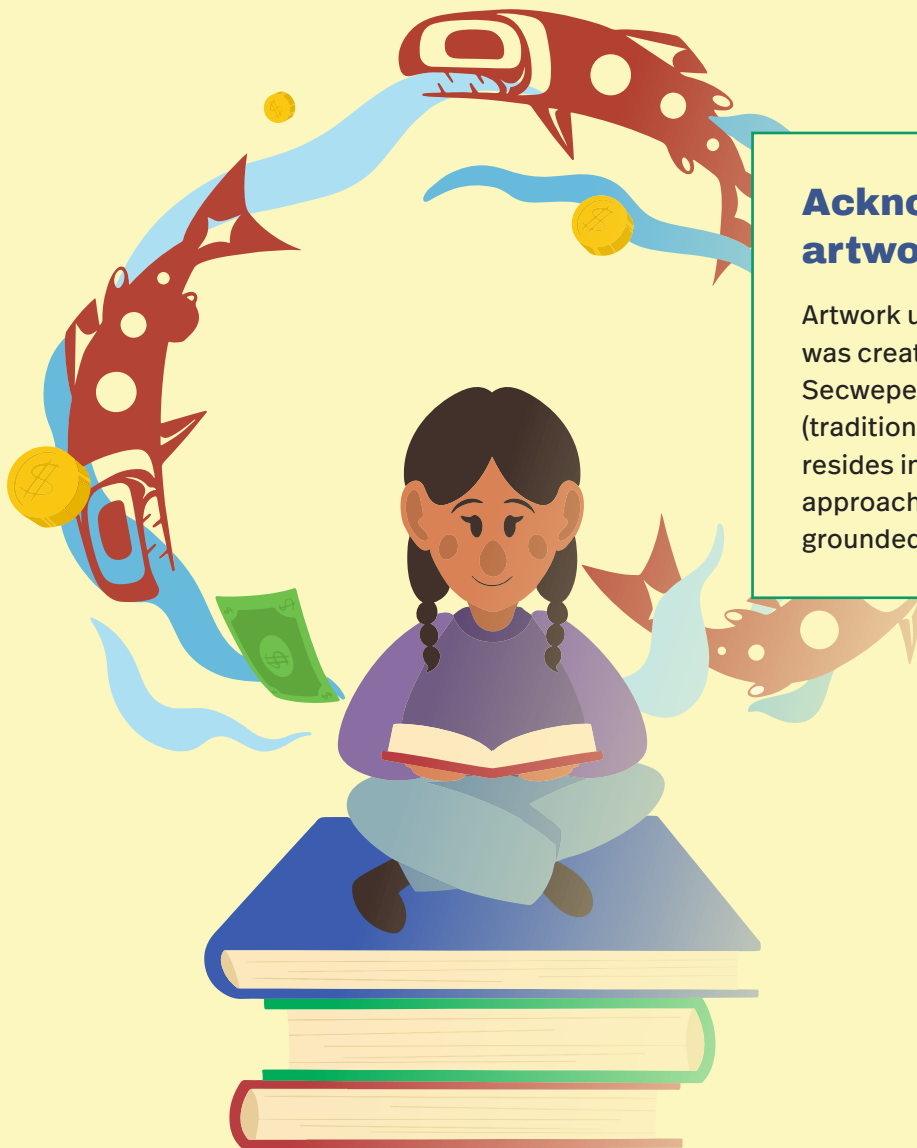
**Child and Youth  
Guardianship Services**

2023–2024 Report

## Territorial and relationship acknowledgement

We acknowledge the territories of First Nations around British Columbia and we are grateful to carry out our work on these lands. We acknowledge the rights, interests, priorities and concerns of all Indigenous Peoples – First Nations, Métis, and Inuit – respecting and acknowledging their cultures, histories, rights, laws and governments.

We also recognize the painful legacy of colonialism and the tragedy of the residential school system, including the discoveries of unmarked graves. We honour the survivors and the memories of the children who never came home. We further acknowledge the ongoing negative impacts of the current child and family services system in British Columbia for Indigenous children. We commit to meaningful reconciliation, including working with Indigenous Peoples on improving outcomes for the children and youth we serve.



### Acknowledging the artwork in this report

Artwork used throughout this report was created by Nuu-Chah-Nulth and Secwepemc artist, Bayja Morgan-Banke (traditional name Petqua), who currently resides in Victoria, B.C. Bayja's unique approach to storytelling through art is grounded in Nuu-Chah-Nulth culture.



# Table of contents

<b>Values in action</b>	<b>02</b>
<b>Child and family services in B.C.</b>	<b>03</b>
<b>Message from the Public Guardian and Trustee</b>	<b>05</b>
<b>Introduction</b>	<b>07</b>
<b>Demographics</b>	<b>08</b>
<b>Truth and reconciliation: Improving PGT services for Indigenous children and youth</b>	<b>09</b>
Jurisdiction	09
Improving relations with Indigenous Child and Family Services Agencies	11
Further legal reform supporting property guardianship and the return of jurisdiction	11
<b>Looking inward: Issues impacting property guardianship services</b>	<b>13</b>
Registered Disability Savings Plans	13
Critical Incident Reports	13
Legal work	14
Class actions	14
<b>Looking inward: Data insights</b>	<b>15</b>
<b>Looking outward: Societal issues impacting property guardianship</b>	<b>21</b>
Unregulated drug crisis	21
Transition planning	22
Separate confinement	22
<b>Looking outward: Data insights</b>	<b>23</b>
<b>A case study: Impacts of the unregulated drug supply on one child</b>	<b>25</b>
<b>Community engagement and outreach</b>	<b>27</b>
Financial wellness	27
Public engagement	28









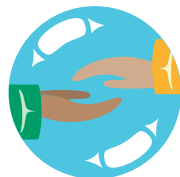
# Values in action

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 under 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.

# Child and family services in B.C.

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)

Property guardian for children and youth in continuing care and co-guardian with MCFD, ICFSAs and IGBs.

## Indigenous Governing Body (IGB)

A council, government or other entity that acts on behalf of an Indigenous group, community or people that holds rights affirmed by s.35 of the Constitution Act, 1982.

## Ministry of Children and Family Development (MCFD)

Personal guardian for children and youth at risk and co-guardian with the PGT.

