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0100-20-RFC01-0

February 7, 2001

File: -

Mr. R. McKenna, City Clerk
 City Clerk's Office
 City Hall
 Richmond, B.C.

Dear Mr. McKenna:

Re: Delegation Request – February 26, 2001

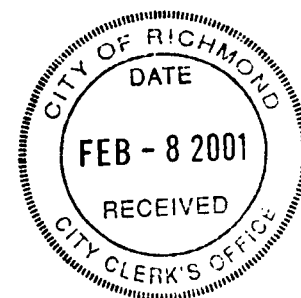
We would like to request to attend as a delegation to Council on February 26, 2001 in order to present the 2000 Annual Report for the Richmond Family Court Committee.

Please notify us as soon as possible with regard to time for this presentation.

Yours truly,

Cheryl Rehm-Latiff
 Cheryl Rehm-Latiff, Chair
 Richmond Family Court Committee

CRL/dm





City of Richmond

6911 No.3 Road, Richmond, BC V6Y 2C1

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www.city.richmond.bc.ca

February 12th, 2001

File: 0100-20-RFC01-01

Ms. Cheryl Rehm-Latiff, Chair
Richmond Family Court Committee
c/o 4431 Garry Street
Richmond, BC V7E 2T9

Dear Ms. Rehm-Latiff:

Re: Presentation of 2000 Annual Report

In response to your correspondence dated February 7th, 2001, this is to confirm that arrangements have been made for you to appear as a delegation on the above matter at the open Council Meeting scheduled for 7:00 p.m., Monday, February 26th, 2001 in the Council Chambers, Richmond City Hall. It is noted that your presentation will be placed at the beginning of the Council Agenda, and your delegation should be in attendance at that time to make the presentation.

Yours truly,

J. Richard McKenna
City Clerk



Richmond Family/Youth Court Committee

Annual Report

2000

RICHMOND FAMILY COURT COMMITTEE

2000 ANNUAL REPORT

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Background Information

The Family Court Committee is provided for in law under the Provincial Court Act and the Young Offenders' Act.

The Committee is community based and is accountable to the Mayor and City Council, as well as to the Attorney-General of British Columbia. The Richmond Family Court Committee is the longest established Committee with continuous service in the Province since its establishment in 1964.

The Family Court Committee acts as a link between the community and justice system by:

- > understanding and monitoring the legislation and court administrative practices
- > being aware of the needs and the resources of the community
- > recommending improvements to the City Council, the Attorney-General and others.

The Committee also gathers information with respect to problems raised by the community, the court, its officers, or clients. The Committee draws upon the support of the community and advocates for improvements in the justice system. Examples of meetings with relevant programs include: Victim Assistance Program, Family Maintenance Enforcement Program, Community Work Service Program, etc.

The Richmond Family Court Committee makes submissions to the Attorney-General and other Ministers on proposed changes in legislation and administrative practices which may have an effect on the delivery of family court services. The Richmond Family Court Committee actively liaises and works with other Family Court Committees on issues of mutual concern.

To achieve the mandate of "understanding and monitoring the legislation and administrative practices relating to the justice system", volunteer members of the Committee regularly attend both family and youth court. As impartial observers, they view cases involving applications made under the Family Relations Act, Reciprocal Enforcement and Maintenance Orders Act, Family Maintenance Enforcement Act, Family and Child Service Act, GAIN Act, and the Young Offenders' Act.

Issues and concerns arising from court watch activities are reported to the Family Court Committee for follow-up action to effect improvements. These may include identified gaps in service, lack of adequate resources, or concerns regarding courtroom process.

Court watch volunteers make objective observations on courtroom procedures, while respecting and maintaining the privacy of individuals involved in the proceedings.

2000 Membership

Richmond Family/Youth Court Committee

**Judy Assoon
Christine Brodie
Eva Flintoff
Barry Freeman
Tripta Kurl
Cindy McMullen
Cheryl Rehm-Latiff
Maureen Sanderson
Mangit Sandu
Margareta Symons
Mumtaz Virani
Fred Ursel**

CHAIRPERSON'S REPORT

The Family & Youth Court Committee's main focus for year 2000 continued to be the Court Watch Program and the continuing development of the Restorative Justice Committee. (detailed reports will follow)

Our members are a hardworking group of individuals, many of whom currently work with or have in the past worked with youth and families. The majority also serve on a variety of other Richmond community groups thus bringing a wealth of knowledge and expertise to this Committee.

This year's annual social evening for the judges, justice of the peace, court clerical staff, probation services, and sheriffs was very well attended. Taz Virani so very generously offered her home for this event and the Committee extends its thanks. This event gives our Committee a chance to thank these individuals for helping us to accomplish our mandate of observing the court proceedings. Over the years this Committee has developed a trusting and cooperative relationship with the court staff which we hope will continue for future committees.

Guest speakers this year included Dr. Heather Manson, Medical Health Officer for Richmond. Her topic of discussion was Fetal Alcohol Syndrome. Denise Woodley, a youth counsellor, and Terence Yip, Youth Probation Officer, provided the group with useful insights into their work with the youth of Richmond.

