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BYLAW NO. 4453

VICTORIA FAMILY COURT AND YOUTH JUSTICE COMMISSION BYLAW NO. 1, 2022

Consolidated for Public Convenience

(This bylaw is for reference purposes only)

ORIGINALLY ADOPTED FEBRUARY 9, 2022
(Consolidated with Amending Bylaw 4548)

For reference to original bylaws or further details, please contact the Capital Regional District,
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**CAPITAL REGIONAL DISTRICT
BYLAW NO. 4453**

**A BYLAW TO CONTINUE THE VICTORIA FAMILY COURT AND
YOUTH JUSTICE COMMITTEE AS A DELEGATED COMMISSION**

WHEREAS:

- A. Under Bylaw No. 2560, *Family Court Committee Extended Service Establishment Bylaw No. 1, 1997*, the Capital Regional District (“CRD”) continued a service to operate, participate in and fund a *Provincial Court Act* family court committee created for the capital region, as well as to provide funding to approved youth justice initiative involved third parties;
- B. Since the 1960s, the Victoria Family Court Committee, also known as the Victoria Family Court and Youth Justice Committee, has operated as an advisory body, first as a committee of the City of Victoria then of the Capital Regional District, and continues to operate for the coordination and grant-making benefit for regional youth and family justice initiatives;
- C. The Board wishes to set out clearly the community mandate of the Committee in a commission bylaw and ensure it has legal status and delegated authority to continue its work;

NOW THEREFORE, the Capital Regional District Board in open meeting assembled hereby enacts as follows:

CREATION OF COMMISSION

- 1. A commission is hereby established, to be known as the “Victoria Family Court and Youth Justice Committee” (hereinafter the “Committee”), and shall be a continuation of the Victoria Family Court and Youth Justice Committee presently operated in the capital region.

DELEGATED AUTHORITY

- 2. The Committee is hereby delegated all of the administrative powers of the Regional Board with respect to the service set out in Bylaw No. 2560, *Family Court Committee Extended Service Establishment Bylaw No. 1, 1997* (the “Bylaw No. 2560”), that is, the funding, participation, and operation of the Committee and the granting of funding to youth and family issues; and the Board’s ability under s.263(1)(c) of the *Local Government Act* to provide assistance to youth and family groups as contemplated by Bylaw No. 2560, other than assistance to business.

COMPOSITION AND ELIGIBILITY

- 3. The Committee shall have the following number of voting members, up to a total of 23, each having one vote:
 - (a) Up to seven individuals as Capital Regional District appointed representatives under section 7;
 - (b) Thirteen municipal council representatives, who may each have an alternate, under section 8; and
 - (c) Three school district representatives, representing School Districts 61, 62, and 63, under section 9.
- 4. Available openings for voting membership vacancies will be advertised by November of each year of a vacancy in a term in a form acceptable to the appointing organization.

5. A majority of members must have experience in education, health, probation, or welfare.
6. Members must represent the interests of their community or organization to the best of their ability.

Capital Region Representatives

7. The Regional Board may appoint up to seven individuals as voting members of the Committee. Such appointments may be, but are not limited to, representatives of the Juan de Fuca Electoral Area (including the Electoral Area Director), community members, representatives of youth and family justice organizations, or First Nations' representatives. Municipal councillors and regional district Board members, other than the Juan de Fuca Electoral Area Director, are not eligible for appointment as Capital Region Representatives. *(Bylaw 4548)*

Municipal Representatives

8. Each municipal participant may appoint a municipal council representative as a voting member, and may appoint as an alternate voting member a member of the public or a municipal councillor to act in the absence of the municipal council representative, for a total of 13 municipal council representatives.

School District Representatives

9. Each school district in areas served by the Committee may appoint a representative as a voting member, for a total of three school district representatives.

Resource Members

10. The Committee may resolve to have any number of non-voting resource members, including individuals, service providers, organization representatives, public authorities, First Nations, or other groups working in the capital region in family court and youth justice initiatives.

TERM OF OFFICE

11. A member's term of office is from the date of appointment in one year to December 31 in the second year of appointment.
12. No voting member may serve more than six consecutive years on the Committee. A former member may be reappointed after one year of absence. Despite the term limit in this section, in unique circumstances, an appointing agency may reappoint its voting member for an additional term.

OFFICERS

13. By the end of February in each year, the Committee shall hold an annual meeting for the purpose of appointing officers (the "Annual Meeting"). The Committee shall select from among its voting members a Chair, Vice-Chair, and Treasurer, with voting by show of hands, or, if a secret ballot is requested by one-third of members present, by secret ballot.
14. The Committee may create additional officer roles it considers advisable and staff them with voting or non-voting members from time-to-time.
15. In the event of a vacancy, the Committee may select a voting member to fill an officer role until the next Annual Meeting.

DEATH, RESIGNATION, DISQUALIFICATION AND TERMINATION

16. A member's appointment ends on the end of term; resignation; death or incapacity; revocation of appointment; ceasing to be an employee, volunteer, elected official or officer of an appointing agency; or on the cessation of a municipal council voting member ceasing to be a municipal councilor.

