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May 17, 2019

The Honourable Margaret Wiebe  
Chief Judge  
Provincial Court of Manitoba  
5<sup>th</sup> Floor – 408 York Avenue  
Winnipeg, MB R3C 0P9

**Inquest into the death of Tracia Owen  
Our File: 2014-0261**

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Dear Chief Judge Wiebe:

As you are aware, it is the practice of my office to follow up on inquest recommendations when they relate to a provincial department, agency or municipality.

I am writing to advise you of the results of the inquiries made by my office concerning the inquest report recommendations into the death of Tracia Owen. The January 11, 2008 inquest report of Honorable Judge John Guy was released on January 16, 2008.

On August 24, 2005, an acquaintance of Tracia Owen discovered Ms. Owen hanging by a rope tied to the overhead doorframe of a garage located behind a house on Victor Street in Winnipeg. An ambulance was called but Ms. Owen was pronounced deceased at the scene. At the time of her death, she was "AWOL" from Project Neechiwam, 1205 St. Matthews, where she had been placed by Southeast Child and Family Services in January 2005. An autopsy confirmed the cause of death was hanging and the manner of death was suicide. Ms. Owen was 14 years old at the time of her death.

The Honorable Judge John Guy made twenty-eight recommendations in total. The recommendations are as follows:

**Recommendation One**

A summit should be held involving all the stakeholders – police, child welfare workers, justice officials, community groups, aboriginal groups, government agencies, etc. – to examine all possible law enforcement, legislative and legal means to create a strategy for the attack on sexual exploitation and drug abuse of children on our streets.

The Department of Family Services and Labor (currently known as the Department of Families) provided the following response to our office on June 28, 2013:

*On March 17 and 18, 2008, the Minister of Family Services and Housing (name of Department at the time), hosted the summit, Front Line Voices: Manitobans Working Together to End Child Sexual Exploitation, to address the issue of child sexual exploitation in Manitoba. The summit workshops were attended by 65 people in Thompson on March 17, 2008 and 130 people in Winnipeg on March 18, 2008. Sergeant Michele Benoit of the Winnipeg Police Service and Sonia-Prevost-Derbecker, Executive Director of the All Nations Coordinated Response Network (at the time), were the summit co-Chairs. The summit was organized by an advisory committee composed of representation from a number of sectors that work with sexually exploited children and youth. Attached is a copy of the summit workbook.*

*The Front Line Voices Summit, recommended in the Tracia Owen inquest report, emphasized the need to build on Manitoba's 2002 strategy by coordinating and expanding the diverse services developed, introducing more awareness and prevention initiatives, and making offenders more accountable. The summit brought together stakeholders, including child welfare workers, youth service workers, police and justice officials, community groups, educators, Aboriginal groups and officials from various government departments, to develop strategies to support young people who are making positive changes in their lives and to help prevent others from being exploited, particularly youth who are vulnerable and at risk. The summit featured panel speakers of experiential youth who shared their lived street experience and spoke about the root causes of sexual exploitation.*

*On December 10, 2008, Manitoba launched phase two of a sexual exploitation strategy called Tracia's Trust, in honour of Tracia Owen, who was 14 years old when she committed suicide in Winnipeg in 2005. \$2.4 million was dedicated to expand the strategy, which was monitored and further developed by a new stakeholder Task Force composed of government officials, First Nations leadership, law enforcement, community-based organizations and other stakeholders. The Task Force provided advice regarding the implementation of phase two of Tracia's Trust: Manitoba's Sexual Exploitation Strategy and further reviewed all of the workshop recommendations made at the Front Line Voices summit. The Tracia's Trust - Front Line Voices: Manitobans Working Together to End Child Sexual Exploitation report was released in December 2008. The document summarizes key recommendations voiced at the summit workshops in Thompson and Winnipeg, and provides the Province's action plan in response to the summit themes: legislation and law enforcement; continuum of services; breaking the silence; and child, youth, family and community empowerment. Five hundred (500) copies of the Tracia's Trust report were published in December 2008 and distributed to community stakeholders and law enforcement. English and French versions of the report are available on the Manitoba Government website.*

## **Recommendation Two**

Creation of a dedicated, specialized, multi-disciplinary unit to implement the strategy decided upon as a result of the summit.

The Department responded to our office as follows:

*Tracia's Trust: Manitoba's Sexual Exploitation Strategy demonstrates a committed, multidisciplinary and coordinated governmental and community approach to preventing or reducing the incidence of the sexual exploitation of children, youth and adults in Manitoba. Responses to the issue of sexual exploitation include preventative measures aimed at children and youth at risk of being sexually exploited, and at individuals at risk of becoming child sexual exploitation offenders. There are also intervention programs aimed at children, youth and adults who have been victimized by sexual exploitation and at the sexual exploitation offenders.*

*Tracia's Trust is led by the Department of Family Services and Labour, which operates the Sexual Exploitation Unit responsible for providing oversight and coordination of all the initiatives contained in the provincial strategy. A dedicated, specialized, multi-disciplinary unit consisting of a Manager, two Provincial Sexual Exploitation Consultants, two Street Reach Outreach workers and one Regional Team Coordinator implement Tracia's Trust. The Provincial Sexual Exploitation Consultants are available to community organizations in the province for consultation with respect to sexual exploitation, with specific cases, or for attendance at systems meetings for sexually exploited children and youth as needed. Guidance and multi-sector coordination and consultation are provided regarding the implementation of Tracia's Trust to the Child Protection Branch by the Tracia's Trust Provincial Task Force, which meets four to five times each year.*

## **Recommendation Three**

Programs or workshops presented on the reserves to educate children and their parents about the dangers of drugs.