## Indigenous Child and Family Service Agencies (ICFSAs)

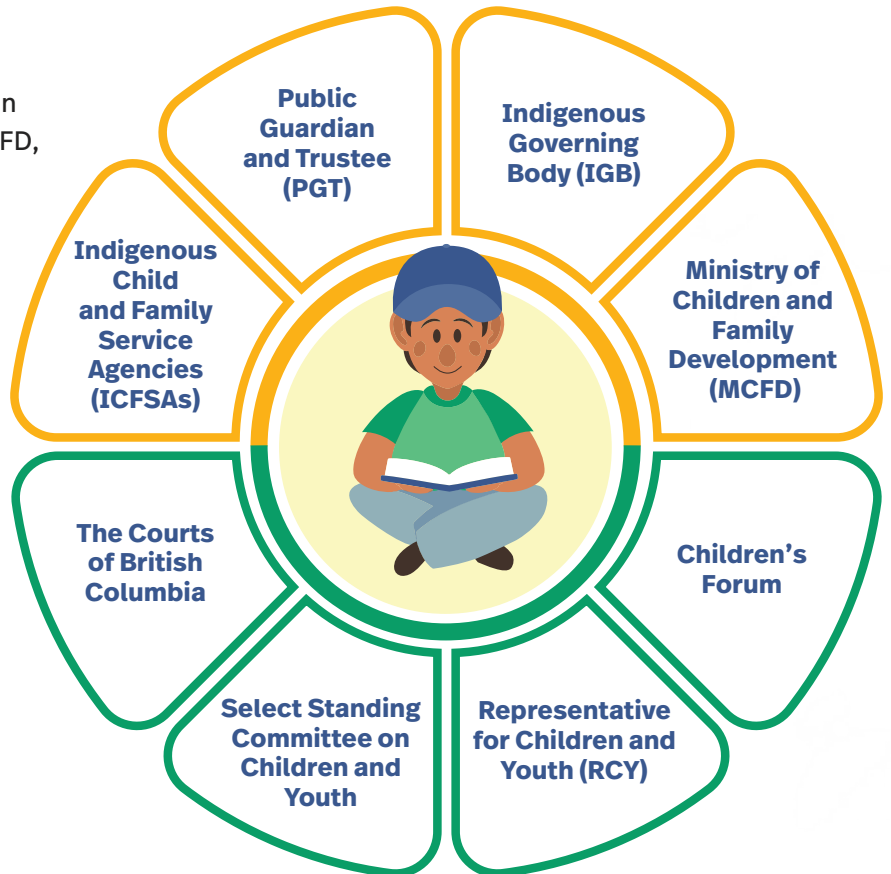
Child protective services for Indigenous children and youth at risk, as well as voluntary services. Some have personal guardian responsibilities and are co-guardian with the PGT.

## The Courts of British Columbia

May hear matters related to custody, property interests and claims for personal injury. Also grant child protection orders, including continuing custody orders and may order transfer of guardianship.

## Select Standing Committee on Children and Youth

All-party committee established by the B.C. Legislature. Provides oversight on provincial services for children and youth.



## Representative for Children and Youth (RCY)

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

## Children's Forum

Information sharing forum for B.C. senior officials with an interest in child protection and related services. Includes the PGT, MCFD, RCY, Chief Coroner, Provincial Health Officer, Ombudsperson and Human Rights Commissioner.

**The PGT's Child and Youth Services (CYS) division has 45 staff positions<sup>1</sup> providing the following services:**

- **Acts as property guardian** for children and youth in continuing care of the Province, those undergoing adoption, those without a legal guardian and, in some cases, children in temporary care **(4,266 clients)<sup>2</sup>**
- **As trustee**, invests and manages funds from a number of different sources for children and youth until age 19 and offers post-majority trust services **(8,625 clients)<sup>2</sup>**
- **Protects the legal interests** of children and youth by reviewing all proposed settlements of claims brought on their behalf **(3,163 clients)<sup>2</sup>**
- **May act as litigation guardian** in order to advance a legal claim on behalf of a child or youth **(111 clients)<sup>2</sup>**

1 Staff refers to full time equivalent employee positions.

2 Number of clients reflect the number of individual clients served throughout the year.





# Message from the Public Guardian and Trustee



**I am pleased to present the PGT's 2023–2024 annual Guardianship Services Report. As property guardian, the PGT's mandate is to protect the legal and financial interests of children and youth. This critical aspect of child and family services supports long-term outcomes for young people who do not have the benefit of support from parents or guardians.**

Within this work, the PGT is especially focused on collaborating closely with First Nations, Indigenous communities and organizations to support Indigenous children and youth, who are significantly overrepresented in provincial care. Recent legislative changes now support First Nations in reclaiming jurisdiction over child and family services, with options to take on property guardianship independently or in partnership with the PGT. I am very pleased to announce that the PGT has recently signed its first coordination agreement with a First Nation and is working to support other Nations in their own pathways to jurisdiction. The PGT will continue to call for legislative reform to support Nations with the return of jurisdiction as it pertains to property guardianship.

As guardianship services evolve and improve, this report will remain an important channel for the PGT to engage with our partners and share updates about our work in areas such as financial wellness and legal advocacy. In addition to highlighting key activities from 2023–2024, this year's report also draws attention to issues impacting property guardianship, including broad social challenges affecting these young lives.

I would like to thank our staff in Child and Youth Services for their ongoing efforts to work and advocate on behalf of some of the most vulnerable people in B.C. Your passion for the children and youth we serve is inspiring.

**Dana Kingsbury,**  
Public Guardian and Trustee

## What is the PGT?

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

The PGT is mandated 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 **312 full-time equivalent employee positions**, served approximately **26,800 clients** in 2023–2024 and administered over **\$1.5 billion of client trust assets** as of March 31, 2024.





# Introduction

**The 16th edition of the Public Guardian and Trustee’s (PGT) Guardianship Services Report marks a significant shift in this report’s purpose and scope. Historically, the Guardianship Services Report has served primarily as a detailed summary of key processes, outputs and challenges relating to property guardianship. However, the PGT recognizes the shifting landscape in child guardianship services and the growing importance of new partnerships. This edition marks a transition towards a heightened focus on accountability to First Nation partners.**

This transition reflects a broader commitment to transparency and collaboration. In addition to highlighting the ongoing challenges in property guardianship, this report also provides a comprehensive overview of specific activities and initiatives the PGT has undertaken with First Nations and Indigenous Governing Bodies. This report also calls attention to particular issues in the realm of property guardian services. By doing so, the report will support stronger and more collaborative relationships, fostering trust, mutual understanding and strengthened partnerships.

As Indigenous governance continues to expand and First Nations advance their self-determination and jurisdictional authority, this report will evolve. Future editions of this report will be adapted to reflect new developments and priorities based on the feedback we hope to gather from First Nation partners.

Through this enhanced focus on accountability and partnership, the PGT seeks to support Indigenous communities, ensuring that property guardianship services are delivered with the highest standards of respect, integrity and cultural sensitivity.

The focus of this year’s report covers:

- The PGT’s efforts to support Truth and Reconciliation, including how PGT services are being made more responsive to the needs of Indigenous children and youth;
- Issues relating to specific services provided as property guardian;
- Broader societal issues, including the unregulated drug supply and its impacts on PGT property guardian services; and
- The PGT’s work to engage with the community in relation to property guardianship.

