

Memorandum

FROM: Malcolm Lavoie
Deputy Minister of Justice

OUR FILE REFERENCE: AR 59212

YOUR FILE REFERENCE:

TO: Lisa Sadownik
Deputy Minister of Children and Family Services
12th Floor, Sterling Place

DATE: March 11, 2024

TELEPHONE: 780-427-5032

SUBJECT: **Alexandru Radita Fatality Inquiry:**
Request for a Response to Recommendations

Please find enclosed a copy of the Honourable Justice S.L. Van de Veen's report to the Minister of Justice regarding the public fatality inquiry into the death of Alexandru Radita. This report will be publicly released on March 25, 2024. Please do not share the contents of the report in any manner that would cause it to become available publicly prior to this time.

The following recommendations may impact Children and Family Services:

1. It is recommended that screening processes within both the Ministry of Child and Family Services in British Columbia as well as Alberta be reviewed and strengthened to ensure that a thorough review of prior dealings between families and Child Services is carried out, specifically including the severity of parenting issues historically dealt with along with the urgency and significance of the person making the child protection report. The ongoing risk to the child evidenced by the history and significance of the person making the report should be carefully considered notwithstanding that the Child Protection Services file has been closed for some time.
2. It is further recommended that regular auditing of the screening processes be carried out along with ongoing staff training to ensure the thorough review recommended takes place, in light of the heavy caseloads of reports received by the BC and Alberta Ministries. It is notable that when Dr. Metzger contacted the BC Ministry in 2009, the report was actually reviewed by a supervisor who determined to take no action.
3. It is recommended that the provisions of the Provincial/Territorial Protocol be amended to address the situation where a child having a history with a Ministry moves to another jurisdiction after the Ministry's file has been closed. It is recommended that specific authorization be included in the Protocol for an originating province to alert a receiving province if a child who is the subject of concluded dealings with the Ministry may

nevertheless be in need of protection which may include medical treatment necessary for their health or survival. From the evidence before the Inquiry, it appears the existing provisions of the Provincial/Territorial Protocol emphasize ongoing investigations which are current and have open Ministry files. Ministry files which are closed, like the Radita files, are not given the same emphasis, regardless of how serious the family history has been.

4. It is recommended that the current consultations within the BC Ministry dealing with the expansion of the issuance of alerts to other jurisdictions when families have moved and their whereabouts are unknown be pursued in circumstances where a child may be in need of protection. It is further recommended that consideration be given to the issuance of alerts being placed upon provincial and where necessary, inter-provincial, federal and other information systems connected to child welfare. It is recommended that part of this consultation ensure that such alerts are not dependent upon an open investigation within the Ministry and that the severity of prior dealings between the family who have moved and the Ministry itself be thoroughly considered.
5. It is recommended that the Child Welfare authorities in both Alberta and British Columbia as well as other jurisdictions consider the examination of a general alert system whereby a high-risk child who may need protection is noted on available data systems of other stakeholders in child health and well-being including educational and pharmaceutical authorities in order to prevent isolation of such children and ensure availability of state intervention when needed, as often as needed. Consideration of such a general system of alerts in the case of particular children necessarily involves legislative changes authorizing both the collection and dissemination of personal data in view of existing privacy restrictions as well as consideration of existing databases in stakeholder agencies.
6. It is recommended that the BC and Alberta Ministries institute a program to expand existing collaborative relationships with other stakeholders involved in the well-being of children. These stakeholders include local school authorities, health services, police services and pharmaceutical services. From the evidence before the Inquiry local educational authorities specifically local schools, would not generally consider contacting the Alberta Ministry or police requesting a wellness check in circumstances where a child is absent from school for an extended period of time, even though often school absences are accompanied by serious parenting issues placing children at risk.

I ask that you please advise the following:

1. Whether Children and Family Services accepts in principle, does not accept, or has a different response to the recommendations.
2. A brief explanation of why that decision was made.
3. If Children and Family Services intends to accept the recommendations, or to implement different measures, what steps will be taken in that regard.

A response to this enquiry is not mandatory. However, be advised that this memorandum and any response received will be publicly released and posted on the Open Government Portal: <https://open.alberta.ca/opendata/responses-to-public-fatality-inquiry-recommendations>.

Please email Children and Family Services' response to the Fatality Inquiry Coordinator Abid Mavani, at abid.mavani@gov.ab.ca

If a response has not been received by July 25, 2024 (four months from the public release date of Justice Van de Veen's report), that information will also be made publicly available.

Thank you for your cooperation in this matter.

Original Signed

Malcolm Lavoie

Attachment