

A Long Wait for Change

Independent Review of Child Protection Services to
Inuit Children in Newfoundland and Labrador

Executive Summary



Office of the Child and Youth Advocate
Newfoundland and Labrador

September 2019

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With Thanks.....

Many people have contributed to this report and I am grateful to all of you. People will learn many things from your efforts and I hope it inspires change.

I offer my heartfelt thanks to the many Inuit - young, old and in between, who have joined this conversation and shared your hopes and dreams for Inuit children and families, as well as some of your darkest moments. Your strength moves me.

Thanks to all of the communities that welcomed us with open arms and helped support this work.

I appreciate the support of Nunatsiavut Government in so many ways and for sharing our vision of an inclusive process where people could be heard. Thanks for providing Darlene Jacque, Danielle Baikie and Beverley Hunter to make this work stronger.

I truly value the participation of professionals from so many places, including the provincial and federal governments. Your conversations have enriched this work.

Sincere thanks to those in my office who dedicated themselves completely to this project:

Dr. Ken Barter, Ph.D., Project Consultant

Patricia LeGresley, MSW, Systemic Advocacy Consultant

Rosalind Squires, MSW, Systemic Advocacy Consultant

And to all other staff who played various roles in planning, consulting and reviewing files, travelling for advocacy clinics and community sessions, please know I appreciate and value your contributions.

I have been fortunate to have the capable assistance of Dr. Nathaniel Pollock, Ph.D., in analyzing the data.

Finally and most importantly, I would like to thank all the young people who spent time with us. Maybe we played volleyball in your school gym and chatted, or maybe you showed us the monkey dance and seal crawl. Perhaps you proudly recited in Inuktitut. Even though you may not be reading this, I need to thank you for telling us your story and for sharing your thoughts and ideas. You are amazing.

- Jackie Lake Kavanagh



Message from the Child and Youth Advocate

When I decided to review child protection services to Inuit children, I knew that community participation would be very important. I knew that Inuit experiences, knowledge, stories, and their ideas for change would be critical in understanding the current situation, and in developing meaningful recommendations. While my Office met and talked with many people, completed a file review and a research component, it was the personal experiences and knowledge of Inuit that would be vital. This was the central focus. However I did not know if the communities would embrace this initiative, and whether young people would share their stories and express their ideas about how their experiences and lives could be better. Inuit could hardly be blamed if they were skeptical. The choice to participate would be theirs.



My concerns were unfounded, because approximately 575 people participated in this process. At the time of writing, people were still asking to meet or speak with us. Most participants were from Labrador, but there was also participation from the island of Newfoundland and from other parts of Canada. Community participants were genuinely interested in having their voices added to the conversation. They shared stories of pain as well as hope. Their courage, in the face of a long history of adversity, racism, and oppression, continues to move me and those in my Office who have worked on this Independent Review. The experiences with the children and youth continue to touch us.

All children have a right to safety and protection. We found no argument with this in our journeys. Some people were incredibly honest about their struggles to provide a good and safe home for their children. However, the discussion always went to the importance of finding ways to keep children safe within their families, communities, and culture rather than removing them. This is perfectly reasonable. It is also widely recommended for Indigenous children.


I believe when you read this report, you will see there is an urgent need to begin to work in a different way with Inuit children and youth now. While there are specific actions that can occur to make immediate improvements in their situation and experiences, there is also a requirement to create a new vision and relationship with Inuit and may involve Nunatsiavut Government assuming responsibility for these services in the future.

Reconciliation is a much used word, but it must be recognized as a fundamental cornerstone in any plan to move forward. And this reconciliation must happen at all levels, including Inuit children and youth. If there had been any doubt, this Review has shown that the current relationship with Inuit requires healing.

I present this report with the heartfelt hope that it can be part of meaningful and constructive change. All of us owe Inuit children a better start in life.

Here is my message to those who shared difficult but valuable teachings in this process:

Thank you. I am honoured by your strength, and the strength and courage of your ancestors who have gone before you.


Jacqueline Lake Kavanagh
Child and Youth Advocate

Executive Summary

Inuit children are struggling in the child protection system. When we began this Independent Review, there were 1,005 children in care in Newfoundland and Labrador. There were 345 Indigenous children, and 150 of these children were Inuit (Newfoundland and Labrador Department of Children, Seniors and Social Development, 2018). Many Indigenous children have been removed from their families, communities and culture. This information is neither new, nor unique to this province. Indigenous children are critically over-represented throughout Canadian child welfare systems (National Collaborative Centre for Aboriginal Health, 2017). This issue is truly systemic in nature. Bold systemic change is required where young people are heard, relationships are reset, power is shared, communities are engaged, resources are enhanced, and Inuit knowledge and beliefs are validated and incorporated into new ways of keeping children safe and supported.

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We began this Independent Review after receiving a formal request from Nunatsiavut Government to investigate Inuit children's experiences in the child protection system. We shared Nunatsiavut's concern about the high numbers of children in care, as well as experiences and outcomes with other related children and youth services programs offered through the Department of Children, Seniors, and Social Development. This Department is the sole child welfare authority in Newfoundland and Labrador.