The Southern Authority provided our office the following response on October 15, 2013:

*Agencies currently offer a variety of alcohol/drug education and awareness programs for community members. It is anticipated that with the enhanced prevention funding, agencies will be able to enhance such programs and/or work with other partners (i.e. NAADAP) to delivery these. The business planning process requires agencies to provide a five year plan for family enhancement/prevention programs. Drug/Alcohol education and awareness programs are included in these plans.*

#### **Recommendation Four**

The Chief Medical Examiner recommends that the Southern Authority, in conjunction with Southeast Child and Family Services and local child care committees use comprehensive family, child risk assessment plans to devise permanency plans for children where familial Circumstances resemble those of the deceased child and her family.

On July 11, 2011, The Southern Authority provided the following response as follows:

*The Southern Authority has adopted the Structured Decision Making (SDM) tools developed by the Children's Research Center. This includes a safety assessment, a probability of future harm assessment, family strengths and needs assessment, and child strengths and needs assessment. This SDM tool will be used by all of the Southern Authority agencies. Case manager and supervisor training have taken place, which has included staff from SECFSS. Ongoing training is planned. Agencies are currently applying the SDM tool to existing cases. Effective September 2011, the Southern Authority will be requiring its agencies to apply the SDM tool ALL new intakes, and to use the reassessment process for each case on a regular basis.*

#### **Recommendation Five**

The Chief Medical Examiner recommends that the Director of Child Welfare for the Province of Manitoba, in association with the four authorities, ensure that a protocol is in place with police services in the province regarding identification of a child in the event of the death of a child in care.

The Department advised our office of the following information in response to this recommendation:

*In 2005, a joint project was undertaken in cooperation with Winnipeg Police Service to create new secure electronic means of sharing digital photographs of children. This project was called the Youth Identification Project (YIP).*

*On June 27, 2007 a secure electronic channel was created and a service protocol went into effect that allows Winnipeg Police Service to share images that have been confiscated during child pornography or sexual exploitation investigations. The images are of unknown children and are distributed to social workers in mandated child and family services agencies to assist in the identification of the at risk child.*

*On April 2, 2008, a secure electronic channel and service protocol went into effect that allows mandated agencies to share images of children in care that have run away from their care placement. 'Run away children' are known to be at high risk of sexual exploitation and victimization. The distributed images assist police officers to identify the at risk child. These electronic enhancements also created the means to store digital photographs of children in care on the provincial standard information management system (CFSIS).*

*In 2007/08, funds were provided to mandated agencies to purchase digital cameras for the purpose of taking and uploading digital photographs on the provincial standard information management system. In 2009, the Minister of Family Services and Housing announced that digital images of all children in care will be recorded on the provincial standard information management system within six months (approximately October, 2009). The Standing Committee of the Chief Executive Officers of the Child and Family Services Authorities has endorsed this course of action.*

*On April 15, 2009 there was a proclamation of The Child and Family Services Amendment Act (Child Pornography Reporting).*

*On March 25, 2010, a Case Management Standard was issued, requiring digital photographs to be entered into CFSIS within one (1) month of a child coming into care. The digital photograph must be updated annually. In the event of a child death, a photo of the child in care can be located on CFSIS. These various means of sharing digital images of children in care and children at risk can also aid in the "identification of a child in the event of the death of a child in care."*

### **Recommendation Six**

The Chief Medical Examiner recommends that Southeast Child and Family Services maintain its case records in accordance with provincial standards, including placing on its files ongoing summaries of events in the lives of the families and children they serve.

Southeast Child and Family Services and the Southern Authority advised the following:

*A file review of all case files has been completed by the Southern Authority and the final report is pending. This will provide a detailed review of any deficiencies in the maintenance of case records and allows for the Agency and the Southern Authority to ensure that these are addressed. The Agency is currently also working to have all of its files on CFSIS, and then require that workers use CFSIS as an ongoing case management tool. This will provide agency supervisors and management, as well as the Southern Authority, with the ability to regularly do "spot checks" on the Agency's case record keeping. The file review will also provide the information needed to provide a training to agency staff on record keeping, both hard copy and electronically. The Southern Authority will work with the Agency to provide this training.*

### **Recommendation Seven**

The Chief Medical Examiner recommends that Southeast Child and Family services review its policies on the placement and replacement of children in the foster care system, with a view to how multiple placements can be minimized.

The Agency responded with the following information:

*The staff in this foster care unit is reviewing policies and procedures, including those on the placement of children in care. In addition, the agency is working to create additional resources within the communities. Training of foster parents is another strategy identified to assist in reducing placement breakdowns. The flags that were being implemented will assist the Alternative Care unit and the case workers and supervisors in continuous monitoring of child placements.*

### **Recommendation Eight**

The Chief Medical Examiner recommends that Southeast Child and Family Services, with the assistance of the Southern Authority, review with its foster care department as well as its foster parents the placement and replacement of foster children in their homes.

