

Victoria Family Court & Youth Justice Committee

January 26, 2023



Agenda

1. Overview of Committee History
2. Overview of CRD Service
3. General Commission Rules
4. Outcomes of CRD review



CRD

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Meet the team

Kristen Morley , General Manager, Corporate Services and Corporate Officer, Lawyer	Steve Carey , Sr. Manager, Legal Services & Risk Management, Lawyer and Trademark Agent
Marlene Lagoa , Manager, Legislative Services and Deputy Corporate Officer	Sharon Orr , Senior Committee Clerk
Mike Medland, CPA , Sr. Financial Advisor, Finance Services	Sharon Byrch , Manager, Information and Privacy
Ross Cameron , Manager, Risk and Insurance	Rob Ingraham , Sr. Manager, Corporate Safety

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Committee History

- The Victoria Family Court Committee was created in the 1960s, with Victoria, Saanich, Oak Bay, and Esquimalt as members, under the now-*Provincial Court Act*.
- At the same time, CRD was tasked with constructing and paying for the Family and Children's Court Building.
- In the late 1980s, the Letters Patent were amended to task CRD with funding and participating in the Family Court Committee. The Committee was designed a "Youth Justice Committee" by BC's Minister of Attorney General under the now-*Youth Criminal Justice Act*. Around this time, the Committee amended its Terms of Reference and Constitution and gave CRD additional membership;
- In the 1990s, Central Saanich, North Saanich, and Sidney joined the service and Committee as the Peninsula Courthouse had closed;
- On late 1990s, the Service was amended to provide grants to CRAT and other "Board approved" committees;
- Until 2019, the Committee continued to do advocacy and community granting work;
- In 2019, an informal service review was initiated, which resulted in the Committee deciding to become a CRD "Commission" and a commission bylaw being adopted by the CRD Board.

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Service
Overview

Legislated Purposes

Provincial Court Act – Family Court Committee

- 4x per year to canvass resources for children and family matters
- Provide annual recommendation to Provincial Attorney General and member municipalities
- Do other tasks as directed by the Court

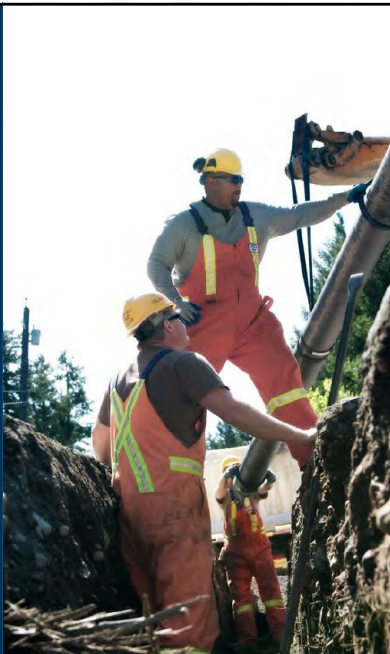
Youth Criminal Justice Act – Y/Justice Committee

- Tasks as assigned by the person creating the Committee
- If requested, act as a “conference” for designated organizations
- Was designated organization for youth custody

CRD Bylaw No. 2560 & 4453

- Grants to community organizations
- Take positions within its mandate and advocate on policy, legislation, and services affecting families and youth justice in the region

Role and Responsibility of Committee



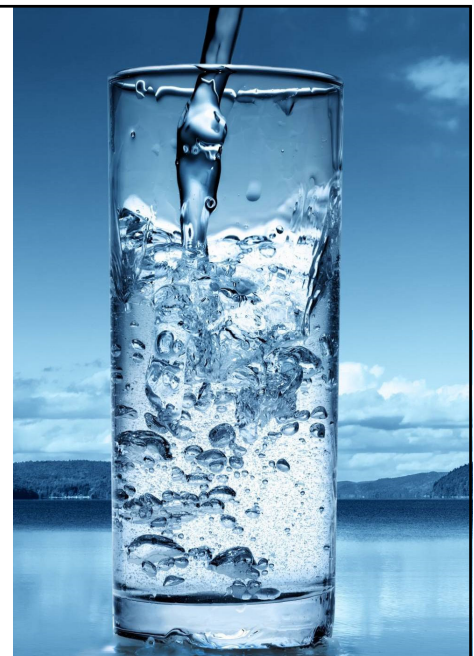
- Unlike most Regional District Committees, this is a “working” committee, not just a strategic committee.
- Some members must have experience in education, health, probation, or welfare.
- Members are also “volunteers” working on projects, whether its grant assessment, court watch, or advocacy work.
- Sub-committees exist by resolution of the Committee; the Chair appoints sub-committee chairs; each committee must have a purpose.
- Other projects and arrangements are possible.