## **The role of guardians in B.C.**

- MCFD and ICFSAs are personal guardians responsible for day-to-day decisions for care and supervision of children and youth in continuing care
- The PGT, as property guardian, is responsible for the legal and financial interests of these children and youth
- Usually, these two roles are carried out by a child’s guardians. However, when a child comes into the care of the Province, the functions of personal guardianship and property guardianship are separated due to the inherent potential for conflict of interest between the two roles
- As of January 15, 2024, Indigenous Governing Bodies who have reclaimed jurisdiction over child and family services may choose to take on personal guardianship and property guardianship

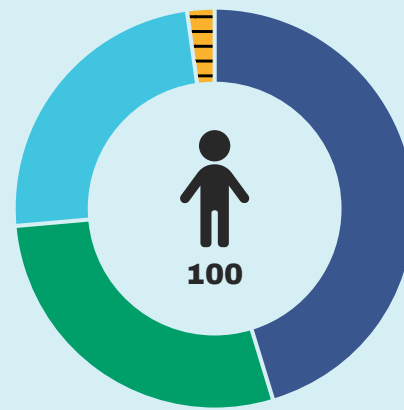
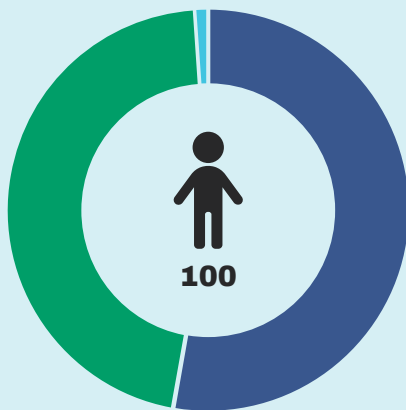


# Demographics

As of March 31, 2024 there were 2,874 property guardian clients served by the PGT. The PGT served a total of 4,266 individual property guardian clients throughout the 2023–2024 year. The following demographic information of property guardian clients is presented as a group of 100 children<sup>1</sup>

- **53** Boys
- **45** Girls
- **02** Gender diverse

- **45** Indigenous children served by an ICFSA
- **29** Indigenous children served by MCFD
- **24** Non-Indigenous children served by MCFD
- **02** Children served by others<sup>2</sup>

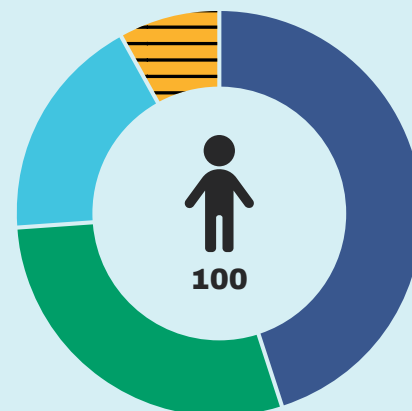
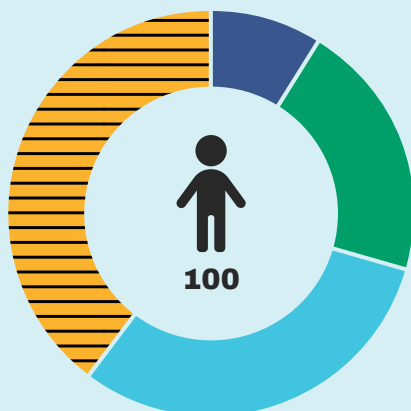


Current age of child or youth

- **09** Ages 0–4
- **20** Ages 5–9
- **31** Ages 10–14
- **40** Ages 15–18

Age of child or youth when PGT became property guardian

- **45** Ages 0–4
- **29** Ages 5–9
- **18** Ages 10–14
- **08** Ages 15–18



1 The numbers on this page represent the percentage of children and youth served by the PGT in each category as of March 31, 2024. These numbers exclude all former property guardian clients that the PGT is working to transition legal and financial matters after PGT authority has ended.

2 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.

## Truth and reconciliation:

# Improving PGT services for Indigenous children and youth

In British Columbia, there continues to be a lasting and disproportionate number of Indigenous children in the care of the Province. According to the [Province's measurements](#), there were **4,834** total children and youth in care as of March 31, 2024<sup>1</sup>, with **69%** identified as Indigenous who were under the authority of either the Ministry of Children and Family Development (MCFD) or an Indigenous Child and Family Services Agency (ICFSA). Improving property guardian related outcomes for these children and youth is a major focus for the PGT.

## Jurisdiction

In November 2022, the Province passed Bill 38, the Indigenous Self-Government in Child and Family Services Amendment Act. Under Bill 38, a First Nation or Indigenous community can reclaim responsibility for child and family services under their laws. This legislative change aims to reduce the disproportionate numbers of Indigenous children and youth in care.

When reclaiming jurisdiction, First Nations may choose to take on both property and personal guardianship roles or they may choose to enter into an agreement for the PGT to provide property guardianship services for children and youth under their guardianship.

The PGT has committed to supporting First Nations and their communities to be successful in whatever roles they take on in child and family services. **Jordan's Principle** will guide the PGT in ensuring children and youth are not impacted by any unintentional gaps related to property guardianship during this transition.

### What is Jordan's Principle and how does it relate to property guardianship?

Jordan's Principle is a legal rule named in memory of Jordan River Anderson, a First Nations child from Norway House Cree Nation in Manitoba.

Born with complex medical needs, Jordan spent time unnecessarily in hospital, while provincial and federal governments argued over who should pay for his at home care. Jordan died in the hospital at the age of five years old, never having spent a day in a family home.

Jordan's Principle makes sure all First Nations children living in Canada can access the products, services and supports they need, when they need them. In relationship to property guardianship and jurisdiction, the application of Jordan's Principle would mean that a First Nations child should not experience a gap in property guardian services when jurisdiction is reclaimed from the Province by a First Nation.

<sup>1</sup> Note: The PGT is only co-guardian with MCFD or an ICFSA for children and youth who are in care through a continuing custody order or where specifically named as property guardian under a temporary custody order.

The PGT has begun developing and implementing coordination agreements with the first of many First Nations working towards exercising jurisdiction. These coordination agreements include nation-specific language, role definition, information sharing and notification processes, reciprocal community knowledge mobilization and improved relationship outcomes. All of these elements are being woven into the PGT's practices when working with Nations and reviewed regularly with Nation leadership and staff.

As the PGT works to support jurisdiction, additional resources are needed to properly support new responsibilities and implement culturally appropriate and nuanced service approaches when working with First Nations. The PGT provides property guardian services for all children and youth in B.C. when statutorily authorized and does not charge fees for this service. This approach remains consistent when working with First Nations. However, working with First Nations in a manner set out in the Province's Declaration Act

and other longstanding Truth and Reconciliation commitments requires additional funding for staffing. The PGT will continue to advocate for resourcing in alignment with the service expectations that are consistent with Truth and Reconciliation commitments and principles.

As the PGT works to implement Bill 38, the PGT will integrate practices and processes that best support the Indigenous children we predominantly serve as property guardian. The PGT is learning from other organizations in this respect and in 2023–2024 the PGT developed an Indigenous Engagement Framework. This principled approach provides Indigenous and non-Indigenous PGT staff with a toolkit to support meaningful relationships with Indigenous Peoples and guides respectful communications and services. Guardianship services will also be guided by a two-eyed seeing approach, allowing the PGT to fulfill its mandate while continuously learning about Indigenous perspectives.