The Southern Authority provided our office the following response as follows:

*As part of the initiative to review and revise its service model, the Agency is undergoing a restructuring process. The Alternative Care Unit has been strengthened and enhanced. The AltCare Manager reports directly to the Administrator, and oversees a unit of two supervisors – one with responsibility for licensing and one with the responsibility for placement coordination. Each supervisor has a team of six social workers, including a foster care trainer. The Unit is currently engaged in a comprehensive review and analysis of all placements.*

### **Recommendation Nine**

The Chief Medical Examiner recommends that the Child Protection Branch and the authorities Ensure the Province's foundational standards include a provision for pre-placement visits when children are placed in non-emergency or replacement situations.

The Chief Medical Examiner further recommends that Southeast Child and Family Services, in the interim, ensure that children in care are provided with pre-placement visits (in non-emergency or replacement situations) prior to being placed.

The Province in conjunction with the Authorities advised our office of the following regarding implementation of this recommendation:

*Standard 5 of section 4 Service Provision of the Child and Family Standards Manual states:*

*5. **Engaging Families and Children** — To prepare a family or child to receive services, the case manager:*

- *Shares additional information with service providers that was not available in the planning stage,*
- *Facilitates initial visits and contact between the family or child and the service providers and caregivers involved including prospective adoptive parents when indicated,*
- *Ensures the child has an escort with whom he or she has a supportive relationship, to accompany the child on any visits, and*
- *Arranges for the child's personal belongings to be brought to the caregiver at the time of placement.*

*Standard 3 of Section 3 Foster Home Placements states:*

***3. Foster Home Pre-Placement Process*** — *Except in the case of an emergency requiring the immediate placement of a child, the worker responsible for placing a child in a foster home:*

- *When possible, arranges pre-placement visits to the home including an overnight, depending on the age and needs of the child,*
- *Unless prior approval is given to arrange for an alternate worker, accompanies the child for all pre-placement visits and admissions to the home,*
- *When circumstances permit and it is in the child's best interests, arranges for the child's parent, guardian or previous caregiver to accompany the child on at least one pre-placement visit, and*
- *Records information on the pre-placement visit process on the child's file, including dates, who accompanied the child, and the child's responses.*

### **Recommendation Ten**

The development of a mechanism which flags or triggers a review of a specific file due to the attainment of an established criteria—that criteria may be an event, a passage of time, or a number of placements. These are merely examples and it is left to the authorities to establish an appropriate criteria which will prevent a specific file not receiving the appropriate attention and monitoring in such an event. Obviously such triggering mechanisms presupposes proper and current documentation or such process is worthless.

The Department advised our office of the following in response to this recommendation:

*Comprised of an Intake Module and the Child and Family Services Information System (CFSIS), the Child and Family Services Application (CFSA) is the Provincial Case Management Standard for managing child welfare information. As indicated in Volume 1 Agency Standards of the online Standard manual, Chapter 1 Case Management Standards, Section 1 Intake, "all child and family services agencies must use the provincial automated Intake Module for services to families and child protection interventions under The Child and Family Services Act."*

*The CFSIS automated risk warning File Action Required (FAR) was implemented in phases between 2009 and 2010. FAR causes warnings to be delivered to a worker and supervisor by email on an overnight basis when certain conditions are not met within a CFSIS record. The warnings are based on information that is recorded within CFSIS that represent a condition of increased risk to a child in care. The risk conditions include:*

- 1. Five or more placements in the last 12 months*
- 2. Eight or more placements since case first opened*
- 3. Case re-opened three or more times in last 12 months*
- 4. Case re-opened eight or more times since first case opening*
- 5. Alleged victim of abuse*
- 6. Unplanned absence (AWOL)*
- 7. Lack of face-to-face visits*
- 8. Sexual exploitation*
- 9. Suicide ideation*
- 10. Other (worker determined – not automated)*

*Directive letters to the Chief Executive Officers (CEOs) of the four Child and Family Services Authorities were sent by the Executive Director of the Child Protection Branch, dated April 1, 2010 clarifying the requirement for agencies to use the Child and Family Services Application (CFSA). The letter indicated that effective immediately, it is a requirement that all cases (federally and provincially funded) be entered, updated, managed and closed when appropriate through the CFSA.*

### **Recommendation Eleven**

Resources need to be found to create and buttress the preventative services necessary in any Child Welfare System. In order to try and keep the child in the family, support needed to be given to assist the family in areas in which they are lacking. The local child care community can provide much needed advice in this area.

