



# British Columbia's Child Welfare System

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This CWRP Information Sheet provides an overview of the child welfare service delivery system in British Columbia (BC). The summary is based on a synthesis of information collected from publicly available documents. The summary presented in this information sheet were prepared by the authors with funding from a Social Sciences and Humanities Research Council Partnership Grant and a gift from the Royal Bank of Canada foundation to support the McGill Centre for Research on Children and Families' Children's Services Research and Training Program.

## Background

In British Columbia, the Ministry of Children and Family Development (MCFD) provides child welfare services under the mandate of the [Child, Family and Community Service Act](#) (1996). Child protection services in British Columbia are provided through 429 ministry offices in five regions and 22 delegated Aboriginal agencies (MCFD, 2011). The [Adoption Act](#) (1996), [Infants Act](#) (1996), and the [Representative for Children and Youth Act](#) (2006), are other legal acts that relate to the well-being and protection of children in British Columbia. There are 22 Aboriginal child welfare agencies that provide child welfare services and an additional eight agencies that are in start up or planning stages. Of the total 30 Aboriginal child welfare agencies, 23 are First Nations agencies, four are Métis agencies, and three are urban Aboriginal agencies. The Federal government is responsibility for funding services to First Nations children and families living on-reserve. For more information on Aboriginal child welfare in British Columbia, see the information sheet "[First Nations Child Welfare in British Columbia](#)" (Kozlowski, Sinha, Hoey & Lucas, 2011).

In 2002, the MCFD announced plans to reorganize the delivery of child welfare services for Aboriginal children and families in British Columbia through five independent regional authorities, a process that is still underway (Foster & Wharf, 2007). The MCFD has implemented a Family Development Response (FDR) model that provides community-based resources in lower risk cases where parents are cooperative and willing to receive ongoing services. FDR, which aims to keep children in the home, was introduced in BC in 2003. In 2005, the Ministry of Aboriginal Relations and Reconciliation was created under a "New Relationship" framework. Within this framework, the provincial government has signed agreements and accords with numerous Aboriginal communities. In 2006, legislation was introduced that created a Representative for Children and Youth, mandated to provide oversight to the MCFD.

The Aboriginal Operational and Practice Standards for child welfare agencies and workers serving Aboriginal children and families do not require a separate FDR standard because they fit into a strength-based approach to child welfare interventions (MCFD, 2004). Since the 2001 BC Treaty Referendum, the BC Government has participated in numerous initiatives aimed at changing the relationship between the provincial government and Aboriginal peoples living in BC (British Columbia Representative for Children and Youth, 2013). These initiatives include: the Tsawwassen Accord, the New Relationship, the Transformative Change Accord, the Métis Nation Relationship Accord, the Strong, Sage and Supported Action Plan, and recognition of Jordan's Principle (British Columbia Representative of Children and Youth, 2013). The move to a regionalized model of Aboriginal child welfare service delivery is partially reflective of the 2001 shift towards improved relations between the provincial government and Aboriginal peoples (for more information see MacDonald, 2008; British Columbia Representative for Children and Youth, 2013; Union of BC Indian Chiefs, n.d.).

## **Child in Need of Protection**

Child protection interventions in British Columbia are extended to children aged 0-19, which is an older eligibility threshold than any other province or territory in Canada. Section 13 of the *Child, Family and Community Service Act* defines a child as being in need of protection when:

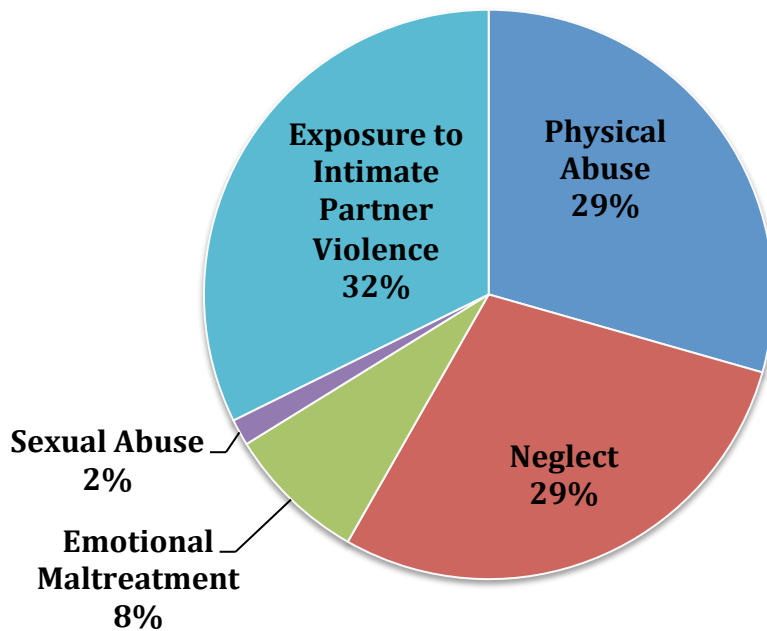
- the child has been, or is likely to be:
  - physically harmed by the child's parent;
  - sexually abused or exploited by the child's parent;
  - physically harmed, sexually abused or sexually exploited by another person and the child's parent is unwilling or unable to protect the child;
  - physically harmed because of neglect by the child's parent;
- the child is emotionally harmed by the parent's conduct;
- the child is deprived of necessary health care; or her development is likely to be seriously impaired by a treatable condition and the her parent refuses to provide or consent to treatment;
- the child is abandoned, the child's parent is dead, or the child's parent is unable/unwilling to care for the child, and adequate provision has not been made for the child's care;
- the child is or has been absent from home in circumstances that endanger the child's safety or well-being;
- or the child is in the care of a director or another person by agreement and the child's parent is unwilling or unable to resume care when the agreement is no longer in force.

