



RICHMOND  
FAMILY COURT  
COMMITTEE

c/o Richmond City Hall  
City Clerk's Office  
6911 No. 3 Road  
Richmond, B.C. V6Y 2C1

January 16, 2008

File: 01-0100-20-RFCO1-01/2008/Vol 01

Mr. David Weber, Director  
City Clerk's Office  
Richmond City Hall  
6911 No. 3 Road  
Richmond, BC, V6Y 2C1

Dear Mr. Weber:

**Re: Delegation Request – February 11, 2008 and  
Approval of 2008 Executive Positions**

We would like to make a request to attend City Council as a delegation on Monday, February 11, 2008 in order to present the 2007 Annual Report for the Richmond Family and Youth Court Committee. Please notify us as soon as possible with regard to the time for this presentation.

The Committee respectfully requests that City Council, at its February 11, 2008 meeting, approve the following Committee members to hold executive positions for 2008: Janene Preston and Teresa Vozza as Co-Chairs, and Gerry Browne as Vice-Chair.

Yours truly,

Janene Preston, Chair  
Richmond Family and Youth Court Committee  
att.





# **Richmond Family and Youth Court Committee (RFCC)**

**Annual Report**

**2007**

**RICHMOND FAMILY and YOUTH COURT COMMITTEE (RFCC)**  
**2007 ANNUAL REPORT**

**Table of Contents**

1.	<b>Background Information .....</b>	<b>1</b>
2.	<b>2007 Membership .....</b>	<b>2</b>
3.	<b>Chairperson’s Report .....</b>	<b>3</b>
4.	<b>Sub-Committee Reports:</b>	
	a) <b>Court Watch Committee .....</b>	<b>7</b>
	b) <b>Richmond Community Services Advisory Committee .....</b>	<b>8</b>
5.	<b>Mandate – Family Court Committee.....</b>	<b>9</b>
6.	<b>Youth Criminal Justice Act Mandate .....</b>	<b>10</b>

**Attachments:**

Terms of Reference – Revised as of October 3, 2007 (draft)  
2007 Family and Youth Court Statistical Graphs  
2006 Family and Youth Court Statistical Graphs

## **Background Information**

The Family and Youth Court Committee is provided for in law under the Provincial Court Act and the Youth Criminal Justice 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 and Youth Court Committee is the longest established Committee with continuous service in the Province since its establishment in 1964.

The Committee gathers information with respect to issues raised by the Court, its officers, clients and by the community. The Committee draws upon the support of the community and advocates for improvements in the justice system. Examples of presentations with relevant programs include: Youth Criminal Justice Act, Restorative Justice Program, Victim Assistance Program, Family Maintenance Enforcement Programs, etc.

The Richmond Family and Youth 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 youth and family court services. The Richmond Family and Youth Court Committee works as a liaison with other Family Court Committees on issues of mutual concern. We encourage Committee members to attend conferences to further their knowledge about best practices on issues facing their community and the justice system.

To achieve the mandate of "understanding and monitoring the legislation and administrative practises 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, Interjurisdictional Support Orders Act, Family Maintenance Enforcement Act, Child Family and Community Services Act, and the Youth Criminal Justice Act.

Issues and concerns arising from court watch activities are reported to the Family and Youth Court Committee at monthly meetings 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.

**2007 Membership**

**Richmond Family and Youth Court Committee (RFCC)**

**John Abelseth**

**Gerry Browne**

**Howard Burgess**

**Dulce Cuenca**

**Heather Hettiarchchi**

**Mashood Kamal**

**Suzan Maclachlan**

**Sacha Peter**

**Janene Preston**

**William (Bill) Shayler**

**Teresa Vozza**

## CHAIRPERSON'S REPORT

### Membership Overview

In 2007 the Richmond Family and Youth Court Committee comprised 11 members, an increase from eight members in 2006. Of these 11 current members, eight members could attend and observe court proceeding during the 2007 year, which was a 100% increase over the four who attended court during 2006. The new members to our Committee brought a wealth of expertise, which was a pleasant addition to the current members' knowledge base. As was noted in the 2006 Annual Report, the Co-Chairs and Committee members were eager to engage in new and exciting discussions regarding resources, courtroom process, statistical analysis, and future initiatives. Fortunately these discussions did come to fruition and the following information highlights the Committee's accomplishments in 2007.