The Department provided the following response:

*The Province has dedicated resources to create and buttress preventative services necessary in the child welfare system through the new Manitoba federal/provincial harmonized funding model for child and family services agencies and expanded focus on prevention included activities focused on developing and implementing new assessment tools, a new business planning process, new/updated standards, training, improvements to information systems, and enhanced quality assurance, accountability and reporting. The use of Structured Decision Making tools also play an important role in providing services and support to children in the child welfare system.*

*A new federal/provincial harmonized funding model for child and family services agencies was implemented retroactive to October 2010. As indicated in the Explanatory Guide for Manitoba Child and Family Services Funding, the intention of the Manitoba Funding Model is threefold:*

- To meet the goal of transparent and reasonably comparable funding regardless of geographic location or source of funding. The Model changes the method in which Authorities and their mandated CFS agencies are funded, and offers a coordinated and harmonized funding formula for all agencies in Manitoba, regardless of their funding source.*
- To provide Authorities and their agencies with the resources required to fulfill their mandate, as required by legislation and regulations.*
- To offer an enhanced capacity for the child welfare system to provide support services to families where immediate child protection services or the apprehension of a child is not warranted, but where families are struggling with challenges that, if left unaddressed, could result in children being at risk in the future.*

*The model is comprised of the following categories of funding: core Child and Family Services Authority staffing and operating, agency core, child protection, and prevention. The model specifies how federal and provincial funding for agency operations is calculated. It requires agencies to provide five-year business plans which include plans for prevention. Attached is an Explanatory Guide to Manitoba Child and Family Services Funding, which describes federal/provincial child and family services funding supports.*

*Section 7 of the Explanatory Guide provides detail regarding Prevention Funding (pages 21 to 23), including the funding formula. The Model includes new provincial funding of \$15 million for Prevention Services, and federal prevention funding of \$21.8 million, which is to be phased-in over three years, subject to business plan submission. The federal prevention formula uses the First Nations on-reserve child population, divided by three (based on an assumption of three children per family), along with an assumption that 20% of families require prevention services.*

*Structured Decision Making (SDM):*

*SDM tools were developed by Children's Research Centre (CRC) and include actuarial assessments that are designed to identify and structure critical decision points, increase consistency and accuracy in decision making, target resources appropriately, and use data to inform key decision points in case management. Some of the tools being adopted and trained in Manitoba include Probability of Future Harm Assessment Tool (PFH), PFH Reassessment, Family Strengths and Needs Assessment Tool (Caregiver/Child). These tools are applied in collaboration "with" families, children and youth, not "to" or "for" families.*

*Manitoba's FASD Strategy and Youth Suicide Prevention Strategy:*

*Furthermore, under the Changes for Children Initiative, resources have been dedicated to develop and fund Fetal Alcohol Spectrum Disorder initiatives including prevention, diagnostics and intervention, to prevent and support those living with the effects of FASD. Changes for Children funds also supported the intersectoral Youth Suicide Prevention Strategy, led by Healthy Living, Seniors and Consumer Affairs/Mental Health. The Province has been developing and implementing Reclaiming Hope: Manitoba's Youth Suicide Prevention Strategy, under Changes for Children, since its introduction in 2008.*

**Recommendation Twelve**

Urgent and continued discussions need to be participated in to reappraise appropriate funding mechanisms between the Federal and Provincial governments to deal with the critical child welfare issues plaguing our First Nation communities.

The Department provided the following response to this recommendation:

*Numerous discussions have occurred between provincial and federal representatives, specifically from the Manitoba Department of Family Services and Labour (previously Department of Family Services and Consumer Affairs, and Department of Family Services and Housing) and Aboriginal Affairs and Northern Development Canada (previous Indian and Northern Affairs Canada) over the past several years regarding appropriate funding mechanisms to deal with critical child welfare issues in the province. As a result of lengthy discussions and negotiations, a new federal/provincial harmonized funding model for child and family services agencies was developed.*

*A new federal/provincial harmonized funding model for child and family services agencies was implemented retroactive to October 2010. As indicated in the Explanatory Guide for Manitoba Child and Family Services Funding, the intention of the Manitoba Funding Model is threefold:*

- To meet the goal of transparent and reasonably comparable funding regardless of geographic location or source of funding. The Model changes the method in which Authorities and their mandated CFS agencies are funded, and offers a coordinated and harmonized funding formula for all agencies in Manitoba, regardless of their funding source.*
- To provide Authorities and their agencies with the resources required to fulfill their mandate, as required by legislation and regulations.*
- To offer an enhanced capacity for the child welfare system to provide support services to families where immediate child protection services or the apprehension of a child is not warranted, but where families are struggling*

*with challenges that, if left unaddressed, could result in children being at risk in the future.*

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### **Recommendation Thirteen**

That steps be taken to ensure all the child in care files are entered into the Child and Family Services Information System and the files be updated and maintained.

The Department's response is as follows:

*Directive letters to the Chief Executive Officers (CEOs) of the four Child and Family Services Authorities were sent by the Executive Director of the Child Protection Branch (CPB), dated April 1, 2010 clarifying the requirement for agencies to use the CFSA. The letter indicated that effective immediately, it is a requirement that all cases (federally and provincially funded) be entered, updated, managed and closed when appropriate through the CFSA.*

### **Recommendation Fourteen**

The Southern Authority together with the Province, seek to find and implement a solution to the connectivity challenges faced by the agency with respect to CFSIS.