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Service Structure

- Bylaw 2560 is an “Establishing Bylaw”, setting out scope of the regional district “Service” and its participants
- Bylaw 4453 sets out the structure of the regional “Commission”
- the Committee is responsible for its own administrative decisions, and is delegated the Board’s ability to grant and provide assistance to community groups from the Service budget
- Neither effect the legislated status of the Committee, but wrap around it for liability and structure purposes
- As an “administrative” commission, the Committee as a whole must decide its priorities. The Board is not involved in the Committee’s day-to-day business, subject to *LGA* requirements.
- The Committee does not have staff, though it may access some supports through CRD
- Its budget is meant for its administrative support and community grants
- Amendments to Bylaw 2560 require two-thirds consent of participants and Provincial approval
- Amendments to Bylaw 4453 require Board approval with a two-thirds majority vote



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Governance Overview



Committee Governance

- CRD Procedures Bylaw No. 3828
- Commission Bylaw No. 4453, includes requirements such as:
 - Mandate
 - Membership
 - Term of office
 - Appointment procedure
 - Delegated power
 - Financial plan and budget
 - Meeting procedures
 - Record keeping requirements
- Roberts Rules of Order

Governance Overview



Committee Governance

- Agendas set at “Steering Committee” meeting, where all members are welcome to attend or submit motions in writing in advance
- The Steering Committee sets the agenda of an upcoming meeting, but does not make binding decisions
- Meetings operate the same as typical council meetings
- Recommended to have reports and motions drafted in advance of Steering Committee meeting and to have agendas out a week before a meeting, but not required by Bylaw 3828

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Open Meetings



Open and Closed Meetings

- Must be public, open meetings, subject to *Community Charter in camera* items where discharging delegated powers – basically, where acting as a body of the local government on a final decision
 - E.g. final assessment and granting of funds, setting annual budget, directing purchases
- May be private or otherwise closed where not making a final decision or where acting specifically as a *PCA* or *YCJA* committee
 - E.g. Hearing “news from the street” or updates from guest speakers; conducting working meetings on different *PCA* / *YCJA* matters.

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Conflicts of Interest



Conflicts

- Local government conflicts rules apply
- Pecuniary (money) and non-pecuniary (relationship or legal) conflicts trigger a need to declare and recuse oneself
- Cannot influence decision if in conflict, or exert inside or outside influence over staff or others
- Conflicts are personal
- Can get own legal opinion not in conflict and rely on it
- Typical remedy for Commission member (where not elected official) is removal by appointing organization

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What can't the Committee do?

LGA and Other Restrictions

- Can't pass or amend bylaws
- Can't amend its final Board approved budget or the Financial Plan (but may change uses of funds within its approved budget in the Financial Plan)
- Can't approve reimbursements not in keeping with CRD policy (travel outside Canada)
- Individual commissions have no "powers" outside the Commission structure, unless:
 - Registered volunteers working on a project of the Committee, assigned by resolution; or
 - Otherwise delegated by bylaw.
- Regarding purchasing, typically done by CRD staff or designated volunteer (e.g. treasurer) based on competitive procurement requirements or appropriate exemptions