### Terms of Reference

A Sub-Committee was established to review and revise the existing outdated Terms of Reference. A condensed one-page Terms of Reference is attached to this Annual Report and, once approved by City Council, will be included on the City of Richmond's web site on the Advisory Boards and Committees page. This Terms of Reference will accompany this Committee's Annual Reports currently on the web site and will be useful tools for membership recruitment.

### Restorative Justice Program

The Richmond Family and Youth Court Committee has continued to support the Richmond Restorative Justice program since it was launched in Richmond in 2003. This Committee expresses their sincere appreciation to the Mayor and City Council for providing the funding to ensure that Touchstone Family Association continues to offer this program to youth and their victims in Richmond. It is reassuring to know that this program will be incorporated into the City's annual budget for the next three years. This Committee is very fortunate to have a finger on the pulse of the Restorative Justice program as one of its Committee members not only works as a Registered Clinical Counsellor at Touchstone Family Association, but also as a Restorative Justice Facilitator.

### Domestic Violence Cases

Throughout this Committee's history, Committee members have observed only Family and Youth Court cases. Corporal Ashton's presentation in February 2007 on the newly formed Family Violence Section at the Richmond Detachment of the RCMP fuelled much discussion about this Committee's current mandate to observe only Family and Youth Court cases. It was investigated that at least one other Lower Mainland Family and Youth Court Committee observe Domestic Violence cases ('K' cases) and report their findings in their Annual Reports. Due to this information and the fact that in 2007 this Committee had a strong complement of members who attend court, and who were eager to expand this Committee's mandate, it was decided to commence a 3-month Pilot Project to attend and observe Domestic Violence cases at the

Richmond Court House. From October to December of 2007, two of our members commenced investigation of the 'K' cases to ascertain the days of the week these cases occurred, time of day, average number of cases per week, how many Committee members would be needed to observe these cases, etc.

Statistical information for Domestic Violence Cases is not yet available for this report, but we do plan to commence recording data starting January 2008. We look forward to including relevant statistics in next year's Annual Report.

### **Provincial Family and Youth Justice Committee Conference**

Four of our Committee members attended the Provincial Conference held in Coquitlam, hosted by the Tri-Cities Family and Youth Court Committee. These Annual Conferences are organized predominantly by Family and Youth Court Committees within the lower mainland and the majority of the attendees are from the lower mainland. It was strongly hinted to the four Richmond Committee members who attended this Conference that it was Richmond's turn to host the next Annual Conference. We find no record that the Richmond Family & Youth Court Committee has hosted such an event for many years. Our members are proud of the growth of membership and would take pride in hosting an event of this size, but much investigation needs to be done. We have recently struck a Sub-Committee to investigate the costs, volunteer hours requirements, and logistics of hosting a two-day Conference of this size in Richmond.

### **Council Liaison**

The Committee is pleased that on December 10, 2007 Councillor Cynthia Chen was appointed to our Committee as this Committee's Council Liaison for a one-year term. We look forward to her contribution at our monthly meetings.

### **Statistical Data**

It has been a very busy year for many of our members attending Court. We have continued to revamp and use the statistical forms designed by this Committee in 2005. Through 2007, Committee members continued to carefully record data when attending the Family & Youth Court proceedings at the Richmond Court House.

The attached graphs provide some analysis of the data obtained in 2007, along with comparative graphs from 2006. In summary:

- 586 cases in Family Court and 131 cases in Youth Court were observed, resulting in an average number of cases observed per day of 20-24 in Family Court and 4-5 cases in Youth Court;
- For Family Court, an increase of 107 cases, or 24%, were observed, and for Youth Court an increase in 99 cases, or 400% were observed. As noted previously, coverage of these cases is due to the increased membership and stalwart commitment by Committee members to attend Court on a regular basis.

At the 2006 Annual Report presentation to Council, the RFCC was of the understanding that Delta Youth cases were being heard at the Richmond Court House. Data obtained throughout 2007 indicated that this was not the case. Delta Youth cases are being heard at the Surrey Court House and therefore no statistical data was recorded.

We will continue to review and discuss relevant statistics which we deem to be appropriate and be incorporated into the 2008 report.