We made inquiries with the Department concerning what steps had been taken to implement this recommendation and on July 11, 2011 the following response was provided:

*The Department provides hardware, software and Internet-based connectivity without cost to every agency office. The Internet connectivity is based on a new technology that provides a highly secure means of accessing the Child and Family Services Application (CFSA).*

- *For each office, the Department arranges for the highest speed connection available. In most cases, this is a broadband digital subscriber or cable connection.*
- *In certain Northern, rural and remote areas of Manitoba, alternatives such as satellite connections must be utilized. These alternative connections are used in every case where they are available.*
- *75% - 85% of the current Provincial caseload is supported by broad band carriers. The remaining 15% - 25% of cases are supported by dial-up or satellite carriers. Therefore, 100% of the provincial caseload is supported by either GOM or SIS connectivity. SIS connectivity is similar in quality to broad band internet carriers — however, some SIS carriers can be affected by weather conditions.*

*In cases where SIS connectivity fails, there are substitute procedures in place:*

- *An agency office supported by broad band carriers can input case information on behalf of an office of the same agency of another office.*
- *Information can be sent by facsimiles (as it is a secure means of sending information), courier, secure mail or copying information onto a CD-ROM or encrypted memory key and delivering or sending the CD or key via courier or secure mail.*

### **Recommendation Fifteen**

Southern Authority to undertake a quality assurance review of Southeast Child and Family Services Agency as a priority item. This should be a comprehensive review of the agency and should include (but not limited to) a review of the agency's governance structure, funding, workloads, case practices, expenditures, staffing and organizational structure. The review should include a review of the case files of the agency, including a review of every child in care to ensure proper assessments and case plans are completed. The Southern Authority to develop a corrective plan for the agency where deficiencies exist.

The Southern Authority advised our office of the following regarding implementation of this recommendation:

*The review has been completed and the report is available on the Southern Authority website. Recommendations from this report are/have been implemented. A follow up quality assurance review was scheduled for 12/13. The case file review was undertaken separately from the Agency review. Review of the files was completed in April/2011.*

### **Recommendation Sixteen**

Southern Authority to work with the agency to establish outcomes and outcome measures for the agency, particularly with respect to children in care. This could assist in early identification of cases where there is a lack of planning and/or where the agency's practice does not meet

standards. For example, one of the outcomes could be a limit on the number of moves within a specified time frame. The data to measure this outcome would identify children who have multiple moves beyond the acceptable level. This would assist both the agency and authority to become aware of such cases and to take corrective action.

The Southern Authority reported the following response to this recommendation and advised implementation is complete and ongoing:

*The Southern Authority is working with the Agency to establish outcomes, outcome indicators, and outcome measures as part of the five year business planning process. The Agency's Business Plan, which includes these items, is in the final stages of being approved. This plan will be revised on an annual basis, with Agency performance measured against the proposed plan. This process will allow for performance measures of the outcomes and overall agency performance in achieving the outcomes.*

### **Recommendation Seventeen**

That the agency with the assistance of the Province and the Southern Authority, ensure that all of its staff are fully trained in CFSIS and the Intake Module and that both are fully used within the agency.

The Southern Authority advised our office of the following response:

*As part of the connectivity initiative, the Southern Authority plans to have two teams, attend to all sites within the Southern Authority agencies to ensure that all cases are entered on CFSIS; that staff are trained in the use of CFSIS and the IM; and to assist the staff team in revising their business processes to reflect the use of CFSIS. It is anticipated that by Sept/2012, all staff will be using CFSIS as a case management tool, will have all their cases entered and up to date on CFSIS, and will have completed a business process review. Staff at all agencies continue to take the CFSIS/IM training offered by the Province.*

### **Recommendation Eighteen**

The agency, with the cooperation of the Southern Authority, should provide training to staff in the following areas:

- How to manage and maintain a case file
- Best practices in the placement of children in out of home care
- How to complete comprehensive assessments, make diagnostic statements and then develop case plans based on such an assessment.
- How to develop goals and services for contract planning in case work
- How to maintain the primacy of a child safety focus in the intervention while still considering the needs of the family.

- How to provide social work counselling and intervention at the case management level with children and families.
- Suicide prevention and intervention.
- Working with sexually exploited children.

The Authority on behalf of the agency provided the following response to this recommendation:

*One of the sites for the CFS Certificate Program is Little Grand Rapids Circling Thunderbirds Center (CTC). Students are primarily from Little Grand Rapids and Pauingassi. A second site is planned to start in Sept 2011 in Berens River. A week long Standards Training is delivered at the CTC in January 2011. Additional standards training sessions were held in Portage la Prairie. In addition to the CFSIS training provided to the Child Protection Branch, the Southern Authority Education and Training team purchased an additional 4 training sessions. Numerous training sessions have been held in the use of the structured decision making tool (SDM) and all of the agencies, including SECFSS, have actively participated in this training. This training includes risk and safety assessment, strength and needs based family and child assessments; developing case plans based on these assessments; reassessments, family engagement in the case planning process. ASIST Trainings is offered on a regular basis and all Southern Authority agencies now have staff that has taken the training. In 10/11, there were 13 separate ASIST trainings. The popular Relationship Based Strengths Approach to Discipline (RBSA) was offered 5 times. Other training offered by the Southern Authority in 10/11 included: Youth Suicide Prevention; Attachment; Child Abuse Investigation Techniques; Conflict Management; Colonization-Decolonization; Domestic Violence, Understanding and Working with Youth who have been sexually exploited; FASD Basics; FASD attachment; FASD Attachment and Developmental Trauma; Tattered Teddies/safe TALK; Abuse investigation training with Dr. Yuille, including "Train the Trainer" training. The Southern Authority purchases additional Core training from the Province, as the existing provincial schedule cannot meet the demand in 10/11, additional core training was purchased to Core 500 series and the Core 100 series.*

### **Recommendation Nineteen**

Establish a mentorship program, where community workers are paired up with a mentor that can assist the worker in case management. This mentoring can be done by distance (email, phone) or face to face where feasible.

