



CHILDREN OUT OF THE PARENTAL HOME (COPH)



INFORMATION ABOUT SCREENING CHECKS REQUIREMENT

Indian and Northern Affairs Canada (INAC) and the BC Ministry of Children and Family Development (MCFD) are working together to enhance the safety of children being cared for by relatives.

As of January 1, 2010, INAC requires screening checks as part of the application process for Children Out of the Parental Home (COPH) assistance for children living on-reserve, formerly known as Guardian Financial Assistance (GFA).

This new policy requires that the relative applying for COPH assistance on behalf of a child, as well as any other person age 18 years or older living in the relative's home, either full or part-time, must sign a form consenting to be screened by MCFD.

MCFD conducts screening checks on each person who has completed and signed a consent form, determines if there is evidence that a child may be at risk in the relative's home and informs the band social development worker (BSDW) of the finding of the screening checks.

The MCFD screening checks consist of:

- a Prior Contact Check, which is a review of any records of previous involvement that MCFD may have had with the individual; and
- A CORNET Check, which is a review of any criminal charges and convictions (including convictions that have been pardoned), probation, stay of proceedings, alternative measures and unsealed Young Offender offences from British Columbia's correctional system.

If MCFD informs that there is no evidence of risk and all other COPH assistance criteria are met, the BSDW will approve the application and send a letter to inform the relative of the approval. The child will begin to receive COPH assistance.

If MCFD informs that there is evidence of risk, the BSDW will deny the application for COPH assistance and send a letter to inform the relative of the denial. In addition, COPH assistance will also be discontinued for all children living in the home.



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How Does the Process Work?

1. The relative is required to provide a list of names, aliases and dates-of-birth of all persons age 18 or over living in the relative's home, either full or part-time.

(Some examples of persons who must consent to be screened are: the relative's husband, wife, partner, boyfriend or girlfriend, including a boyfriend or girlfriend who stays with the relative part-time; a family member who lives with the relative; a dependent or another child who turns 18 and is receiving COPH assistance, or a tenant/roommate who shares common living space with the child.)

2. The Band Social Development Worker (BSDW) provides a consent form for each person age 18 or over listed on the application form.
3. The relative needs to take the consent form(s) home and have each person age 18 or over living in their home complete and sign the consent form.

If any person age 18 or over living in the relative's home refuses to give their consent to be screened or is found to present a risk to the child, the application for COPH assistance will be denied. Assistance will also be cancelled for any other children living in the home who are already receiving COPH assistance.

4. The relative returns the completed and signed forms as a package to the BSDW.
5. The BSDW faxes or mails the completed consent forms to MCFD.
6. MCFD staff conducts screening checks on each person who completed and signed a consent form.
7. Based on the results of the screening, MCFD staff informs the BSDW that there is "no evidence of risk" to the child, or there is "evidence of risk" to the child.
8. If MCFD finds that there is no evidence of risk, and all other eligibility criteria are met, the application will be approved and the child will begin receiving COPH assistance.
9. If MCFD finds that there is evidence of risk, the application for COPH assistance will be denied. The relative will receive a letter from the BSDW informing him or her of the denial. COPH assistance will be discontinued for all children living in the home.



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SCREENING CHECKS TO DETERMINE LEVEL OF RISK

A. MCFD Prior Contact Check

A Prior Contact Check is a review of any records of previous involvement that MCFD may have had with the individual. If MCFD finds any of the following results for a person age 18 or older in the relative's household, there is evidence of risk:

- A child protection report under s. 13 of the *Child, Family and Community Service Act* that has resulted in a current removal of a child, temporary or continuing custody order, or a supervision order
- A closed protection file where risks were not addressed (for example, family moves before investigation can be completed)
- An open child protection investigation and the social worker responsible for the case believes there is risk in the home that compromises the home as an appropriate place for the child
- An open protective family service file and the social worker responsible for the case believes there is risk in the home that compromises the home as an appropriate place for the child.