### Presentations in 2007

We engaged a number of excellent speakers to present during our 2007 monthly evening meetings:

- February Cpl. Ashton's presentation on the newly established **Family Violence Section** prompted the Committee to consider observing Domestic Violence cases, and as stated above, a Pilot Project commenced in October 2007.
- May Ms. Ruth Hahn, Supervisor, **Youth Intervention/Restorative Justice, Richmond Detachment of the RCMP**. Ms. Hahn's presentation, in particular on Restorative Justice, fuelled this Committee's continued commitment to support this program resulting in letters of support to the Mayor and City Council for funding approval.
- June Mr. Paul Hundel, Legal Counsel, **Family Maintenance Enforcement Program (FMEP)**. Mr. Hundel's presentations always provide our Committee with new up-to-date information. We were pleased to hear that there is a steady, positive increase in the number of compliance cases overall, and that the program is currently achieving an 88% success rate.
- December OIC Supt. Ward Clapham, **Richmond Detachment of the RCMP**. Supt. Clapham presented on the Positive Ticketing Initiative in Richmond and The Asset Approach: 40 Elements of Healthy Development.

### Conference Attended in 2007:

- September **Provincial Family and Youth Justice Committee Conference**  
This two (2) day conference was held in Coquitlam and hosted by the Tri-Cities Family and Youth Court Committee. Committee members Teresa Voza, Bill Shayler, Gerry Browne and Dulce Cuenca attended presentations and workshops which reflected the theme "**It Takes A Community**". It takes all community groups, i.e. government agencies, courts, politicians, service providers, educators, volunteers, parents, youth and victims, to work together for a common interest to create a safe, secure and healthy home, neighbourhood and city.



## Conclusion

At year's end I wish to thank all members of this Committee for their hard work and commitment during the year. I am very pleased that 10 of the 11 members returned in 2008. We kindly bid farewell to Sacha Peter and thank him for his commitment in serving our Committee during 2007.

The 2008 year will commence with a complement of 14 members, which is outstanding. Many of our new members bring a wealth of time, dedication and information from their backgrounds in statistical analysis, community involvement, and working with youth and family members.

The Committee wishes to thank Mayor Malcolm Brodie and Richmond City Council for supporting us with a place to meet, an annual budget, and a Committee Clerk to record our monthly meetings and prepare our Annual Report.

We extend special a thank you to David Weber for his strong support and willingness to help during 2007, and to Sheila Johnston for helping to keep this Committee organized and her zealous dedication to assisting this Committee at a moment's notice.

A great deal was accomplished in 2007 and I envision that the ideas, initiatives developed, and enthusiasm will spill over into 2008 in a very positive manner.

Respectfully submitted,

Janene Preston  
Chairperson 2007

## SUBCOMMITTEE REPORTS

### Court Watch Committee

Chaired by Bill Shayler through 2007

Court watch duties were shared by Bill Shayler, Gerry Browne, Sacha Peter, Teresa Vozza, Suzan Maclachlan, Howard Burgess, Mashood Kamal and Janene Preston.

The above noted members continued to observe Family cases on Thursday mornings, and Youth Criminal matters on Wednesday mornings. Due to the Pilot Project initiated in October, 2007, we have expanded our mandate to include the observance of 'Domestic Violence' cases throughout the week. We wish to extend a thank you to the employees at the Richmond Court House as we are informed beforehand when these cases will be heard. We are able to take on this extra work for two reasons:

- a) we have expanded our membership in 2007 which gives us much needed coverage;
- b) two new members to our Committee in 2007, Teresa Vozza and Suzan Maclachlan have a wealth of knowledge in this area through their work in the Richmond community, and have dedicated their time to observing these cases.

These two members are monitoring this important issue and as time progresses they will implement a new form for statistical purposes similar to the form we currently use for Family and Youth matters.

We continue to notice the rewards of available Duty Council and the Parenting After Separation program. Judges utilize Duty Council more than ever to help families come to an agreement during their day in court. We also notice that the public are more informed on procedures during their First Appearances.

In conclusion, we would like to thank the management and staff, in particular May Lum, Kim Widdows, and the Sheriffs and Court staff, without their cooperation our role as Court Watchers would not be possible.