The Southern Authority, on behalf of the agency reported the following response to our office:

*The agency implemented a mentorship program in 2011 and status reports are provided to the Authority to track progress of the program.*

## **Recommendation Twenty**

Supervisors are an important part of the case management process and serve a needed quality assurance role. The Southern Authority, in conjunction with the agencies, should develop and implement a management and supervisor training program, mandatory for all agency supervisors and management and that Manitoba provide funding for this purpose.

Our office followed up with the Southern Authority regarding implementation of this recommendation and the following response was provided on July 11, 2011:

*The Southern Authority has been working with the Aboriginal Focus Program, U of Manitoba to develop a one year certificate program for agency supervisors. This will be an accredited training. The first offering is tentatively planned for January 2012. This certificate program will not be limited to the Southern Authority; it will be available to any supervisors in Manitoba. The plan is for the certificate program to be an ongoing offering, it can be offered from a variety of sites. With improved accessibility to such training, the Southern Authority plans to work with its agencies to make this a mandatory requirement for case supervisors. The Province's Core Competency Program has revised its Supervisor Training curriculum and is currently piloting its new versions. The U of M Faculty of Social Work has partnered with us to offer a CFS supervisor course.*

## **Recommendation Twenty-One**

The Southern Authority together with the agency, INAC, and the Province should participate in a redesign of the services and service approach used in the four remote communities the SECFS serves (Little Grand Rapids, Pauingassi, Berens River, Bloodvein). A child safety focus must be maintained, but it should be done in the context of building communities and families that are safe for children. All options should be explored including flexible funding arrangements. The large number of children in care from these communities makes that an imperative.

The Department advised our office of the following information:

*The agency has focused on improving and enhancing the services provided to the remote communities. This has included a redesign of programs and services, including a restructuring. A residential resource was established at Little Grand Rapids, which provides emergency placement resources to the Pauingassi and Little Grand First Nations.*

*The Federal/Provincial Funding Model (2010) provides a remoteness allowance similar to the old northern allowance. This remoteness allowance is to be used by Southeast Child and Family Services to address service to their remote (fly in) communities, as well as northern communities.*

*Discussions led by the Department with the authorities, agencies and the federal government resulted in the continuation of the present 5% differential rate while further study in the area continues.*

### **Recommendation Twenty-Two**

The Southern Authority, together with the agency and the Province, should develop a training program specific to the four remote communities that focuses on training staff for CFS. Curriculum and training delivery model should be suitable to the geographic, language, and cultural factors, while still ensuring that graduates of this training program will be able to meet the workforce qualification standard.

The Southern Authority provided the following response to this recommendation as follows:

*The Southern Authority has, jointly with the Aboriginal Focus Program at the U of M, developed a one year accredited certificate training designed for entry level staff and specific to CFS. The first offering began in February 2011 at Long Plain, and the second one started in March 2011 at Little Grand Rapids. A third site is planned for Berens River and a fourth one for Winnipeg.*

### **Recommendation Twenty-Three**

The province of Manitoba should jointly with the four Authorities complete the foundational standards. The four Authorities should also complete development of culturally appropriate standards and the Province of Manitoba should work with the Authorities to expedite their development.

The Department advised our office of the following implementation plan for this recommendation:

*On November 7, 2007, the Chief Executive Officers of the four Child and Family Services Authorities and the Executive Director of the Child Protection Branch, Province of Manitoba, signed the Provincial Standards for Child and Family Services Standards Development Protocol (Protocol). One of the principles of the Protocol (attached) is to respect the philosophy of the Aboriginal Justice Inquiry — Child Welfare initiative by using a collaborative and consensus building approach. The Protocol states, "The foundational standards describe the minimum expectations for all child and family services agencies in the Province. Each Authority may develop more rigorous and/or culturally appropriate standards provided these are consistent with foundational standards." In addition, the Protocol describes the process for the development of standards, including the establishment of a working group.*

*On May 30, 2011, the Child Protection Branch hired a full-time, permanent Child and Family services standards, in accordance with the Protocol. Attached is the*

*Inter-Authority Standards Working Group Terms of Reference, which was approved by the Office of the Child and Family Services Standing Committee in 2012.*

*The Child and Family Services Standards Coordinator at the Child Protection Branch is available to each of the Authorities for consultation with respect to the development of Authority-specific and culturally appropriate child and family services standards.*

*Child and family services standards are continually being reviewed, developed and updated as part of the province's continuous improvement approach and the ongoing maintenance of the online child and family services standards manual.*

#### **Recommendation Twenty-Four**

Consideration be given for payment of the expense and availability of legal counsel to non-profit organizations and which organizations might contribute to the deliberations of future Fatality Inquiries.

