

## MCFD Continues to Endanger Our Children

### We Need Change now!

How many children have to be damaged or die before the BC government admits that the Ministry of Children and Family Development is irretrievably broken? Once again dangerous practices within the Ministry are being brought to light. And once again, the Ministry is failing to act. Children in British Columbia continue to be placed at risk by the very Ministry legally responsible for their safety. When are we as adults going to stand up and demand an end to the Ministry's reckless disregard of the obligation they hold on behalf of citizens of this province to protect our children?

In a blistering judgement from the BC Supreme Court, Judge Paul Walker has concluded that the Director of Child Protection and certain Ministry social workers "*acted well outside of their statutory mandate and the duty to protect children*", citing "*intentional misconduct, bad faith, reckless disregard for their obligation to protect children, breach of the applicable standard of care to unreasonably supporting the custodial interests of the children's father even if it meant he sexually abused them.*"

In devastating detail, Judge Walker delineates actions which separated four children from their devoted and determined mother while trying to place them in the permanent care of a sexually abusive father. The mother's reports of the abuse went uninvestigated while she was officially labeled as mentally unstable. The Director, Supervisor, and social workers omitted and misrepresented facts in a report to Provincial Court. Sexual abuse of the children continued when Ministry staff allowed the father unsupervised access to the children, defying a court order forbidding private access.

For the past three years, residents and advocates from our community have been pressuring these same bureaucrats and professionals to respond to the needs of local children equally at risk. Their heartbreaking circumstances have been documented and brought to the attention of the Ministry and service providers directly and through the press – youth regularly ending up in emergency wards, some near death -- victims of rape, alcohol and drug abuse. A number have considered or even tried suicide; some have succeeded.

We have pleaded with the Ministry to change the policies and practices which are seriously compromising the safety, well-being, and lives of these youth.

Judge Walker's scathing judgement comes mere weeks after the May 14<sup>th</sup> release of the 'Paige Report' by BC's Representative for Children and Youth, which detailed the unnecessary and tragic death of a local young women after years of Ministry neglect. That report documented in profound detail years of systems that failed to respond, ignored the lived reality of this child, and failed to embrace or explore the supports and options that could have provided a different outcome. Both official systems and collaborating service partners willfully ignored her downward spiral, passively documenting her descent. This failure ended with her death.

The 'Paige Report' was only the latest of many released by the Representative's Office outlining serious failures by the Ministry to meet its statutory obligations to protect children. Repeated

commitments to do better have resulted in very little change. To date the Ministry has not even accepted or acted on the substantial recommendations made in the 'Paige Report', with the exception of announcing an intention to eventually set up a Rapid Response Team. Announcements change nothing. What our children need is action.

In fact The Ministry appears to have learned nothing and changed nothing. They remain accountable to no one as they continue to place our children at risk.

A search of the BC Government Directory shows that the initial investigating social worker identified by Judge Walker in this Supreme Court case is now an Investigator with the Teacher Regulation Branch. The Ministry's Team Leader, who is named in the judgement as having willfully and knowingly misrepresented facts to the Director and through her to the Court, and who clearly breached his primary duty of protecting the children, not only remained as area Team Leader for Protection within the Ministry but is rumoured to have recently been promoted.

## **.We Need Change Now**

The Ministry and designated agencies have one job – to safeguard our children. It should not take years of advocacy, report after report, and children abused, injured, and dying before those responsible and working in the system stop defending the status quo and embrace change.

We are dealing with an entrenched culture, with self-serving, alienating systems that have become more about operational ease than about providing care. Leadership remains invested in maintaining the status quo.

How many more of these cases must go to court before the Ministry responds? Too many children being harmed and even dying due to Ministry actions that many would deem at best recklessly negligent, indifferent, incompetent, abusive, even malicious as in this recent case. The state continues to violate the legislated requirement to act in the child's best interest, to ignore international obligations to protect the rights of each child, and to abdicate its duty to protect. There are too many examples where those being harmed have no voice or capacity to bring their suffering forward into the judicial system, and so the violence and harm continue unabated.

This is within the power of leadership from the Government and the Ministry to bring about needed change. It is long past time for them to accept their responsibilities to our children and to change the culture and priorities of this system from the ground up.

When the Ministry set up to protect our children is itself is being perceived and identified by the courts as the abuser, none of our children are safe.

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