## **Improving relations with Indigenous Child and Family Services Agencies**

With approximately 45% of property guardian clients being served by an ICFSA, developing effective and collaborative relationships with these agencies is a key objective for the PGT. The PGT has sought to strengthen this relationship in recent years by working more closely with the Our Children Our Way Society (OCOW). Supporting both the 25 ICFSAs that have been delegated various authorities for child and family services from the Province and some First Nations exercising jurisdiction, OCOW's secretariat team directly supports the Directors of the ICFSAs responsible for child and family services in working to improve the wellbeing of Indigenous children, youth, families and communities.

In 2023–2024, the PGT improved collaboration with OCOW through a number of channels, including participating in OCOW coordinated initiatives such as a joining a committee on post majority supports for youth, conducting a webinar on the PGT's role as property guardian and presenting at a BC All Chiefs meeting about the PGT's class actions work for the children and youth served as property guardian.

The PGT also attends an annual conference that is facilitated by OCOW focusing on child and family services.

Also in 2023–2024, the PGT and OCOW took the first steps in developing a new relational agreement to support improved coordination and collaboration guided by Indigenous principles and practices. Moving forward, the PGT looks forward to more opportunities to collaborate and harmonize with OCOW. These first steps are important in improving relations with ICFSAs and the PGT.

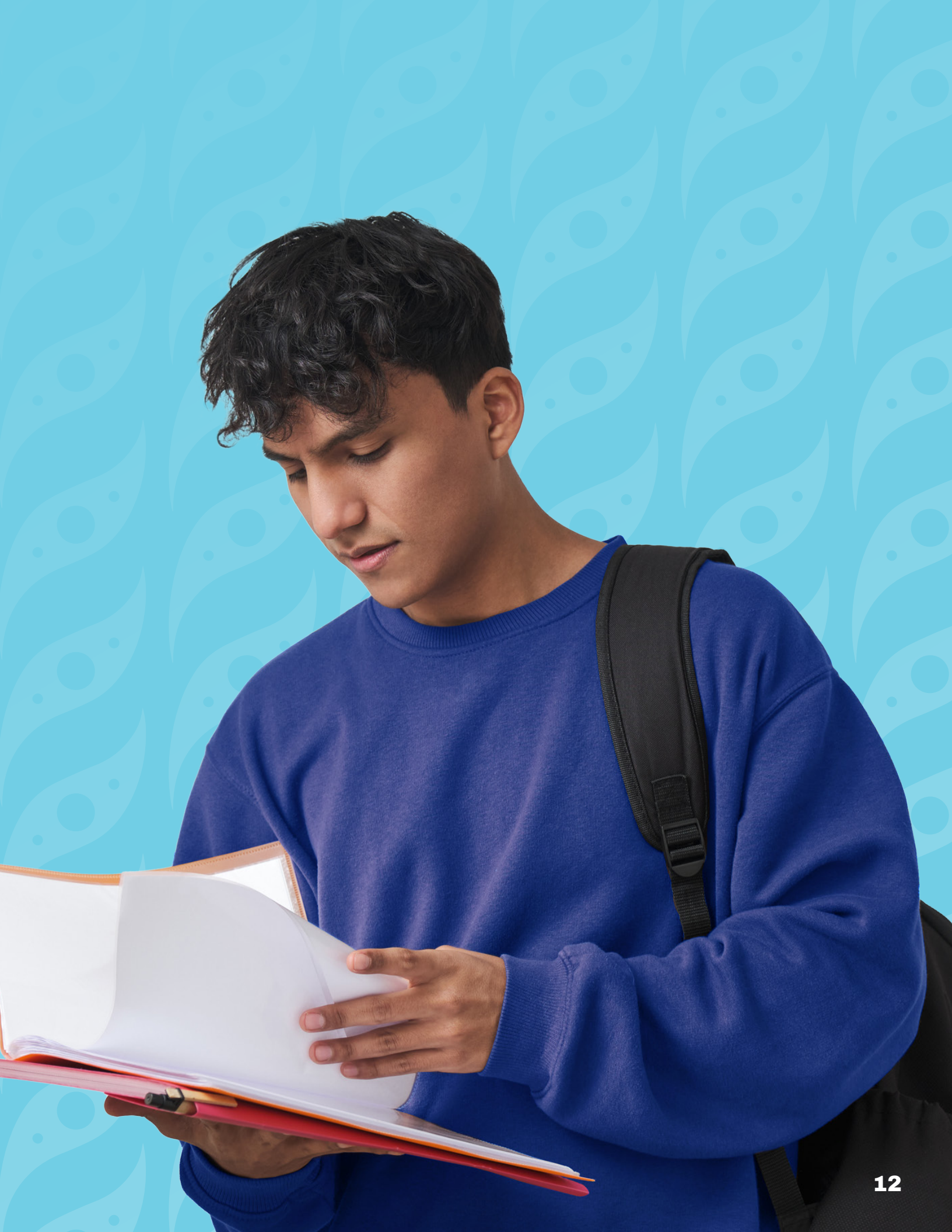
Going forward, the PGT will aim to leverage its relationship with OCOW to build direct relationships with individual ICFSAs. Many of the current initiatives described above, provide opportunities for relationship building and relating in harmony with ICFSAs.

## **Further legal reform supporting property guardianship and the return of jurisdiction**

The PGT continues its tradition of advocating for additional legal reforms to improve property guardianship services. In 2023–2024, the PGT issued recommendations to the Ministry of Attorney General for amendments within the Public Guardian and Trustee Act and other related legislation to facilitate improved outcomes for the children and youth the PGT serves as property guardian. These recommendations are driven by three recent legislative developments<sup>1</sup> and longstanding concerns regarding the Public Guardian and Trustee Act itself. The proposed amendments would more clearly define the mandate and powers necessary for the PGT to effectively and equitably meet the needs of children who need the PGT's property guardian services. This includes enabling better access to the information that the PGT needs to provide property guardian services in partnership with First Nations.

During the initial consultations leading to Bill 38, the Province committed to a second wave of legislative changes to address other gaps that were not resolved in the initial suite of legislation. The PGT is hopeful that the Province will fulfill its previous commitment and work with the PGT to bring these changes into force.

<sup>1</sup> Federal Bill C-92 (2019), An Act Respecting First Nations, Inuit and Métis Children, Youth and Families; British Columbia Bill 41 (2019), the Declaration on the Rights of Indigenous Peoples Act; and British Columbia Bill 38 (2022), The Indigenous Self-Government in Child and Family Services Amendment Act.



## Looking inward:

# Issues impacting property guardianship services

Property guardian services have a distinct role within the broader framework of child and family services. As property guardian, the PGT protects the financial interests of children and youth in care. The PGT also reviews incident injury reports regarding these children and takes legal and other actions on their behalf. The PGT has a fiduciary duty to advance the interests of children and youth, and acts independently when doing this. The following section of the report summarizes key challenges impacting service delivery.