Thanks go to Richmond City Council for providing our Committee with a meeting place and providing support staff, particularly Deborah MacLennan, Aida Sayson, Fran Ashton, Susan Kopechny and David Weber. Our Committee appreciates being guests at the annual Civic Appreciation dinner.

For the future we look forward to having a full complement of 15 members so we can further serve the City of Richmond in our capacity as members of the Family and Youth Committee.

Cheryl Rehm-Latiff
Chairperson

SUBCOMMITTEE REPORTS

COURT WATCH COMMITTEE

Co-Chaired by Cheryl Rehm-Latiff and Taz Virani.

Court watch duties were shared by C. Rehm-Latiff, T. Virani, B. Freeman, C. Brodie, M. Sanderson, M. Symons, and F. Ursel.

There are three court days for youth and family in Richmond. The court sessions are held at the court house on Gilbert and Granville between 9 am and 4:30 pm on Tuesday, Wednesday and Thursday. Tuesdays are for youth trials, Wednesdays are for youth remands, 1st appearances and trials, and Thursdays are for family matters. These days are flexible so if there are no youth matters then family matters can be scheduled. Show cause youth matters or emergency cases may be heard on any of the 3 days.

Wednesday Youth Sessions: C. Rehm-Latiff

The Wednesday morning session is divided into 2 parts. The Justice of the Peace presides over the 9:00 am to 9:30 am session for initial/1st appearances, confirmation of proceedings, status of court case, age and notice by parents, notification of further appearances, diversion applications and other related cases. After the 9:00 am list is completed the Judge handles all other cases scheduled for that day.

Last June a new system called Criminal Caseflow Management Rules came into effect. The purpose of the new system is to provide simple, effective and efficient management of all proceedings of a criminal nature in order to secure a just and timely determination of every case before the Court. In terms of Wednesday court proceedings it has meant a change of venue for all appearances before the Justice of the Peace, a more informal setting for the 9:00 am – 9:30 am session, more forms are to be filed by Defence Counsel before they are able to discuss the case with the Crown Counsel and various changes in the format in conducting first appearances. For Richmond Youth Court it appears to have not had as much impact on streamlining and shortening the process because we have a very small court list and more formal procedures may not be as necessary as they would be in the Main St. Court in Vancouver. The court staff continues to work with the new process and continues to adapt the system to suit Richmond Court proceedings.

This past year has been much like 1999 in terms of seeing a drop in the number of youth trials and 1st appearances and a rise in 1st offence diversions. Richmond continues to be well served by the very competent Judges and Crown Counsels. The Youth Probation Officers continue to give excellent predisposition reports which are invaluable to the

Richmond Family Court Committee

Crown, Defence Counsel, and judges in determining appropriate sentencing for youth offenders.

The court staff and sheriffs have been very helpful and cooperative to our committee in providing youth lists and informing us of any changes in the days proceedings. Without their cooperation our task of observing and gathering information for reports would be greatly hampered.

Tuesday Youth Sessions – Taz Virani

Tuesdays have been assigned to trials for youth matters. During this year Court Watch on Tuesdays was very slow. Most matters did not proceed as a number of them ended in pleas. During the summer months, the Youth Court was even slower. A lot of times there were no youth matters. However, this time was then utilized for the overflow of family matters.

Court Watch Report 2000 (Family Court)

There have been relatively few changes in the Family Justice system in the Year 2000. As a result of this most of the following comments will relate to the continuing effects of those changes that were introduced in the late 1990's.

(a) Family Case Conferences

The number of Family Case Conferences conducted prior to the setting of formal trial dates continues to increase.

There also continues to be an encouraging degree of success in the achievement of consent resolutions in a variety of cases including those of difficult natures.

The consent resolutions have a much more positive impact on all parties concerned, including the children involved, than having a formal court decision made.

(b) Federal Child Support Guidelines

The federal guidelines have now been in effect since 1997 and are proving to be a fair and effective method of ensuring that the basic needs for children of separated parents are met.

It is effective as the guideline figures are established as a basic **minimum** amount. It is fair as the Courts may order a higher or lower amount only in cases where either extraordinary expenses or undue hardship is established. It should also be noted that this program has resulted in a reduction of court time.

Richmond Family Court Committee

(c) Parenting After Separation

This program was introduced in 1997 and consists of a three hour information session for parents to help families adjust to separation. The session is led by facilitators who are experienced in helping families resolve conflicts. It covers how children feel when their parents separate and how parents can best help them during this period. The session is free and is being offered in more than 50 communities.

The program is available to Richmond citizens with the space and staff provided by the office of the Attorney General. Some sessions have been held here but to date the demand has been minimal.

(d) Family Maintenance Enforcement Program

The Richmond Family Court for some years has had concerns with some aspects of this program. Most of the problems and criticisms relate to communication difficulties. A debtor could have his/her wages garnished, a lien placed on property and be served to appear in court without having the opportunity to discuss the matter informally with an official of the program before appearing in court. This perception of unfairness often results in extreme frustration and anger.