The Department shared the following response with our office:

*The policy of the Department has been to consider these requests on a case by case basis. Past practice has been to provide not for profit agencies with supplemental funding for legal expenses if the agency requires assistance. If the agencies financial viability is compromised during the process, the Department considers providing interim supplemental funding.*

#### **Recommendation Twenty-Five**

Funding be examined in order to make available mental health resources to benefit agencies as a resource to their clients.

The Department of Manitoba Health and Healthy Living (currently known as Health, Seniors and Active Living) provided the following response regarding this recommendation on May 6, 2009:

*On December 15, 2008, this government announced 'Reclaiming Hope', a Youth Suicide Prevention Strategy to support youth at risk province-wide. Investment in the Strategy is more than \$8 million over four years to help prevent youth suicide and improve access to mental-health care to young people across Manitoba. MHHL is currently working in partnership with RHAs, child welfare authorities and agencies and other stakeholders to develop plans for implementation of the strategy.*

*The Youth Addictions Stabilization (Support for Parents) Act was proclaimed November 1, 2006. This legislation provides another option for parents, guardians and agencies to help children dealing with severe and persistent drug abuse problems by opening a new five-bed*

*facility for involuntary youth and five beds for youth voluntarily seeking support. As part of the development of the previously mentioned youth crisis stabilization unit in Thompson, capacity for youth being brought in under the Youth Addictions Stabilization (Support for Parents) Act will be developed as well.*

*Also in 2006, significant increases were made to addictions programming for youth including a centralized intake, enhanced outreach and enhanced family support. Increased early intervention services were instituted in Winnipeg in 2005/2006 and in Brandon in 2006/2007 providing support to youth experiencing first episodes of psychosis.*

*In May 2008, the province invested in increased access to community mental health and addictions services, and hired new front-line mental health professionals. Three of these workers were specifically child and adolescent mental health workers.*

*The Department continues to work towards its goal of ensuring timely and quality service to youth experiencing mental health disorders. The Department currently is engaged in provincial mental health strategic planning. In collaboration with its partners and stakeholders, including consumers, families and other government departments, MHHL is developing a provincial mental health strategic plan that will guide the planning of the mental health system.*

### **Recommendation Twenty-Six**

The prevalence and danger of sexual abuse in families need to be examined in depth as a major concern in the child welfare system. Resources need to be dedicated to such an examination.

Our office followed up with the Department regarding their implementation of the recommendation and on June 28, 2013 we received the following response:

*The Province has two bodies, one internal to the Department of Family Services and Labour, and the other an independent body that are completely dedicated to the issue of sexual exploitation of children and youth. There are also two prevention programs that address this issue at a grassroots level. The Department's Joint Training Team (JTT) is led by the Child Protection Branch and has membership from each of the four Authorities. JTT has developed numerous training modules related to sexual abuse and delivers the training modules to front line case management staff and child and youth care practitioners.*

*The Department of Family Services and Labour operates the Sexual Exploitation Unit (SEU) housed at the Child Protection Branch and is responsible for providing oversight and coordination of all the initiatives contained in Tracia 's Trust, Manitoba's Sexual Exploitation Strategy. The Provincial Advisory Committee on Child Abuse (PACCA) is comprised of representatives from a range of provincial government and community organizations.*

*Kaapapako Miikiwaap (translated as The Butterfly Lodge) is a 17-session culturally sensitive curriculum focusing on preventing the sexual exploitation of children and youth. The values and positive nature of the key concepts have the potential not only to keep children and youth from becoming at risk to exploitive adults, but also to draw upon a peaceful way of living. Educators, organizations, traditional teachers and Elders worked collaboratively to develop this unique resource.*

*"Pathway to Hope" was originally developed as a response to the high prevalence of child sexual abuse in Alaskan Aboriginal communities. Alaska is similar to Canada with respect to historical trauma and multi-generational impacts experienced of boarding (residential) schools. The Alaska Aboriginal people envisioned tools to end silence for child victims and resources to assist in the restoration of wellness in their tribal communities.*

*This initiative trains community facilitators with a goal to have it presented by individuals who have skills and knowledge that will facilitate discussion and assist Aboriginal victims in their healing journey. Built within the three-day specially tailored "training of community facilitator session" is:*

- preparing to be a trainer*
- identifying community readiness to end silence about child sexual abuse*
- impacts and effects of sexual abuse of Native children training*
- strategies to end silence and support child victims*
- exercises and hand-outs*

*Pathway to Hope is unique because it is made by Aboriginal people for Aboriginal people. It is a multi-faceted training resource for grassroots communities to use and tailor to their own needs and strengths. It recognizes that child sexual abuse healing, especially multi-generational, must begin from individuals within the community.*

*The Assembly of Manitoba Chiefs (AMC) delivered the Pathway to Hope: Healing Child Sexual Abuse training in Winnipeg (February 2013) to over 30 participants representing various Manitoba First Nations communities.*

*Provincial Child Welfare training related to sexual abuse encompasses Four training modules that have been developed by the provincial Joint Training Team and are delivered on an ongoing basis.*

*Core Competency Based training for child and family services case managers includes two modules (CC4 and CC5) that teach case management staff the skill required to complete full and accurate assessments and investigations, including in situations where there is dynamic of sexual abuse present in the family.*

*Core 809 is a course that was specifically developed for child and youth care practitioners. It teaches child and youth care staff how to effectively work with children*

*and youth who have experienced sexual abuse. (Please see attached course description.)*

*Core 320/833 is a specialty course available to both case managers and child and youth care practitioners. It teaches staff how to effectively work with sexually exploited children and youth.*

### **Recommendation Twenty-Seven**

Need for increased resources for the creation of more residential beds in facilities for youth at high risk for sexual exploitation and drug addictions.

