



Family Violence Death Review Committee
Case Review Report No. 3

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Table of Contents

Incident.....	3
Background.....	3
Systems Involved.....	3
Key Findings.....	3
Best Practices.....	4
Recommendations.....	4

Incident

In 2010, two children were murdered during a court-authorized, unsupervised weekend visit.

Background

The parents of the children were in an on and off-again common-law relationship for more than eight years. One parent was the primary caregiver, while the other worked (often out-of-town) to support the family. During this time, there were continual disputes related to the custody, access, supervision, and parental discipline of the children.

A number of parties were actively involved with this family over the years, including Children's Services, various health care professionals and the judiciary. The following context is provided in support of the committee's findings and recommendations:

- There was a long-standing history of mental health issues that raised concerns, at times, for the safety and well-being of the children. Challenges developed in terms of maintaining regular adherence to a medication regime aimed at treating these issues. Drug-seeking behaviour also developed. Multiple doctors were visited at different medical centres in attempts to obtain drugs, in addition to criminal behaviours, such as theft and forgery.
- Various health care professionals (family physicians, general practitioners and psychologists) were involved in the care and management of these mental health issues. Medications were prescribed, along with other ongoing supports, such as counselling and parenting classes.
- Intervention services were provided in relation to the children in the form of apprehension and custody orders and regular meetings, assessments, a parenting plan and drop-in visits with caseworkers and family reunification workers.
- There were a number of court applications related to this family and access to the children varied from supervised access to unsupervised access. In the end, unsupervised access remained in place given the evidence before the court.

Systems Involved

There were three key service providers involved with this family: Children's Services, Child and Family Services (CFS), Alberta Health and Justice and Solicitor General (the courts).

Key Findings

- Families that do not present as high-risk for family violence can be high-risk, as in this case.
- Independent evidence, such as information from professionals, family members and colleagues, those who have the ability to report on client behaviour, rather than a client's self-reporting, is necessary to assess the risk of harm.
- CFS needs access to more information for critical decision making, and to reduce CFS reliance on client self-reporting, which may not be reliable, complete and timely.
- Prescription drug abuse and misuse was extensive in this case.

- Individuals frequently accessed multiple medical providers and services concurrently, and are prescribed medications through multiple sources. Currently, an individual's patient history is not monitored by the treating physician at every point-of-care to ensure that shared, consistent patient information is used to make informed medical decisions for the safety and well-being of the individual.

Best Practices

- All efforts were made to connect individuals who required medical and mental health services with the proper resources.
- CFS and service provider efforts to de-escalate the relationship between the children's parents by providing services to help the couple limit contact with each other; and, in situations where contact was necessary, to help facilitate and mediate contact between the parents.
- CFS' presentation to the courts of known information concerning family circumstances while the children were in care.

Recommendations

1) **Child and Family Services (CFS):** To Children's Services, Child and Family Services (CFS), including all bodies which exercise authority under the *Child, Youth and Family Enhancement Act* in Alberta, the FVDRRC recommends:

- That on every Child Intervention case requiring a Safety Assessment, an actuarial risk assessment tool be used to assist with identifying potential levels of risk and to determine if preventative safety measures and services are required.
 - If the results of the actuarial assessment determines further intervention is required, then the following checks be mandatory as standard practice:
 - Criminal record checks on the family to applicable police agencies (including both local police agencies and RCMP) to check for convictions and for current and past criminal charges;
 - Court system checks for Provincial Court and Court of Queen's Bench protection orders granted under Alberta's *Protection Against Family Violence Act*, or restraining orders, peace bonds and other court orders that involve the family;
 - Alberta Health information checks on the family, such as Netcare information, including checks for prescription drug abuse.
 - It is also recommended that the above checks be redone and updated every time a significant change is made involving parental and guardian contact or access to a child, including:
 - Any changes to visit supervision, frequency, or duration;
 - Prior to filing applications for orders, which cause a change in circumstance for the children and before a return to parental or family care is considered.
- That CFS require drug testing to check for parent and guardian compliance with therapeutic drug prescriptions as a standard practice, especially in cases where psychiatric medication is necessary for parents and guardians to maintain their well-being.

- That the use of the Screening Aid for Family Violence (SAFV) be discontinued, as it is not an assessment tool and is not predictive in nature. The SAFV only identifies the existence of family violence. It does not address the level of violence in the home or generate recommendations for safety.
- The FVDRC commends CFS on its Delegation Training for staff and recommends that ongoing training at regular intervals be mandatory for front-line staff.

2) Alberta's Legal System and the Judiciary: To Justice and Solicitor General, the FVDRC recommends:

- The development or upgrading of software in the Provincial Court and Court of Queen's Bench systems to:
 - Allow the civil and criminal systems to share information and identify proceedings and orders, especially with cases involving family violence, custody issues, and child protection concerns between/among the Provincial Court and Court of Queen's Bench systems.
 - In the absence of new systems or upgrades to current systems, it is recommended that mandatory manual searches for multiple proceedings and previous orders in all court systems be completed, and that a mandatory formal information-sharing arrangement between court systems be put in place, so that this information is provided for judicial consideration in advance of proceedings.
- The widespread implementation of integrated family violence courts in Alberta, in consultation with the Family Court Intersection Committee regarding the implementation of the integrated courts.

3) Alberta Health: To Alberta Health, Alberta Health Services, the College of Physicians & Surgeons of Alberta, the College and Association of Registered Nurses of Alberta and the Alberta College of Pharmacists:

- That all authorized health care providers, authorized information custodians and their authorized affiliates in Alberta who have not registered for the Alberta Electronic Health Record (Alberta EHR) via the Alberta Netcare online portal (hereafter referred to as 'Netcare') be required to do so within a reasonable timeframe, and that enforcement measures be introduced to ensure registration.
- That all authorized health care providers, authorized information custodians and their authorized affiliates in Alberta be required to access patient profiles via Netcare at every point-of-care interaction with patients, to ensure patients situations are assessed in the most informed way possible.
- That all authorized and designated drug prescribing bodies in Alberta be required to consult Netcare for a patient's prescription history information before prescribing any drugs or medications.
- That all authorized and designated drug dispensing bodies in Alberta be required to consult Netcare for a patient's prescription history information before filling any prescriptions for drugs or medications.