Bill Shayler  
Chair, Court Watch Sub-Committee

## Richmond Community Services Advisory Committee

Attended by Gerry Browne, Vice Chair

The Richmond Community Services Advisory Committee (RCSAC) serves as an association of community groups and comprises representatives from social, economic, political and cultural agencies within the City. The RCSAC endeavours to support community-based local initiatives by creating awareness and sharing information through its network. Funded by the City of Richmond, the RCSAC has served the City since 1979 by incorporating a diverse set of goals, both short and long term, in order to improve the well being of the community.

During 2007 we were able to provide a member to attend all regular meetings and serve on their Executive Committee, which resulted in valuable exposure to the activities of the RCSAC. The following are some examples of presentations and projects observed.

- Disability Resource Centre – presentation of The Better Community Project for Youth Leadership;
- Robert Kates, Manager, Real Estate Services, City of Richmond;
- Family Services of Greater Vancouver – presentation by the Domestic Violence Response Team describing the different aspects of the work of the team and how they work to serve the needs of victims of violence;
- Richmond Children First – presentation of the history, mandates and activities of their organization;
- Space Needs Survey of Community Services Organizations – the RCSAC funded a Space Needs Survey, conducted by a consultant, to determine future space needs of member organizations;
- Dialogue with the Richmond MLAs – the November meeting was attended by all three Richmond MLAs, where pre-determined, as well as, questions from the floor were discussed in a very informative manner.

Respectfully submitted,

Gerry Browne

## 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 CRIMINAL JUSTICE ACT

The desirability of maintaining community involvement in the provincially-administered juvenile justice system is addressed in Section 157 of the Youth Criminal Justice 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 157 of the Youth Criminal Justice Act states that:

The Attorney General of Canada or a minister designated by the lieutenant governor in council of a province may establish the following types of community-based programs:

- (a) programs that are an alternative to judicial proceedings, such as victim-offender reconciliation programs, mediation programs and restitution programs;
  - (b) programs that are an alternative to detention before sentencing, such as bail supervision programs; and
  - (c) programs that are an alternative to custody, such as intensive support and supervision programs, and programs to carry out attendance orders.
-

## **TERMS OF REFERENCE OF THE RICHMOND FAMILY COURT COMMITTEE**

The Richmond Family Court Committee (RFCC) is community based and is accountable to the Mayor and City Council, and to the Attorney General of British Columbia. The aim of the RFCC is to examine resources available in the community for family and youth matters, to assist the Family and Youth Court when requested, and to make recommendations to the Attorney General and others as deemed advisable.

### **MANDATE**

Pursuant to Section 5 of the *Provincial Court Act*, [RSBC 1996] CHAPTER 379, the Richmond City Council has established the RFCC. The mandate and duties of persons appointed are set down by law as mandatory requirements as follows:

- 5 (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, and 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.

### **FUNCTION**

The RFCC functions as a link between the Court and City Council whereby:

- court personnel and clients may draw on the concern and support of the community;
- family and youth resources may be monitored; and
- community may become educated about the justice system and its effects on children, youth and families.

### **MEMBERSHIP AND PROCEDURE**

The minimum number of members appointed to the RFCC shall be eight (8). The maximum number of members appointed to the RFCC is fifteen (15). Membership is based on a yearly renewable appointment. A quorum is a simple majority of all appointed members (50% plus one).

### **SELECTION CRITERIA**

Prospective appointees will be selected on the basis of the following criteria:

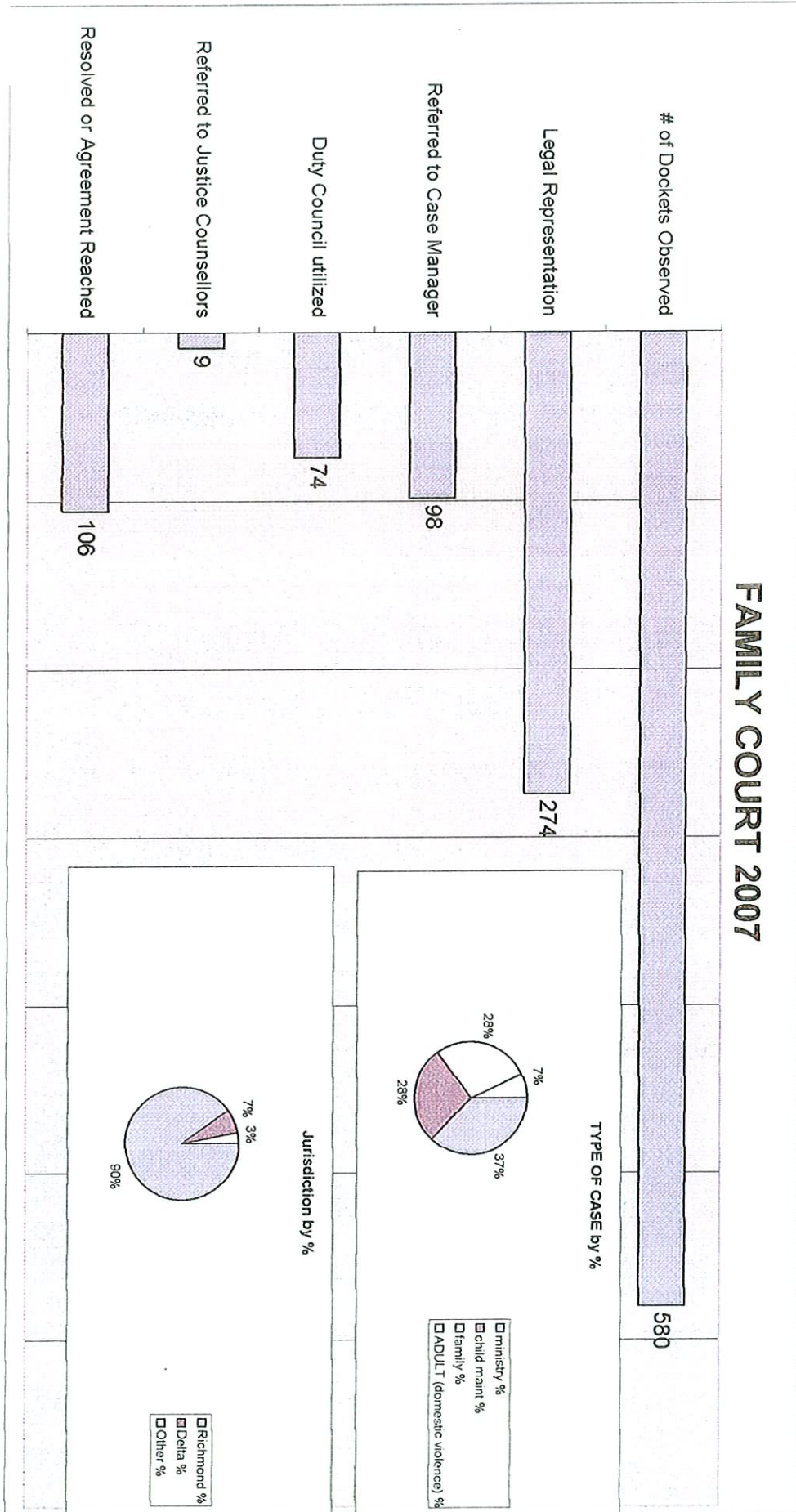
- interest and commitment in promoting the objectives of the RFCC;
- representative of a broad cross-section of business, professional and community-minded individuals who are involved with family and youth law matters, including up to one senior secondary student;
- generally reflective of the communities served by the local Provincial Court hearing family and youth matters
- availability to attend regular monthly meetings;
- availability to attend minimum one session per month during working hours to observe youth and family-related court proceedings; and
- present employment does not place appointee in a conflict of interest situation.

### **DUTIES**

Each member should:

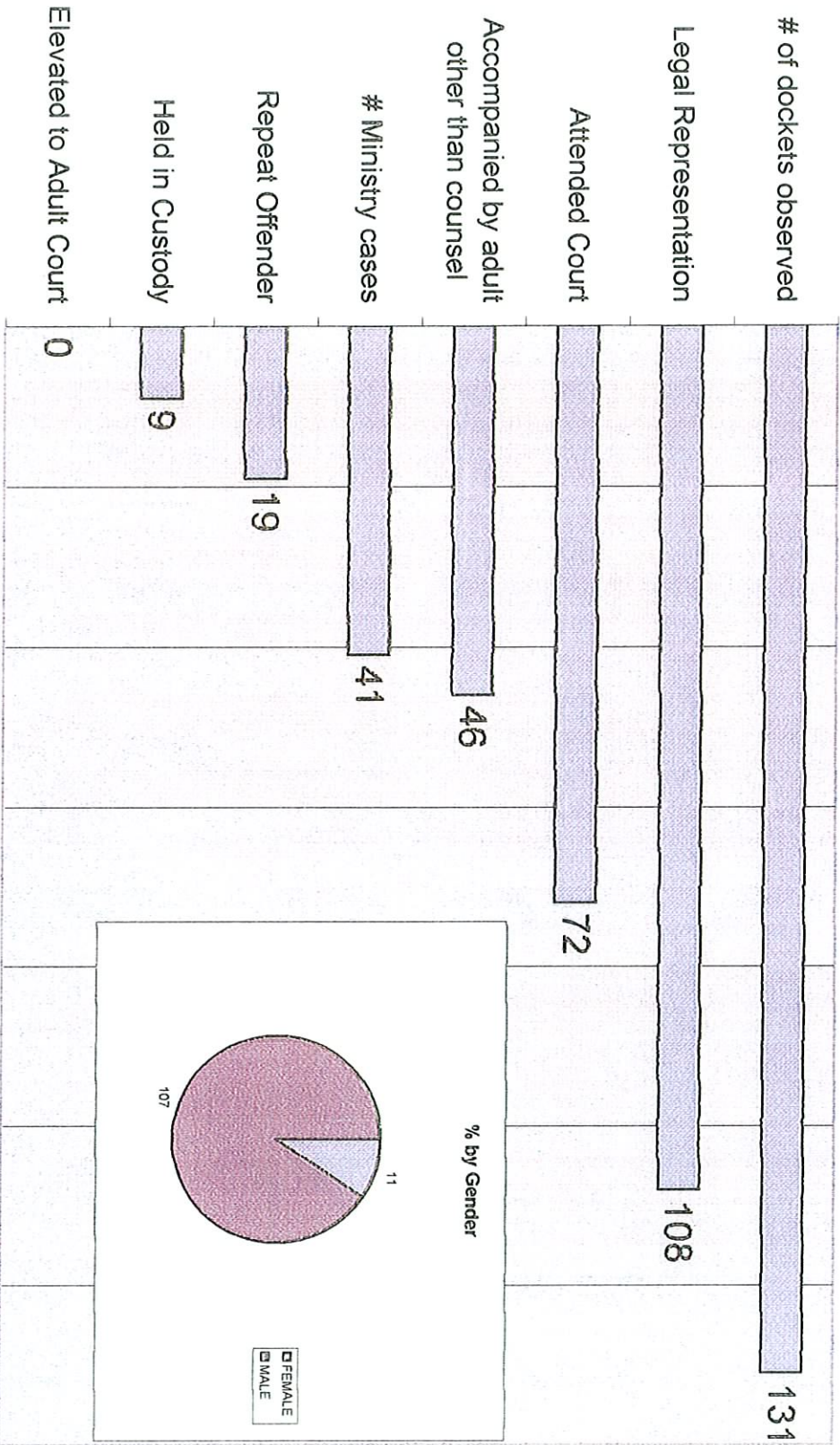
- commit a minimum of four to six hours per month to perform court watch duties and attend regular monthly meetings (the Executive can expect to commit six more hours per month);
- be prepared to act on other committees in the community as a representative of the RFCC;
- be familiar with the minutes of the RFCC meeting;
- be knowledgeable of the aims of the RFCC and its mandate;
- be prepared to accept an executive position; and
- be prepared to attend provincial RFCC meetings.

# FAMILY COURT 2007





# YOUTH COURT 2007





# FAMILY COURT 2006

# cases					473
legal representation				251	
ministry case			183		
use duty counsel		68			
refer to case mgr		51			
refer to justice	8				
tried for legal aid	2				
attended parenting after sep	2				
resolved	24				

# YOUTH COURT 2006

# cases										32
legal representation										26
repeat offender										8
accompanied by adult										7
in custody										2
raised to adult court										0
ministry case										0
average age of youth										14.875