B. CORNET Check

A CORNET Check is a review of any criminal charges and convictions (including convictions that have been pardoned), probation, stay of proceedings, alternative measures and unsealed Young Offender offences from British Columbia's correctional system.

If MCFD finds a charge or conviction for any of the Criminal Code offences (listed on page 4) that have been designated under the *Criminal Record Review Act* as relevant to the safety of a child, MCFD will find evidence of risk.



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The following Criminal Code offences have been designated under the *Criminal Record Review Act* as relevant to the safety of a child.

(Source: <http://www.pssg.gov.bc.ca/criminal-records-review/act/offences.htm>):

- Section 151: Sexual Interference
 - Section 152: Invitation to Sexual Touching
 - Section 153: Sexual Exploitation
 - Section 153 (1): Sexual Exploitation of a person with a disability
 - Section 155: Incest
 - Section 159: Anal Intercourse
 - Section 160: Bestiality
 - Section 161: Order of Prohibition
 - Section 163 (1): Child Pornography
 - Section 170: Parent or Guardian Procuring Sexual Activity
 - Section 171: Householder Permitting Sexual Activity
 - Section 172 (1): Internet Luring
 - Section 172: Corrupting Children
 - Section 173 (1): Indecent Acts
 - Section 173 (2): Exposure
 - Section 177: Trespassing at Night
 - Section 179: Vagrancy
 - Section 212 (1): Procuring a Person for the Purposes of Prostitution
 - Section 212 (2): Living Off the avails of child prostitution
 - Section 212 (2.1): Living off the avails of prostitution
 - Section 212 (4): Attempting to Obtain the Sexual Services of a Child
 - Section 215: Duties of Persons to Provide Necessities
 - Section 218: Abandoning Child
 - Section 220: Causing Death by Criminal Negligence
 - Section 221: Causing Bodily Harm by Criminal Negligence
 - Section 229: Murder
 - Section 235: Punishment for Murder
 - Section 236: Punishment for Manslaughter
 - Section 237: Punishment for Infanticide
 - Section 238: Killing Unborn Child in Act of Birth
 - Section 239: Attempt to Commit Murder
 - Section 240: Accessory after Fact to Murder
 - Section 242: Neglect to Obtain Assistance in Child Birth
 - Section 243: Concealing Body of Child
 - Section 244: Causing Bodily Harm with Intent
 - Section 245: Administering Noxious Thing
 - Section 246: Overcoming Resistance to Commission of Offence
 - Section 264: Criminal Harassment
 - Section 264 (1): Uttering Threats
 - Section 266: Assault
 - Section 267: Assault with a Weapon or Causing Bodily Harm
 - Section 268: Aggravated Assault
 - Section 269: Unlawfully Causing Bodily Harm
 - Section 271: Sexual Assault
 - Section 272: Sexual Assault with a Weapon, Threats to a Third Party or Causing Bodily Harm
 - Section 273: Aggravated Sexual Assault
 - Section 273 (3): Removal of Child from Canada
 - Section 279: Kidnapping/Forcible Confinement
 - Section 279 (1): Hostage Taking
 - Section 280: Abduction of Person under Sixteen
 - Section 281: Abduction of Person under Fourteen
 - Section 282: Abduction in Contravention of Custody Order
 - Section 283: Abduction
 - Section 372: False Messages/Indecent Telephone Calls/Harassing Telephone Calls
 - Section 466: Cruelty to animals
 - Section 810: Where Injury or Damage Feared
 - Section 810 (1): Where Fear of Sexual Offence
 - Section 810 (2): Where Fear of Serious Personal Injury offence.
- Controlled Drugs and Substances Act (Canada)**
- Section 5: Trafficking in substance
 - Section 6: Importing and exporting a substance
 - Section 7: Production of a substance.

Contact your band social development worker for concerns and questions regarding the COPH Assistance approval and screening checks.