On June 28, 2013, The Department advised our office of the following information concerning this recommendation:

*Since 2002, Manitoba has been implementing a focused strategy for responding to children and youth who are at risk of, or survivors of, sexual exploitation. In December of 2008, phase 2 of the Manitoba Strategy was launched to include the full spectrum of ages, including children, youth and adults and all five forms of sexual exploitation: prostitution; child pornography; sex trafficking; internet luring and child sex tourism. The Province has demonstrated a committed, multi-jurisdictional and coordinated governmental and community approach to preventing or reducing the incidence of the sexual exploitation of children, youth, and adults in Manitoba, including:*

*Community-based Aboriginal and non-Aboriginal organizations have been supported through the Provincial Strategy to provide specialized placement for those children and youth most vulnerable to child sexual exploitation in our province. There are a total of 78 specialized beds in the province of Manitoba for prevention and intervention services for sexually exploited children and youth.*

### **Recommendation Twenty-Eight**

That a protocol be created that increases resources and support for a youth who discloses an incident of sexual abuse and which protocol emphasizes the immediate investigation of such disclosure.

The Department provided this response as follows:

*Foundational standards on abuse investigations and assessments include a requirement that each child at risk is seen, interviewed, and an assessment completed.*

*Provincial Child and Family Services Standards: Volume 1, Chapter 3, Section 5 (1.3.5) of the Child and Family Services Standards Manual, Agency Standards; Child Protection; Child Exploitation, was approved on June 28, 2010 and provides extensive information on relevant legislation, both provincial and federal, policy information, and relevant standards. In addition, specific legislation, programs and initiatives for addressing this recommendation include:*

- *Mandatory reporting of child pornography was proclaimed in Manitoba on April 15, 2009. Manitoba became the first Canadian province to make it mandatory for all citizens to report child pornography. The Child and Family Services Act was amended to include child pornography in the definition of child abuse. Under the new law, if a Manitoban sees something they believe to be child pornography; they are required to report it to [Cybertip.ca](http://Cybertip.ca) (Canada's tipline for reporting the online sexual exploitation of children). The goal of mandatory reporting is to facilitate the reporting of children in need of protection. All reports relating to a child victim and/or suspect in Manitoba are forwarded to Child and Family All Nations Coordinated Response Network (ANCR) and Manitoba law enforcement so they can coordinate investigations into the allegation and ensure children are protected from abuse.*

*The Child Advocacy Centre Service Model has been under development since Phase 3 of Tracia's Trust. A Child Advocacy Centre Partners Working Group (PWG) was formed to oversee the development of a Child Abuse Advocacy Centre in both rural/northern Manitoba and in Winnipeg. Members of the PWG include representatives from the child welfare system, Winnipeg Police Service, Child Protection Centre, Manitoba Department of Justice, Royal Canadian Mounted Police (RCMP), and Manitoba Adolescent Treatment Centre.*

*On January 23, 2013, the Winnipeg Child Advocacy Centre opened and is staffed by a team of professionals including police, child protection and victim service providers who will work in a child friendly setting to help a child or youth victim or witness navigate the child abuse investigation process and justice system on-site instead of services at multiple locations or at a police station where suspects are typically held.*

*One of the key features of the centre is a forensic interviewer who will interview children or youths with the objective of limiting the number of times they will have to tell and retell their ordeal to the various professionals involved in an investigation. The Winnipeg Child Advocacy Centre has been designed to enable multi-system collaboration and to foster best practices in child abuse investigations, to ensure that victims receive effective, sensitive, and immediate support in a setting that puts their needs first. This child-centred approach is intended to minimize the system-induced stress faced by children who are the victims of serious sexual or physical abuse where prosecution is likely. Evidence from other jurisdictions with Child Abuse Advocacy Centres shows that victims and their non-offending caregivers feel better served and supported, and are able to engage in the healing process and with appropriate resources sooner. There*

*has also been evidence supporting an increased rate of prosecutions and convictions of offenders.*

*The Child Advocacy Centre is co-funded by Manitoba and the Federal Government. The Manitoba government is providing \$339,000 in ongoing annual funding to support the new centre, a non-profit community organization.*

As the Department of Families, the Southern Authority, the agency and also the department of health have provided a full response to the inquest recommendations, we will conclude our monitoring of the implementation of the recommendations.

Please note, an electronic copy of this report will be posted on the Manitoba Ombudsman website: [www.ombudsman.mb.ca](http://www.ombudsman.mb.ca)

Yours truly,

A handwritten signature in blue ink, appearing to read "M. Cormier".

Marc Cormier  
Acting Manitoba Ombudsman