



Corporate NO: R221

Report COUNCIL DATE: *October 16, 2000_*

REGULAR

TO: Mayor & Council **DATE: October 10, 2000**

FROM: City Clerk **FILE: 0042-014**

SUBJECT: Family Court/Youth Justice Committee

RECOMMENDATION

It is recommended:

1. That in accordance with Section 5, Provincial Court Act, R.S.B.C., 1996, c.379 as amended, the City of Surrey, supports the establishment of a Joint Family Court Committee and;
2. that the City of Surrey work with the City of White Rock, City of Langley and Township of Langley to draft the committee's mandate and terms of reference and annual operating budget for approval by each Council with a view to confirming establishment of a Joint Family Court Committee for 2001.

BACKGROUND

The issue of formation of a Family Court Committee has been ongoing, and includes confirmation by the Municipal Solicitor in July, 1991, that Section 4(1) of the Provincial Court Act, RSBC Chapter 341 which states "each Municipality shall have a family court committee appointed by Council shall is interpreted as being mandatory". Current legislation - Section 5, Provincial Court Act, R.S.B.C., 1996, c.379 is attached (Appendix 'A').

At the Regular Council meeting held June 1, 1998, the following recommendations contained in Corporate Report R1529 dated May 26, 1998 were endorsed by Council:

1. That the City Clerk resume efforts to establish a family court committee for the City of Surrey.
2. That the City Clerk provide necessary status reports to Council, including a report regarding a proposed

mandate, membership recruitment and cost and resource implications.

To begin the process, statistics were gathered from various locations throughout the Province indicating which communities had committees, what the committees had accomplished and what resources were provided by each community. Some smaller, rural communities, while not forming specific family court committees, operate very successful youth diversity and restorative justice programs. Some communities operate court watch programs, others work on individual projects such as teen forums and gathering information on available community resources. Some others just struggle to survive.

UBCM Resolution:

In 1999, UBCM petitioned the Ministry of the Attorney General to define an appropriate role for Family Court Youth/Justice Committees. The response from the Ministry merely re-affirmed the Province's ongoing support and encouragement (attached Appendix 'B'). Prince George, who initiated the UBCM resolution had since focussed on working with the Prince George Youth Containment Centre to review processes and procedural affairs. In addition, an individual in the community who started a Court Watch program under his own volition, has requested the opportunity to join the Prince George Family Court/Youth Justice Committee. This program is currently operating successfully with approximately 17 volunteers.

Family Court/Youth Justice Task Force:

Following the information gathering, a Task force comprised of representatives from the Cities of Surrey, White Rock and Langley and Langley Township, members of various social services agencies and the R.C.M.P. was formed to investigate the viability of forming a joint committee commencing 2001. Notes from both meetings are attached (Appendices 'C' and 'D').

The Honourable Judge Borwitz and The Honourable Judge Raven, Family Court Judges presiding at the Surrey Provincial Court House met with the Task Force on July 6, 2000. Both judges were supportive of the formation of such a committee and suggested a joint family court committee could act as an umbrella organization, looking at allocation of resources and examining the implications of some of the huge socio/economic differences throughout this large, diverse community. They pointed to the need for a vehicle for learning about and talking about available resources. They also expressed concern that there is nobody to speak for the users; there is no voice for those with no political power who are not in a position to make a statement of their own. It was noted that while the courts face increasing volumes in general, services are shrinking and there is growing inequity when comparing per capita resources between Surrey and other communities.

On October 4, the Task Force received a presentation from Councillor Dilworth, Chair, Joint Family Court and Youth Justice Committee – covering the Municipalities of Port Coquitlam, Port Moody, Coquitlam, Belcarra, Anmore and Electoral Area B. This joint committee operates successfully with representatives, including elected officials, appointed by each area. Responsibility for the Committee rotates annually and a minimal budget is provided to cover administrative assistance and minimal project costs.

The Task Force also received a presentation from Ms. Baynham, Chair and Ms. Shaw, Court Watch Coordinator, North Shore Family Court and Youth Justice Committee. An extremely successful and active Court Committee, this group covers North Vancouver District, City and West Vancouver. A budget of approximately \$60,000 is provided jointly to provide the two part time coordinators for the Court Watch Program and the Domestic Violence Program. Membership includes elected officials along with professionals and members at large from each jurisdiction.

The Task Force noted that the success of a family court committee would appear to hinge on community and council

support, strong commitment from committee members, as well as the focus and mandate developed by the committee. Concerns discussed included :

- potential for duplication and overlapping of community resources already available through current groups such as Child and Youth Committees, Restorative Justice programs, Youth Intervention programs;
- need to develop a strong mandate and focus – court watch, domestic violence, seniors & youth, mentoring services
- no provincial conferences for the last two years; there also appears to be a lack of a strong, supportive Provincial presence

Task Force Conclusions:

Following the two meetings, and based on Surrey initiating the Committee, potential support has been indicated from White Rock City, Langley Township and Langley City. While no committee budget was supported, willingness to participate on such a committee was tentatively offered through provision of appointments of a Council member and community representative(s) meeting the criteria as set out in the Provincial Court Act. Both Langley Township and White Rock City proposed that membership appointments be calculated based on a formula using population. While the suggestion was made to rotate administrative support within existing administrative budgets (each jurisdiction providing support one year out of four), White Rock City proposed that administrative support also be provided using a formula based on population.

It should be noted that no official support through any council resolutions has been confirmed to date.

Committee Formation:

As it will be necessary to draft the Committee's mandate, terms of reference, appointment methodology and operating details prior to actual formation of the committee, it is suggested the City continue to work with the City of White Rock, City of Langley and Township of Langley. The cost of providing administrative support for the committee could be provided from within existing budgets; however, this would not provide any provision for attendance at any pertinent annual conferences.

Donna B. Kenny, C.M.C.

City Clerk