



BRITISH  
COLUMBIA

June 13, 2023

VIA E-MAIL  
Ref: 279422  
OMB Ref: 21-191964

Jay Chalke  
Ombudsperson  
Province of BC



Dear Jay Chalke:

**Re: Investigation Of Complaint About Denial Of Financial Supports Under The Agreements With Young Adults Program**

Thank you for your letter dated May 23, 2023, regarding your investigation into a complaint about the denial of financial supports under the Agreements with Young Adults (AYA) program in the wake of a section 54.01 Permanent Transfer of Custody to Other order granted in 2015. I am pleased to respond on behalf of the Honourable Mitzi Dean, Minister of Children and Family Development.

I understand that you intend to release a public report and are requesting the Ministry of Children and Family Development's (MCFD) representations and an administrative fairness review of your draft report. I have outlined MCFD's response to your recommendations below and attached MCFD's administrative fairness feedback to this letter.

MCFD welcomes reports and recommendations from our oversight bodies as they offer valuable insight into the child-serving systems and provide recommendations for strengthening support and services for children, youth and families. The situations shared by children, youth and families are a driving force in changes being made to legislation and policy to ensure services and supports are evolving to meet identified needs.

Under Budget 2022, the government announced enhanced youth transitions services and benefits, now known as the Strengthening Abilities and Journeys of Empowerment (SAJE) program, to be fully implemented by April 2024. The SAJE program includes a new comprehensive suite of supports and services for eligible youth and young adults up to their 27th birthday. This program provides focused transition planning for eligible youth and young adults (aged 14 to 25) in and from care. SAJE provides a suite of services intended to support youth and young adults as they transition from care, including:

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- A no-limit earnings exemption for young adults so income from employment does not affect benefit calculations;
- Increases in dental coverage available to young adults participating in SAJE programming by \$300 to \$1,000 annually;
- Enhanced optical coverage;
- A \$600-a-month rent supplement program to help young adults from care to live independently, with 50% of the supplements available to Indigenous young adults;
- Increasing the maximum duration of SAJE supports and services from 48 to 84 months, up to the age of 27;
- Extending temporary housing supports to allow young people to continue to stay in their home past the age of 19 and up to their 21<sup>st</sup> birthday;
- Removing the age cap for the Provincial Tuition Waiver Program and introducing a new grant of up to \$3,500 per year to support tuition waiver program students;
- Access to life-skills, training, counselling, and cultural programming;
- Navigators and Guides who support youth and young adults in and from care, their guardianship workers and support circles in transition planning and accessing services from ages 14 to 25; and
- An unconditional income supplement at age 19, up to one's 20<sup>th</sup> birthday.

When the legislative changes come into force in 2024, the eligibility for SAJE will expand to include all care statuses as long as the young adult had 24 months of cumulative time under the care statuses between the ages of 12 and 19. Eligibility will also include young adults who had a permanent transfer of custody or an adoption between ages 12 and 19 or who were under a Youth Agreement or a Continuing Custody Order when they became 19 years old. These changes are all being made through legislation and policy and do not apply retroactively. With respect to the complainant's eligibility for post majority benefits from MCFD, she will be eligible for SAJE support when the expanded eligibility is in effect. She is currently eligible for the [Tuition Waiver Program](#) (funded by Advanced Education) [REDACTED]

As stated in my previous letter to you, dated October 31, 2022, MCFD does not intend to implement recommendations 1 and 2. Financial benefits are not considered a reason to be brought into or to remain in-care. The primary focus of MCFD is to support the well-being of all children and youth in British Columbia to live in safe, healthy and nurturing families, and to be strongly connected to their communities and culture. MCFD does not make legal permanency decisions for children and families in isolation. There are steps built into our court system to ensure that all legal procedures have been followed before an order is granted, including the responsibility of the court under s. 54.01(7) of the *Child, Family and Community Service Act* when making an order to permanently transfer custody of a child to a person other than a parent.

We accept recommendations 3 and 4 with the caveat that the proposed timelines for these recommendations may not be attainable. For recommendation 3, we have proposed that the deadline be moved from December 31, 2023, to June 30, 2024, to align with the anticipated date for Royal Assent for the proposed legislative changes. These legislative changes are necessary to expand eligibility for the SAJE program and the new and expanded supports and services. An extension may be required for recommendation 4 to fulfill MCFD's commitment to engage with our Indigenous partners and rightsholders on changes to policy.

MCFD will not implement recommendation 5. As you know, the *Child, Family and Community Service Act* (CFCSA) requires the consent of the Public Guardian and Trustee (PGT) for CFCSA orders that permanently transfer custody of a child, but only in those situations where the PGT is acting as the property guardian for the child. MCFD does not support expanding the property guardianship role for all out-of-care orders and agreements, as the child's parents retain the responsibilities of a property guardian in such situations.

If you have any questions about this response, please contact James Wale, Deputy Director of Child Welfare, MCFD, by phone at [REDACTED] or via e-mail at [REDACTED]

Sincerely,



Allison Bond  
Deputy Minister for Children and Family Development

pc: Honourable Mitzi Dean  
Cory Heavener, Assistant Deputy Minister/Provincial Director of Child Welfare  
James Wale

Enclosures (1)