The 2008 British Columbia Incidence Study (BCIS-2008) tracked the primary forms of maltreatment reported for each child investigated by child welfare services. The definitions of maltreatment in the BCIS-2008 differ from the definitions in the legislation, because the study was designed to apply across all provinces and territories and relies on categories that were created for cross-jurisdictional comparisons; therefore the maltreatment categories in Figure 1 do not directly correspond to the protection categories outlined in the *Child, Family and Community Service Act* (MacLaurin et al., 2011). Findings from the BCIS-2008 include that 32% of all children in the BCIS were investigated for exposure to intimate partner violence, 29% for physical abuse; 29% for neglect; and the remainder for emotional maltreatment (8%) or sexual abuse (2%; see Figure 1). Note that of all the child welfare cases included in the BCIS sample

56% of these investigations were substantiated and the remaining 44% were suspected or unfounded.

Figure 1.

*Primary Category of Substantiated Maltreatment in British Columbia, 2008\**



\* Source: *BCIS-2008* (MacLaurin et al., 2011)

## Spectrum of Services

The range of services provided to children and families under the *Child, Family and Community Service Act* include: investigation, provision of family services, and placement in out-of-home care. A case of suspected child abuse or neglect that is reported to a child and family services agency is responded to in three primary ways after an initial screening: (1) an investigation is initiated if there is substantial evidence that the child is likely to experience harm; (2) FDR is initiated for low risk cases; or (3) a decision is made to not pursue a child welfare investigation. If a protection report is retained, the family will either be assigned to FDR, where they will receive voluntary family services, or a full protection investigation, which involves an information gathering process aimed at deciding whether the child is in need of protection. Protection reports that are retained thus include court-ordered family service plans, voluntary service plans, and may also include placement of children in out-of-home care.

A child is removed from their home only as a last resort and most children in British Columbia never come into contact with child welfare services (MacLaurin et al., 2011). Table 1 illustrates the number of children in out-of-home care in British Columbia from 2007 to 2012.

Table 1.

*Children in Out-of-Home Care in British Columbia, 2007-2012*

<b>Children in Care*</b>	<b>2007- 2008</b>	<b>2008- 2009</b>	<b>2009- 2010</b>	<b>2010- 2011</b>	<b>2011- 2012</b>
Rate for All Children**	10.1	9.8	9.4	9.2	9.1
All Children in Care	9,237	8,959	8,528	8,373	8,187
Total Child Population	914,093	912,807	910,859	908,465	904,086
Rate for Non-Aboriginal Children**	5.3	5.1	4.6	4.5	4.3
Non-Aboriginal Children in Care	4,449	4,278	3,885	3,743	3,603
Total Non-Aboriginal Child Population	840,251	838,604	836,326	834,081	829,371
Rate for Aboriginal Children**	64.8	63.1	62.3	62.2	61.4
Aboriginal Children in Care***	4,788	4,681	4,643	4,630	4,584
Total Aboriginal Child Population***	73,842	74,203	74,533	74,384	74,715

\***Source:** March 2012 Public Reporting of Performance Measures Report, Ministry of Children and Family Development British Columbia. Children in Care rates by fiscal year (as of March 31) except for 2011/12, which is as of December 2011

\*\*Rates are calculated as per 1,000 children

\*\*\*Aboriginal children are counted by Aboriginal status. Population data is from BC Stats Aboriginal Identity Projection Model – People 36

As shown in Table 1, Aboriginal children are overrepresented in the child welfare system in British Columbia. According to the March 2012 MCFD Public Reporting Performance Measures Report, the rate of Aboriginal children in care in 2011/2012 was 61.4 as compared to 4.3 for non-Aboriginal children. The overrepresentation of Aboriginal children in the BC child welfare system reflects a long history of state-sponsored attempts to assimilate Aboriginal peoples into colonial society starting with the introduction of residential schools in 1879 and the mass removal of Aboriginal children by child welfare workers from their communities during the 1960s (Milloy, 1999; Union of BC Indian Chiefs, 2002). Aboriginal communities have worked hard to re-gain control over child welfare service delivery to children and families within their communities (Royal Commission on Aboriginal Peoples, 1996).

Additional information about child welfare services in British Columbia is available on the [Ministry of Children and Family Development](#) website, as well as the [Canadian Child Welfare Research Portal](#).

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