

THIS YUKON Protocol on the Concurrent Investigations of Child Abuse
made in duplicate as of the 13th day of June, 2023

BETWEEN

Lindsay Ellis, Officer in Charge, Criminal Operations, "M" Division, Royal Canadian Mounted Police ("RCMP")

AND

Jennifer Gehmair, Assistant Deputy Minister, Social Services, Department of Health and Social Services, Government of Yukon ("HSS")

PREAMBLE


- A. It is recognized by both parties that a Memorandum of Understanding ("MOU") signed in 2015 between Yukon Royal Canadian Mounted Police ("RCMP") and the Government of Yukon's Department of Health and Social Services ("HSS") titled the *Yukon Arrangement for the Joint Investigation of Child Abuse* expired in 2020. In the spirit of continued collaboration, this protocol is being agreed to by both parties until a new agreement or MOU is executed by both parties.
- B. The primary responsibility for ensuring the safety, health, and well-being of a child lies with the child's family, pursuant to s. 2(f) of the *Child and Family Services Act* ("CFSA"). As stated in the CFSA's preamble, members of society and communities share a responsibility to promote the healthy development and well-being of children.
- C. When a person has a reason to believe that a child is in need of protective intervention, they must immediately report that to a director under the CFSA or the RCMP, pursuant to s. 22 of the CFSA. Presently, the Director of Family and Children's Services, Health and Social Services, Government of Yukon ("FCS") is the only director under the CFSA.
- D. At times, concerns that place a child in need of protective intervention may also include criminal offences. Thorough investigations of allegations of child abuse or harm to a child under the CFSA that could also violate the *Criminal Code of Canada* or the *Youth Criminal Justice Act* require collaborative action by the RCMP and FCS, notwithstanding discretion that RCMP may exercise in investigation of matters determined to be outside the scope of FCS.
- E. The Participants will work with one another to facilitate efficient, effective and timely investigations, that are in the best interests of the child and reduce the trauma associated with interviewing, medical exams, and other investigational activities that a child may be subjected to.

The above senior officials share the following understandings about their commitment to the matters in the Preamble;

- 1) We commit to working together in the best interests of children when investigating cases of possible child abuse;
- 2) We commit to adhering to our respective laws and policies;
- 3) We commit to working together on detailed Guidelines and Expectations to inform the nature and scope of collaborative concurrent investigations of child abuse;
- 4) We commit to clearly defining our respective obligations for security, confidentiality, disclosure, and use of information disclosed between us;
- 5) We commit to meeting on a regular basis to review the Guidelines and Expectations to ensure that they are informed by best practices and lessons learned from previous concurrent investigations of child abuse; and
- 6) We commit to using good faith efforts to resolve any disputes that arise from concurrent investigations of child abuse.


Signed by the duly authorized senior officials:

For the RCMP:


 Superintendent Lindsay Ellis
 Officer in Charge
 Criminal Operations
 "M" Division (Yukon RCMP)

Date: 2023.06.13

For HSS:


 Jennifer Gehmair
 Assistant Deputy Minister
 Social Services
 Department of Health and Social Services
 Government of Yukon

Date: June 15, 2023