## Registered Disability Savings Plans

The Registered Disability Savings Plan (RDSP) is a long-term savings plan to help people with disabilities save for the future. As property guardian, the PGT managed **858** Registered Disability Savings Plans (RDSPs) at March 31, 2024. The PGT continues to confront various challenges associated with administering RDSPs.

Before the PGT can apply for and establish RDSPs for property guardian clients, personal guardians must first apply for the disability tax credit and notify the PGT of the client's disability status. Working with co-guardians to establish RDSPs and address low uptake is an ongoing effort for the PGT.

Effective management of RDSPs also involves comprehensive transition planning at age of majority. Child and youth beneficiaries need to be supported in navigating the requirements of directly managing their RDSPs as adults or arranging for their family, supports or networks to assist with the management of RDSPs as they transition to adulthood.

The PGT is responsible for the overall administration of these RDSPs. In 2023–2024, Child and Youth Services staff identified and corrected errors where some children and youth with RDSPs did not have their RDSPs invested in an appropriate investment option. The PGT compensated these young people for any losses they might have incurred.

## Critical Incident Reports

The PGT saw a major increase in critical incident reports in 2023–2024. The PGT received and reviewed **36%** more critical incident reports in 2023–2024 when compared against the prior year. These incidents range in severity. While certain incidents result in no immediate harm to the child or youth, others are profound and may lead to a significant injury or trauma to the young person.

As the number of reported cases of child harm rises, PGT staff face challenges in their reviews and investigations. The PGT works with co-guardians to review critical incident reports by requesting corroborating information to better understand and action these reports.



## Why does the PGT review critical incident reports?

The PGT receives reports from MCFD and ICFSAs of critical injuries and serious incidents involving the children and youth we serve. The PGT reviews these reports to determine if there is any legal claim or financial benefit to pursue with respect to the incident.

The PGT's ability to action reports can be significantly impacted by how quickly the personal guardian provides the requested information. The PGT continues to work with its co-guardians to improve information sharing with respect to incident reporting.

Another recent development is a broadening understanding about the impact of adverse events on the development of children and youth. 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, significantly affecting a child's ability to function effectively as an adult. ACEs are linked to chronic health problems, mental illness and substance misuse in adulthood. In 2023–2024, the PGT began regularly reviewing critical incident reports with the lens of pursuing potential legal claims associated with ACEs on behalf of children served as property guardian.

## Legal work

Tied to the increase in critical incident reports received, last year the PGT experienced a significant increase in legal work. In 2023–2024, legal files opened increased by **94%** when compared with legal files opened in 2022–2023.

In order to advance legal claims, the PGT is required to gather clear and comprehensive documentation in support of legal matters. The PGT will often collect documentation from a range of sources including medical practitioners and police agencies. However, the most important source of records can often be obtained directly from the personal guardian.

In the past, MCFD struggled to respond to PGT information requests relating to potential legal claims on a regular basis. MCFD has devoted additional resources to this work and as a result, the number of outstanding requests declined by **12%** down to **153** as of September 2024 when compared to the amount reported as outstanding in our 2022–2023 report. As a result, there was a significant decrease in the backlog of requests. However, the production of large volumes of MCFD records within a short period of time is challenging for the PGT to promptly review and action. If MCFD does not provide records in sufficient time for assessment and action before a youth's 19th birthday, the PGT no longer has authority to pursue the claim. The ending of our authority deprives the youth of the assistance of the PGT and leaves them to pursue the claim on their own. The PGT continues to monitor this work closely.

## Class actions

There have been several new class actions in recent years that may have a significant impact on children and youth served as property guardian. As the number of class actions increases, the PGT faces heightened demands to review and manage each claim appropriately. The PGT restructured internal resources in 2023–2024 to deploy a specialized class actions team to manage class actions. This team was instrumental in supporting the First Nations Drinking Water class action with approximately **200** applications completed in 2023–2024 on behalf of property guardian children and youth. The PGT class actions team will also help manage future applications such as the First Nations Child Welfare Class Action.

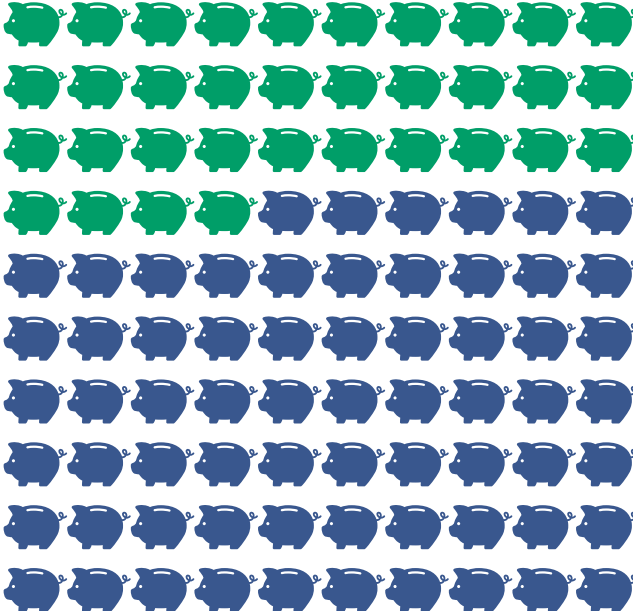
# Looking inward:

# Data insights

## Financial

In 2023–2024, the PGT held **\$64.9 million** in assets for **1,457** property guardian children and youth.

If PGT property guardian clients were imagined as a group of **100** children, then **34<sup>1</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, 2024<sup>2</sup>

Source of funds	Total value
Personal injury proceeds	\$43,479,801
Registered Disability Savings Plans (RDSP)	\$13,862,305
Canada Pension Plan (CPP) Children’s Benefits	\$2,875,919
Estate proceeds	\$1,188,739
Family Compensation Act proceeds	\$968,638
Insurance proceeds	\$820,924
Tax credits	\$635,488
Others	\$1,085,686
<b>Total</b>	<b>\$64,917,500</b>

### Financial benefits collected 2023–2024

Benefit	Number of clients	Total value
Canada Pension Plan (CPP) Children’s Benefits	190	\$629,622
Indigenous benefits	66	\$23,266
Endowment 150 gifts	35	\$5,250
Crime Victims Assistance Program benefits	11	\$39,000
<b>Total</b>	<b>302<sup>3</sup></b>	<b>\$697,138</b>

