

MISINFORMED:

How the Ministry of Children and Family Development failed in its permanency planning obligations to a youth in care



HIGHLIGHTS FROM OUR INVESTIGATION REPORT | SEPTEMBER 2023

Alexandra's experience



- Throughout childhood lived in family home that was unsafe – **removed by ministry 5x.**

- At 17 ministry proposed permanent transfer of custody to aunt – **ministry obligated to ensure Alexandra understood consequences of this plan.**

ALEXANDRA'S KEY QUESTIONS

- Will I get ministry funding to go to post-secondary school?
- What supports will I get after I turn 19?

Aunt asked:
*What supports are available?
Alexandra wants a post-secondary education.*



Social worker answered:
She should be eligible.

Alexandra was **not told** that the ministry's plan to transfer custody to her aunt made her **ineligible** for many post-secondary funding supports.

LEGAL SAFEGUARDS WERE NOT APPLIED BY MINISTRY

The ministry did not comply with **legal obligation** to facilitate her access to independent legal advice to help her understand consequences of aunt's custody.



Consent form for court application did not indicate she understood the impact of proposed court order – check boxes were **left blank.**

...I was not made aware of the long-term effects my choice would have.

CONSEQUENCES

Alexandra applied to her post-secondary program of choice. Ministry denied application for post-secondary funding because she was in her aunt's custody when she turned 19. She realized she was misled.



Alexandra felt unheard and worried that other youth may have been given incorrect or misleading information.

I have been told over and over again that I will be able to get assistance...

OMBUDSPERSON RECOMMENDATIONS TO MINISTRY – 3 OF 5 NOT ACCEPTED.

✗ 1 Because of the misleading information provided, **compensate Alexandra** for post-secondary funding she didn't receive.



✗ 2 **Conduct an audit** to determine whether other youth were provided with accurate information and opportunities to receive legal advice.



✓ 3&4 **Develop strategies** to ensure staff are aware of benefits and limitations of permanency plans and obligations to offer youth opportunity for legal advice.

✗ 5 **Add extra level of oversight** – involve Public Guardian and Trustee in all court applications to transfer custody so that PGT advice as to best interests is given to court.