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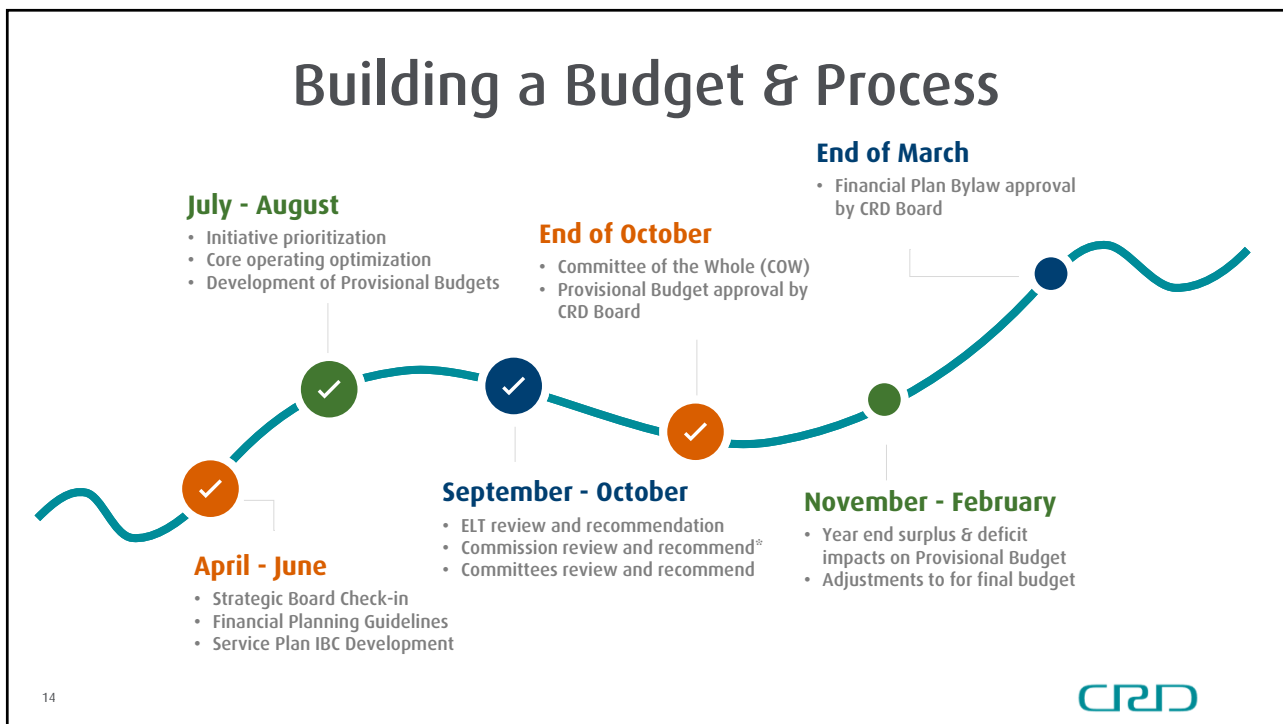
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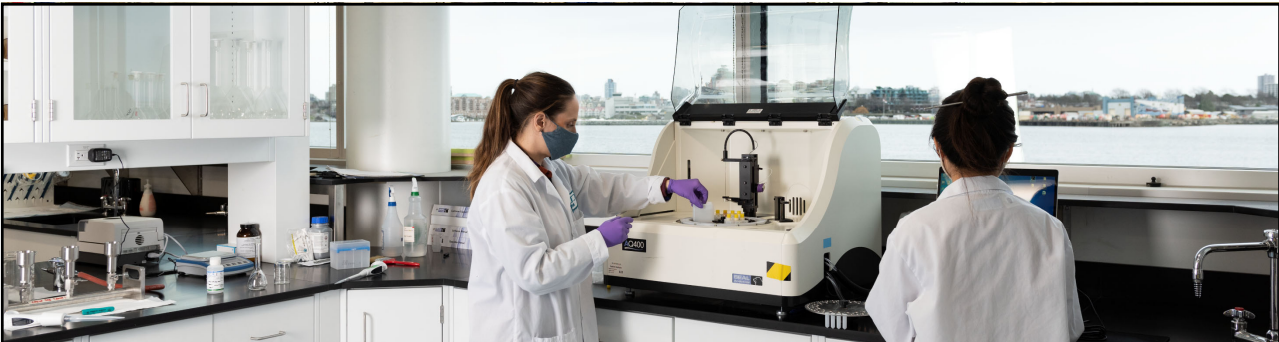
What can the Committee do?

- Make community grants (other than assistance to business)
- Advocate for changes to legislation, policy, or systemic structures
- Canvas community resources for reporting to AG, local governments, others
- Act as a conduit between service agencies, local governments, and Provincial and Federal authorities
- Take on specific causes for advocacy or funding, as has been historically done
 - Examining funding options
 - Organizing volunteer or contracted resources
 - Fund third parties to engage in such works

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Thank you



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