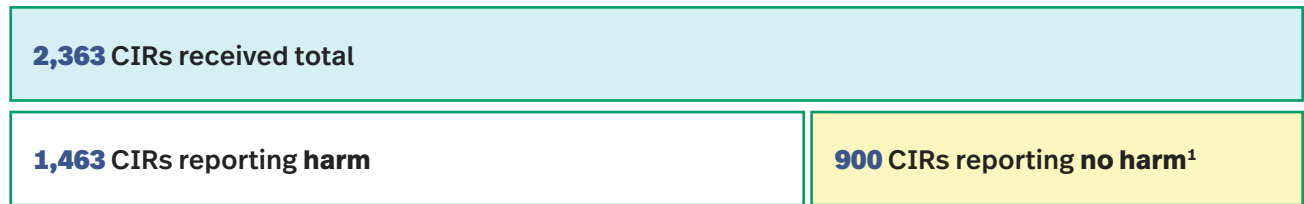
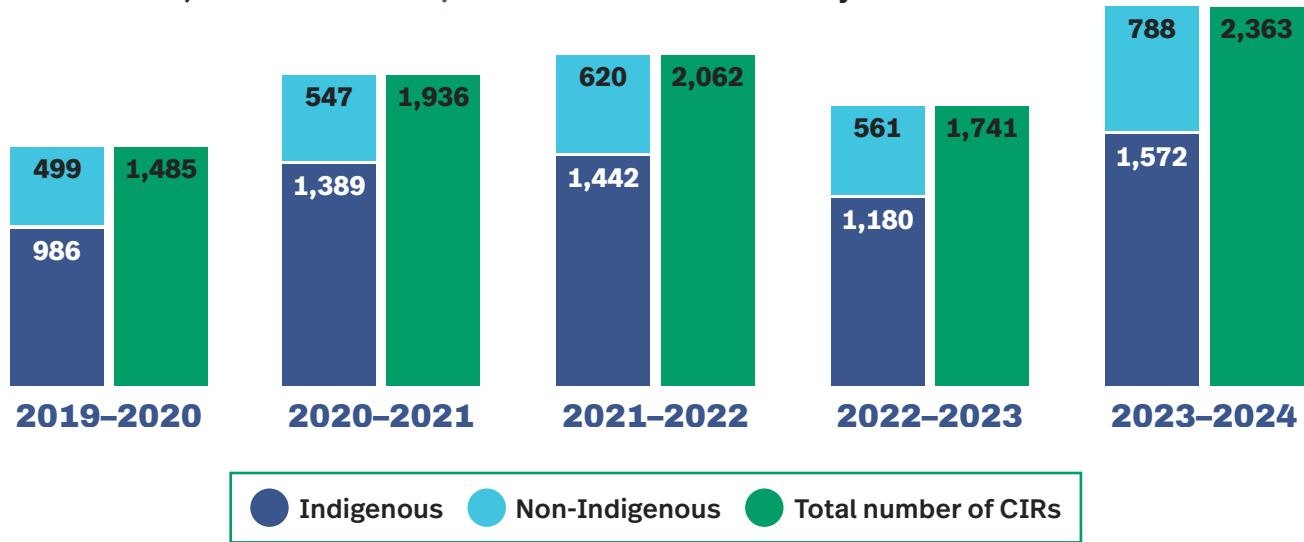
1 This represents the percentage of children and youth served by the PGT as of March 31, 2024 with financial assets. All former property guardian clients that the PGT is working with to transition legal and financial matters are included.  
 2 This represents the types of funds and values of all funds held in trust by the PGT for children and youth.  
 3 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.





# Critical Incident Reports (CIRs)

In 2023–2024, the PGT received **2,363** CIRs for **805** children and youth.

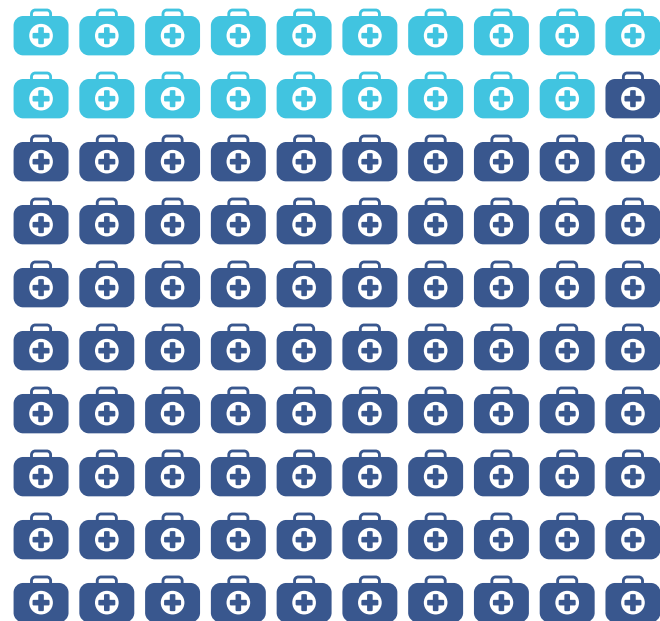


Three major categories of harm experienced by children and youth

2023–2024	Number of CIRs
Physical assault <sup>2</sup>	284
Self-harm	229
Sexual assault <sup>2</sup>	201

**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.**

If PGT property guardian clients were imagined as a group of **100** children, then **19**<sup>3</sup> of them would have been the subject of a CIR



1 “No harm” refers to instances where there may be no specific or lasting harm to the child or youth related to a particular CIR. Includes a sub-category to track occurrences where a child or youth was absent or missing from their residence.  
 2 This figure does not include incidents where the child or youth experienced both physical and sexual assault. There were 31 of these incidents in 2023–2024.  
 3 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.



## Legal services

In 2023–2024, the PGT secured approximately **\$253,000** from legal services carried out on behalf of **11** children and youth in continuing care.

If PGT property guardian clients were imagined as a group of **100** children, then **17**<sup>1</sup> received PGT legal services



### New legal work in 2023–2024

Personal injury – non-MVA <sup>2</sup>	194
Personal injury – sexual assault	152
Other legal file category	40
<b>Total</b>	<b>386</b>

### All ongoing legal work in 2023–2024

Personal injury – non-MVA <sup>2</sup>	247
Personal injury – sexual assault	223
Other legal file category	90
<b>Total</b>	<b>560</b>

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

Fiscal year	Amount	Number of clients
2019–2020	\$26,790,101	4
2020–2021	\$734,289	15
2021–2022	\$109,735	9
2022–2023	\$420,775	9
2023–2024	\$253,016	11

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

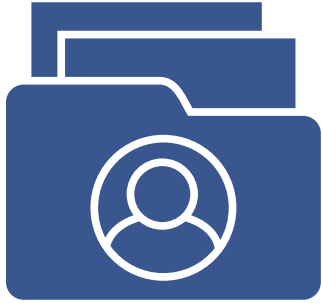
2 This category consists of personal injury incidents other than motor-vehicle accidents (MVA) and sexual assault.

3 These amounts are typically held in trust by the PGT.



## Records request

In 2023–2024, the PGT formally requested **69** client records from MCFD and received **39**.



**69**



**39**

### How does the PGT obtain information to fulfill its role as property guardian?

MCFD provides information that is crucial to the PGT fulfilling its role as property guardian. For example, as personal guardian, MCFD will know the status of a young person’s biological parents. If a parent is deceased, MCFD will often notify the PGT, leading to the PGT pursuing benefits such as CPP entitlements.

Information is shared between MCFD and the PGT through front-line worker communications, automated processes including monthly reporting, and formal requests for client records.



## Looking outward:

# Societal issues impacting property guardianship

There are several societal issues that continue to impact the lives of children and youth in care and shift the PGT's role as property guardian. These environmental shifts add complexity and urgency to this unique role. In this section we note a few specific areas where the PGT continues to learn and adapt in order to meet the needs of children and youth we serve as property guardian.

