



# Report to the Provincial Court of British Columbia Withdrawal Due to Indigenous Law

## Form G

In the Provincial Court of British Columbia

Under the *Child, Family and Community Service Act*

Court Registry Number:

Court Registry Location:

I, \_\_\_\_\_ as a delegate of the director under section 92 of the *Child, Family and Community Service Act*, present this written report to the court.

The child(ren) listed below is/are the subject(s) of this report:

Name	Date of Birth (mm/dd/yyyy)

The following is/are the parent(s) of the child(ren):

Name	Date of Birth (mm/dd/yyyy)	
Address	Phone (home)	Phone (work)

The following is/are the sibling(s) of the child(ren):

Name		
Address	Phone (home)	Phone (work)

The following is/are the name(s) of the child(ren) and the name(s) of the/each child's Indigenous community(ies):

Child(ren)'s Name	Name(s) of First Nation(s), Nisga'a Nation, Treaty First Nation, Métis, Inuit or another Indigenous community

The director has withdrawn in accordance with the following section of the *Child, Family and Community Service Act*:

- ☐ s. 33.05(2) *Transition to Indigenous authority - withdrawal before a presentation hearing, or before the conclusion of a presentation hearing*
- ☐ s. 48.4(2) *Transition to Indigenous authority - withdrawal after presentation hearing*

**Indigenous authority providing Indigenous child and family services**

The following Indigenous authority is providing Indigenous child and family services in accordance with Indigenous law in respect of the child(ren):

Name of Indigenous authority		
Address	City	Province
Postal code	Phone (home)	Fax
Email address (if applicable)		

- ☐ a copy of the Indigenous authority's written confirmation that the Indigenous authority is or will be providing Indigenous child and family services in accordance with an Indigenous law is attached (provided under s. 33.02(b) or 48.1(b)).

The director's withdrawal took effect on:	
Date	Time (am/pm)

- ☐ a copy of the Indigenous authority's written confirmation of the date and time the Indigenous authority began providing or continued to provide Indigenous child and family services in relation to the child(ren) is attached (provided under s. 33.05(2) or s. 48.4(2)).

**Proof of Notification or Service*****Proof of Notification (if the withdrawal is under section 33.05(2) - Transition to Indigenous authority - withdrawal before a presentation hearing, or before the conclusion of a presentation hearing)***

The director certifies that they notified, or attempted to notify, each person entitled under section 33.03(1) about the Indigenous authority confirmation, and that the director's notification included the information required under s. 33.03(2).

- ☐ proof is attached confirming the notification(s) made in accordance with 33.03(2), and providing reasons that a person was not notified, as applicable.

OR

***Proof of Service (if the withdrawal is under section 48.4(2) - Transition to Indigenous authority - withdrawal after presentation hearing)***

The director certifies that each person entitled to be served notice of the Indigenous authority's confirmation in accordance with s. 48.2(1) was served, and that the notice included the information required in s. 48.2(2), or that the court ordered that service was not required in respect of a person, as applicable:

- ☐ the director has attached certificates of service confirming that those entitled to notice in accordance with s. 48.2(1) were served; and/or
- ☐ a requirement to serve a person(s) was dispensed with by an order of the court, as follows:

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### Notification if application was not made or did not proceed

- ☐ As required in s. 33.05(1) or s. 48.4(1), the director notified the Indigenous authority that no application was made, or provided any other information the director considered relevant, including if an application was made and did not proceed, and a copy of the notification is attached;
- or
- ☐ notification under s. 33.05(1) or s. 48.4(1) was not applicable because an application did proceed, and the court made an order under s. 33.04(8)(b), s. 48.3(8)(b) or s. 48.5(5)(b).

### Statutory Authority for Removal *(only complete if withdrawal is under s. 33.02 - Withdrawal before a presentation hearing, or before the conclusion of a presentation hearing)*

The child was removed in accordance with the following:

- ☐ section 30 of the *Child, Family and Community Service Act* in the following circumstance(s) as described by section 13 of the Act:
- (a) ☐ the child has been, or is likely to be, physically harmed by the child's parent
  - (b) ☐ the child has been, or is likely to be, sexually abused or exploited by the child's parent
  - (c) ☐ the child has been, or is likely to be, physically harmed, sexually abused or sexually exploited by another person and the child's parent is unwilling or unable to protect the child
  - (d) ☐ the child has been, or is likely to be, physically harmed because of neglect by the child's parent
  - (e)(i) ☐ the child is emotionally harmed by the parent's conduct
  - (e)(ii) ☐ the child is emotionally harmed by living in a situation where there is domestic violence by or towards a person with whom the child resides
  - (f) ☐ the child is deprived of necessary health care
  - (g) ☐ the child's development is likely to be seriously impaired by a treatable condition and the child's parent refuses to provide or consent to treatment
  - (h) ☐ the child's parent is unable or unwilling to care for the child and has not made adequate provision for the child's care
  - (i) ☐ the child is or has been absent from home in circumstances that endanger the child's safety or well-being
  - (j) ☐ the child's parent is dead and adequate provision has not been made for the child's care
  - (k) ☐ the child has been abandoned and adequate provision has not been made for the child's care
  - (l) ☐ the child is in the care of a director or another person by agreement and the child's parent is unwilling or unable to resume care when the agreement is no longer in force
- ☐ section 36(1) of the Act, because the director had reasonable grounds to believe that one or both of the following apply:
- (a) ☐ an order made under section 33.2, 35(2)(b), 35(2)(d) or 36(3) of the Act no longer protects the child;
  - (b) ☐ a person has not complied with a term or condition of an order under section 33.2, 35(2)(b) or (d) or 36(3) of the Act and a director is required by that order to remove the child if the person has not complied with that term or condition.
- ☐ section 42(1) of the Act, because the director had reasonable grounds to believe that one or both of the following apply:
- (a) ☐ that a supervision order made under section 41(1)(a) or (b), (1.1) or (2.1), 42.2(4)(a) or (c), 46(3), 49(8) or 54.01(10) of the Act or an interim order made under section 42.1 of the Act no longer protects the child;
  - (b) ☐ a person has not complied with a term or condition of the supervision or interim order and a director is required by that order to remove the child if the person has not complied with that term or condition.

Sign, type or print name of the director's delegate: \_\_\_\_\_

Business address of director's delegate: \_\_\_\_\_

Email address of director's delegate: \_\_\_\_\_

Business phone number of director's delegate: \_\_\_\_\_ After-hours emergency phone number: \_\_\_\_\_

Date: \_\_\_\_\_