MEMBER VACANCIES

17. In the event of a member vacancy before the end of term, the appointing organization may appoint an individual to complete the term. If not filled within a reasonable time, the Committee shall reported such vacancy to the Capital Regional District's Corporate Officer.
18. If a member is absent for more than two consecutive meetings with notice, the Committee shall contact the member to determine interest in continuing on the Committee. If absent for three consecutive meetings, the member may be removed by resolution of the Committee and the Committee shall alert the appointing organization, requesting appointment.

COMMISSION OBJECTIVES AND DUTIES

19. The Committee has the following objectives:
- (a) to identify, inform, educate, advocate for, and report on gaps in regional resources for youth justice and family court issues;
 - (b) to act as a resource for the public and youth and family organizations; and
 - (c) to encourage collaboration between and visibility of community services.
20. The Committee is hereby tasked with the following duties:
- (a) to meet at least four times per year to:
 - i. consider and examine community resources for family and children's matters;
 - ii. make recommendations to the court, the Attorney General, or others;
 - iii. solicit and consider applications for receipt of grant-funding; and
 - iv. connect family-and-justice-involved individuals, service providers, and government in a way that encourages collaboration and identifies service gaps;
 - (b) if requested by the court, to act a resource or assist as directed; and
 - (c) report annually to its member local governments and the Attorney General on its activities.
21. The Committee may, within its mandate:
- (a) take positions and advocate on policy initiatives, legislation, and services affecting families and youth justice in the region, in the name of the "Victoria Family Court and Youth Justice Committee"; and
 - (b) undertake other activities consistent with the activities of a family court and youth justice committee, as permitted by law.
22. Subject to Capital Regional District bylaws, policies, and procedures, the Committee, in open meeting assembled or through supervised volunteers, may:
- (a) establish advisory groups to examine specific issues, who will report on their work;
 - (b) contract for support services, volunteer coordination, communications, feasibility studies, and other services and goods related to its objectives and duties;
 - (c) undertake necessary, incidental, or ancillary administrative tasks in order to effect its work.
23. If acting under referral or as otherwise directed under the *Provincial Court Act*, RSBC 1996, c 379, or *Youth Criminal Justice Act*, SC 2002, c 1, the Committee shall discharge its duties through one or more registered volunteers assembled for that purpose by resolution of the Committee, unless otherwise directed by the court.

24. All volunteers shall be supervised by the Committee or its appointed volunteer coordinator, if any; shall register with the CRD's Risk and Insurance Department; and must, if working with vulnerable persons or persons under 18 years of age, provide a recent criminal record check to CRD.

CONDUCT OF MEETINGS AND QUORUM

25. A quorum shall be seven (7) voting members.
26. The Committee must follow Bylaw No. 3828, "Capital Regional District Board Procedures Bylaw, 2012", when conducting a meeting (the "CRD Procedures Bylaw").
27. All meetings of the Committee must be held in a public facility and must be open to the public. Meetings may be in-camera, where authorized by law.
28. The Committee may meet by electronic means, where the requirements in the CRD Procedures Bylaw are met.

CONFLICT OF INTEREST

29. In discharging the Committee's grant function, any member who considers themselves in a pecuniary or non-pecuniary conflict of interest shall declare a conflict, which may include:
 - (a) where their appointing agency is a direct recipient of a grant or assistance; or
 - (b) where a member or their immediate family owes a fiduciary duty, as a director, senior manager, or employee of an organization receiving funding,and shall recuse themselves in accordance with the CRD Procedures Bylaw and the *Community Charter*, SBC 2003, c 26.
30. On a majority vote of the Committee, School District and non-voting members representing an organization with a direct pecuniary interest in a grant may be invited to present on their organization's application, but shall not be present for debate nor the vote on the matter.

BUDGET

31. Upon its establishment and by October 1 of each year, the Committee shall prepare an annual budget, which shall include estimates for administrative costs, operations, grants, and other expenditures, and shall submit such estimates to the CRD's Chief Financial Officer for Regional Board approval and inclusion in provisional and annual budgets.

RECORD KEEPING

32. The Committee shall comply with all public record keeping requirements under the *Community Charter*, *Local Government Act*, and other applicable legislation.
33. Records shall be stored at the CRD. Agendas shall be provided in advance of meetings in accordance with the CRD Procedures Bylaw and meeting minutes shall be provided after each meeting.

CITATION

34. This bylaw may be cited for all purposes as "Victoria Family Court and Youth Justice Committee Commission Bylaw No. 1, 2022".

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|-------------------------|-----------------|--------|-----------|------|
| READ A FIRST TIME THIS | 9 th | day of | February, | 2022 |
| READ A SECOND TIME THIS | 9 th | day of | February, | 2022 |
| READ A THIRD TIME THIS | 9 th | day of | February, | 2022 |
| ADOPTED THIS | 9 th | day of | February, | 2022 |



CHAIR



CORPORATE OFFICER