At one of our regular monthly meetings our Committee met with a Director and a Regional Manager of the program and our concerns were expressed and some suggestions made.

We are pleased to report that some positive steps appear to have been taken. We shall continue to monitor the program.

In conclusion, it is the opinion of this Committee that the citizens of Richmond continue to be well served by competent and dedicated staffs at both the Richmond Family Court and the Family Justice Centre. The Committee also wishes to take this opportunity to express its thanks and appreciation to our resident judge, the Honourable Judge Davis. Our comments on the 1999 annual report hold true – "He is to be commended for his wisdom and his dedication in making decisions that will have a positive impact on the future and well being of young persons".

Richmond Community Advisory Council

Liaison – Committee Member – Maureen Sanderson

Maureen Sanderson, although currently recovering from illness, has regularly attended Advisory Council meetings on behalf of the Family Court Committee. She reports that the restructuring of the Committee continues and that much hard work has been done on

Richmond Family Court Committee

the Poverty Report. Maureen will continue to be our liaison to the Advisory Committee when she returns in January.

Alternative Measures Sub-Committee Report

Liaison – Committee Member – Judy Assoon

A reasonably concise yet flexible concept for a Restorative Justice Panel for Youth in our community has been developed by the Task Force. Unfortunately, previously assigned meeting space was reallocated causing delay until after the move into the Alderbridge City Hall site – now completed.

Three cases of a Victim-Offender reconciliation nature have been offered, but were declined for various reasons by the victims. Another case was offered but has been settled, in a Restorative manner, with arrangement made for the offenders to pay for damage done to a home.

With reference to last years report, "Richmond Youth are indeed well served by the existing programs" the Task Force has been cautious of throwing something in place which would simply duplicate programs currently being offered very effectively through the Youth Intervention Program and Youth Probation Services. The three other communities the lower mainland with existing youth intervention and diversion programs similar to ours, Burnaby, Langley, and Surrey have expressed similar caution and concern re some of the other, "new", Restorative Justice Panels re intent, outcomes, and process.

Representatives from these four communities will meet in late January to consult. Our planning committee will use this information to further refine our model to meet our distinct needs in Richmond. Representatives on the planning committee from Richmond Youth Family Court Committee are Barry Freeman and Judy Assoon.

Bonnie Gallagher, YIP, will be the guest speaker at our February meeting.

Richmond Community Action Team

Liaison – Committee Member – Christine Brodie

Christine Brodie participates on the Richmond Community Action Team and reports on the group's activities and information sessions. There will be a Provincial Action Team Conference April 24 at Ralph Fisher Auditorium at Richmond Hospital.

The Richmond Action Team is studying the issue of sexual exploitation of youth and children as it affects our community. The committee is comprised of a variety of people who work with youth at risk. Our goals include raising awareness and educating our citizens of all ages about the many faces of sexual exploitation. We advocate a

Richmond Family Court Committee

proactive approach to understand the issues and to work together towards supporting and protecting our youth.

Advisory Committee on Policing

Liaison – Committee Member – Fred Ursel

Fred Ursel participates on this Committee and reports on its policies and progress.

Having our members serve on the above Committees as well as the Family Court Committee provides us with more information so we can all work together and share ideas and avoid duplication.

MANDATE OF THE FAMILY COURT COMMITTEE

Municipal authority to appoint Family Court Committees and the mandate and duties of persons appointed are set down as mandatory requirements in section (4) of the Provincial Court Act, Chapter RSBC 1996.

- (1) *A municipality must have a family court committee appointed by the municipal council in January of each year.*
- (2) *The members of a family court committee must include persons with experience in education, health, probation or welfare.*
- (3) *The members of a family court committee serve without remuneration.*
- (4) *If a court facility in which family matters are dealt with serves more than one municipality or area not in a municipality, the family court committee must be composed of representatives from each area served.*
- (5) *The municipalities involved must appoint one member of the family court committee as chair, and another as vice chair.*
- (6) *The family court committee must do the following:*
 - (a) *meet at least 4 times a year to consider and examine the resources of the community for family and children's matters, to assist the court when requested and generally, to make the recommendations to the court, the Attorney General or others it considers advisable;*
 - (b) *assist the officers and judges of the court, if requested, to provide a community resource or assistance in individual cases referred to the committee;*
 - (c) *report annually to the municipalities involved and to the Attorney General respecting their activities during the past year.*

MANDATE OF THE YOUTH OFFENDERS ACT (YOA)

The desirability of maintaining community involvement in the provincially-administered juvenile justice system is addressed in section 69 of the Young Offenders Act which allows for the discretionary establishment of Youth Justice Committees in place of Juvenile Court Committees which had been serving a useful function.

Section 69 of the Young Offenders Act states that:

The Attorney General of a province or such other Minister as a Lieutenant-Governor in Council of the province, may designate, or a delegate thereof, may establish one or more committees of citizens to be known as Youth Justice Committees, to assist without remuneration in any aspect of the administration of this Act or in any programs of services for young offenders and may specify the method of appointment of committee members and the functions of the committee.