### Unregulated drug crisis

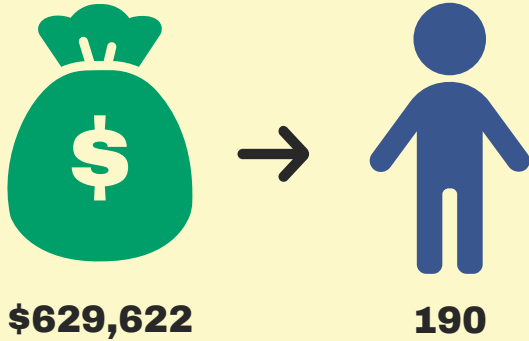
It is widely reported that the unregulated toxic drug crisis is having significant and ongoing impacts on the population of B.C. Since the Public Health Emergency was declared in April 2016, there have been well over **10,000** preventable deaths in the province. The unregulated drug crisis continues to profoundly impact the young people served by the PGT. The BC Coroner's Service reported that from 2019–2023, **126** children and youth in B.C. lost their lives as a result of the crisis.<sup>1</sup> In 2023–2024, **4** youth in continuing care under 19 years old were lost as a result of accidental drug overdoses. The PGT also recognizes that the total number of overdose deaths among children and youth in care is higher when all of the young victims are considered, such as individuals who continue to be served by the PGT as trustee or another role over the age of 19. In the last **5** years, the PGT has received an approximate average of **100** reports of alcohol and drug use each year for children and youth served as property guardian, with the vast majority of these reports leading to serious overdoses.

**The PGT received 111 reports of incidents involving a youth being hospitalized or treated due to drug or alcohol intoxication in 2023–2024.**

The toxic drug supply has also increased the number of family members of children in care who have passed away. In 2023–2024, at least **130** parents of children and youth that the PGT serves as property guardian were confirmed to have died as a result of overdose. These are tremendous losses for children and youth in care and their communities, and the PGT's work as property guardian is impacted as a result. When a child or youth's parent passes away, the PGT looks into insurance and estate issues, whether there is anyone liable for the parent's passing, and submits applications for benefits, such as Canada Pension Plan (CPP) Survivor's benefits.

<sup>1</sup> Visit the BC Coroner's Service site for additional details: [www2.gov.bc.ca/assets/gov/birth-adoption-death-marriage-and-divorce/deaths/coroners-service/death-review-panel/review\\_of\\_illicit\\_drug\\_toxicity\\_deaths\\_2022.pdf](http://www2.gov.bc.ca/assets/gov/birth-adoption-death-marriage-and-divorce/deaths/coroners-service/death-review-panel/review_of_illicit_drug_toxicity_deaths_2022.pdf)

**In 2023–2024, the PGT collected \$629,622 in CPP benefits for 190 property guardian children and youth, which is the highest amount in the last 5 years.**



In 2023–2024, the PGT carried out a project to ensure that benefit applications for children and youth with deceased parents or guardians were appropriately completed. This review revealed a number of cases where the PGT still needed to complete applications for CPP benefits, as well as instances where MCFD informed the PGT of a parent’s passing only after a significant delay. The PGT is now in the process of ensuring these applications are processed and, where appropriate, reimbursing or seeking reimbursement on behalf of the clients with any missed benefits.

Responding to the unregulated drug crisis has highlighted an even greater need to collaborate and remove barriers to collaboration. The PGT continues to seek pathways to facilitate information sharing with MCFD, ICFSAs and others in order to meet the needs of clients during this crisis.

## **Transition planning**

In recent years, the PGT and other partners have been working to address a serious lack of support for young people leaving care. The PGT contributes to these efforts by striving to transfer any trust funds collected or legal actions taken over the course of a child being in care in a thoughtful way.

The PGT is increasingly focused on preparing youth to take on any funds they may receive when they are no longer in care. This includes the PGT’s financial wellness workshops and the PGT being actively involved with transition planning from an early age to ensure that the children and youth served have a plan they feel comfortable with.

The PGT also offers a Post Majority Trustee by Agreement program, which allows youth to enter into a voluntary trust agreement with the PGT until they turn 27. Frontline staff at the PGT work closely with youth, social workers, the newly created MCFD Strengthening Abilities and Journeys of Empowerment (SAJE) teams, Community Living BC staff, supports at First Nations and with the rest of the youth’s support circle to come up with the best plan possible for each youth we serve.

## **Separate confinement**

In 2021, the BC Ombudsperson released a report entitled “Alone: The Prolonged and Repeated Isolation of Youth in Custody.” In response to this report, the PGT has advocated with MCFD that in the PGT’s capacity as the responsible party for protecting the legal and financial interests of children and youth in care, the PGT should be advised of instances where children or youth are placed in separate confinement. To date, MCFD has been unwilling to provide the PGT with reports when children are placed in separate confinement, citing privacy concerns. The PGT continues to review options to challenge this perspective.

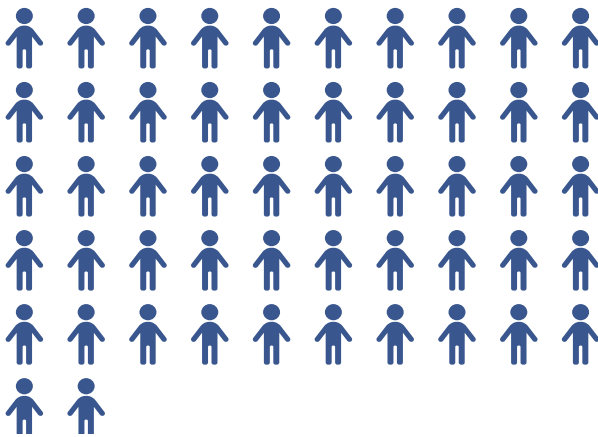


## Looking outward:

# Data insights

### Transition services

On average, **52** children and youth served as property guardian transition out of care each month



Reason the PGT's property guardianship role ended<sup>1</sup>

Age of majority	45%
Adoption order granted	43%
Transfer of guardianship	7%
Other reason <sup>2</sup>	5%

In 2023–2024, the PGT held more than **\$1.0M** for **41** youth as part of the PGT's Post Majority Trustee by Agreement program



**\$1 million**



**41**



**\$28,000**



**14**

### The PGT Educational Assistance Fund

In 2023–2024, the PGT awarded **\$28,000** to **14** individuals

- 1 Only includes files where the PGT has completed transitioning legal and financial matters.
- 2 The "Other reason" category includes when a continuing custody order is cancelled or when a client dies.



## A case study:

# The crisis and the impacts to a single child

**Since the unregulated toxic drug crisis was declared a public health emergency in April 2016, there have been many public conversations about the impacts of the crisis on communities, the health and wellbeing of families and the range of effects on youth.**

At the PGT, we are often witness to situations where youth are removed from their families due to issues related to parental substance use or a parent's death due to overdose. The PGT reviews these incidents through different communication channels with the personal guardian, including through the review of critical incident reports for youth served by the PGT. In these reviews, the PGT notes the intergenerational impacts on families, as many youth themselves are also struggling with substance use and the risk of accidental drug overdose. Based on several real situations, the fictional story of Danny demonstrates how the PGT as property guardian responds by seeking legal and financial benefits for children in care.

**Trigger warning:** This story includes mention of overdose, abuse and the intergenerational harms resulting from colonialism.

Danny was ten years old when he first came into government care, as his father had passed away from an accidental unregulated drug overdose. Danny's mother had passed away years earlier and Danny was left without a guardian at this time and came into government care as a result. While Danny's social worker, as his personal guardian, took care of many aspects of Danny's life, including making decisions about his care,

housing, education and ensuring he had access to counseling, the PGT as property guardian monitored for any potential financial or legal affairs on Danny's behalf. The details of Danny's circumstances were shared with the PGT by Danny's social worker.

As property guardian, the PGT secured Canada Pension Plan Survivor benefits in the amount of \$12,800 for Danny after the deaths of both his mother and father. Through discussions with the social worker, the PGT also became aware that Danny's mother was an employee of the Operator Engineers' Union, working as a crane operator before her death. The PGT was able to contact the Union and secure pension benefits for Danny, holding the pension funds in trust until Danny turns 19.

As Danny grew older, the PGT shared financial and legal information to help him prepare to manage his own affairs through the transition planning process. Danny attended a PGT Financial Wellness workshop, which is a trauma informed financial literacy session for youth with care experience, aimed at supporting basic budgeting skills, financial awareness and ways Danny may want to think about his relationship to his finances and trust monies.



The PGT also shared information about the option to make a will at age 16. As a result, Danny learned that provincial estate laws would result in his trust automatically being paid to his adult brother, in the case Danny passed away. However, Danny did not feel comfortable with this arrangement, as during his childhood he had been assaulted by his grandfather. This assault ruptured the closeness of Danny's biological family unit and he did not feel supported or protected by his adult sibling or other family members. Danny instead wanted to make the decision of who his funds would be left to if he passed, and he decided to write a Will that left his assets to chosen supportive and trusted people in his life.

As property guardian, the PGT reviewed any potential liability in relation to the assault Danny experienced, plus any Adverse Childhood Experiences (ACEs) during his time in care. If Danny turns 19 prior to these reviews being completed, the PGT will work to provide information on these legal matters to Danny so he is aware of his civil legal options, should he choose to pursue them.

Danny is now 18 and aware of his funds held at the PGT. He is staying focused and plans to finish high school this year, with the help of his counsellor, social worker and girlfriend, who all want to support him in the pursuit of his career goals in the mental health field. When Danny graduates, he plans to go on a trip to Japan because he loves rally racing and wants to attend a race in person. Danny will receive funds from his First Nation and the PGT at age 19 and he plans to talk to a financial advisor about how he might want to plan for these funds, his goals and his future.

This reality-based story relates to the topics of abuse, trauma, addictions and the toxic drug crisis and highlights multiple cyclical issues, each of which has devastating impacts on their own. Colonialism leads to inter-generational trauma and trauma can give rise to substance use, bringing increased vulnerability and compounding trauma(s) to parents, grandparents, extended family and inter-generationally to children. The impacts of abuse at residential schools, day schools and other government directed facilities that separated Indigenous parents and children lives on and the traumas described in this story are legacies, both direct and indirect, of these colonial policies.



# Community engagement and outreach

The PGT recognizes that collaborating with the communities we serve is essential for positive communication and outcomes. As such, the PGT has taken a number of steps to increase community engagement.

## Financial wellness

The PGT has offered financial wellness supports for children in care for many years. Through direct consultations with First Nation partners, the PGT learned first hand that this was an unmet need in communities. As such, the PGT created a new staff role focused solely on financial wellness facilitation in 2023–2024. The PGT’s Financial Wellness Facilitator now allows the PGT to reach youth and their supports all over B.C. by developing and delivering financial wellness content designed to engage and empower youth in a culturally safe and respectful manner. This fundamental knowledge contributes to setting youth and young adults up for success and self-determination.

In 2023–2024, the PGT also produced a new edition of [Dollars and Sense – A guide for your money](#). With feedback and input from members of the Province’s Indigenous Youth Internship Program, as well as expertise from an Indigenous agency specializing in developing learning content for Indigenous youth, this resource was updated and edited to reflect the youth that we serve today.

### What is financial wellness training and how does the PGT support it?

Some young people in care may not have the benefit of guidance and mentorship around financial matters from a trusted adult.

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 education materials to support financial empowerment and learning.



## Public engagement

The PGT continues to embrace a long tradition of participating in and contributing to conferences focused on Indigenous children and youth such as the annual Gathering Our Voices event. These events provide PGT staff with opportunities to directly listen to the voices of Indigenous children, youth and partners.

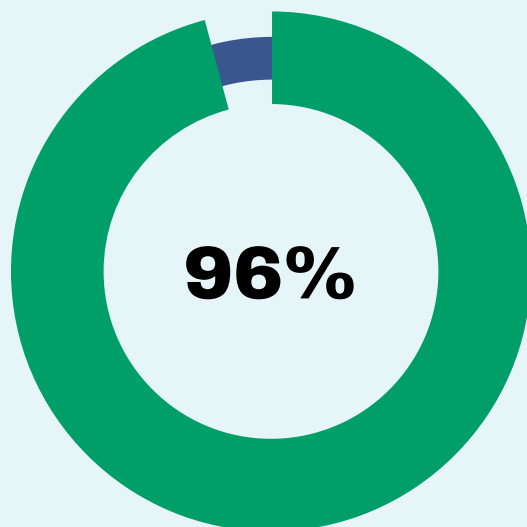
The PGT also celebrates National Indigenous People's Day by participating in various events around B.C. These events lead to cultural learning for PGT staff, allow for information sharing with First Nations, Métis and Inuit people on the services that we provide and promote community connection for all.

The PGT offers ongoing virtual and in person training to social workers with MCFD, ICFSAs and First Nation teams, striving to ensure that our role, policies, procedures and interpretation of legislation is understood by our partners. These sessions provide social workers with an opportunity to ask questions about the legal and financial issues children and youth on their caseloads are experiencing.

Future plans for community engagement include sharing the ideas and content from our financial wellness program by developing a 'train the trainer' model. This training will be offered to service partners and other agencies interested in supporting education for youth on money matters.

## Public education activities

**96%** of individuals who responded to the PGT's financial wellness workshops survey in 2023–2024 found the workshop to be helpful.



In 2023–2024, the PGT directly reached **349** children and youth through delivery of **29** financial wellness workshops.





# General inquiries

## Public Guardian and Trustee of British Columbia

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Phone	604-660-4444
Fax	604-660-0374
Email	<a href="mailto:mail@trustee.bc.ca">mail@trustee.bc.ca</a>
Website	<a href="http://www.trustee.bc.ca">www.trustee.bc.ca</a>

**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.