The structure of this Independent Review involved community engagement, a comprehensive file review, and a literature review. We held a number of sessions in Inuit communities where we engaged young people, parents, extended families, Elders, foster parents, community representatives and professionals to hear their experiences, and ideas for change in child protection services for Inuit children. We met or spoke with approximately 575 people. We also conducted a comprehensive file review where we selected and reviewed 213 files involving Inuit children who had active cases with the Department of Children, Seniors and Social Development on December 31, 2017. We ensured all Inuit communities were represented in this file review. We reviewed the following programs: In Care, Protective Intervention, Placement Resources/Foster Homes, Youth Services, and Kinship Care. We also conducted a literature review involving provincial, national and international content.

We developed the Terms of Reference in consultation with Nunatsiavut Government, and committed to the following:

1. Inquire into why the child protection system is not producing favourable outcomes for Inuit children;
2. Review policies, case management practices, and administrative practices for delivering child welfare services to Inuit children;
3. Complete research into other reviews, inquiries, and research findings on child welfare experiences in Indigenous communities, including deficiencies, best practices and recommendations;
4. Engage Inuit communities, including youth, parents, extended family, Elders, foster parents, and service providers, to identify experiences with the child protection system and to seek ideas for change;
5. Make recommendations for improved child welfare outcomes for Inuit children and youth within an appropriate cultural context; and,
6. Report back to communities on findings and recommendations.

Young people in care told us they miss home terribly,
and fear losing their cultural connections and sense
of Inuit identity.

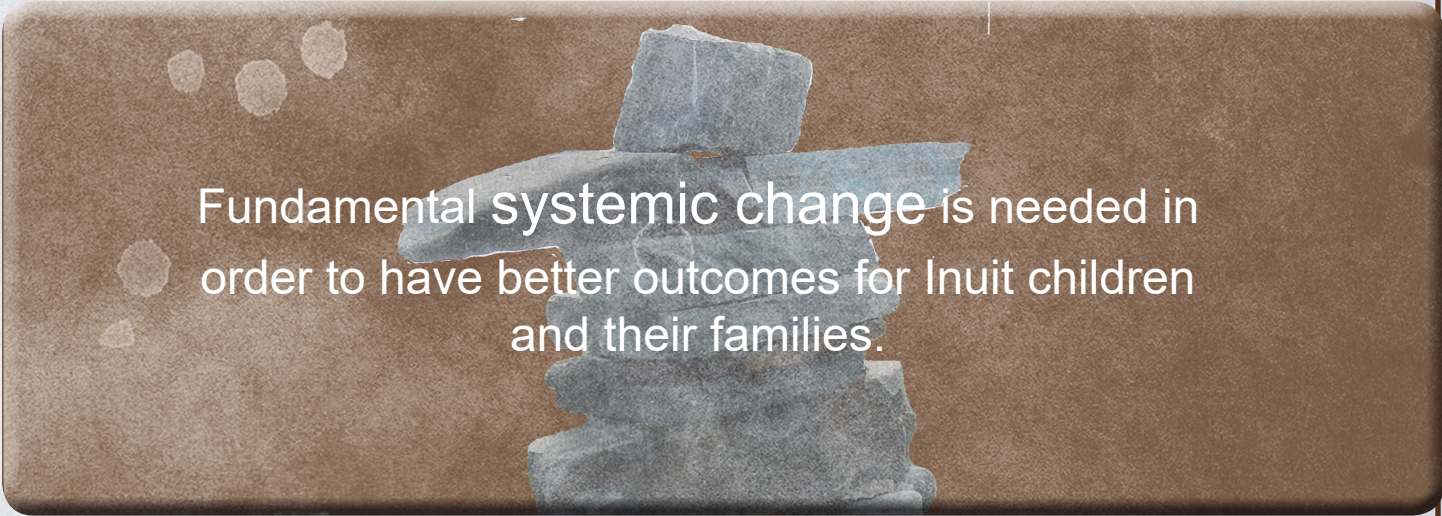
In our discussions, young people in care told us they miss home terribly, and fear losing their cultural connections and sense of Inuit identity. We repeatedly heard the significance of culture. This involves the importance of cultural continuity for the children, recognizes the value of traditional healing and treatment approaches, requires an understanding of Inuit ways of parenting, families and community, and speaks to cultural education being necessary for professionals.

The current reactive and crisis-oriented approach to protecting Inuit children is not working. It does not incorporate Inuit knowledge. Participants told us they expect prevention and earlier intervention to better serve Inuit children, their families and communities. This is supported in the literature. We heard that there is more capacity in their communities than is currently being used, and that more children should be able to stay in their homes with appropriate family support, or at least in their communities or territory. Culture and family need not be defined geographically. Family members living outside Nunatsiavut territory can provide loving care with a strong Inuit cultural commitment. We heard again and again that people perceive more resources going into sending children away from their communities than in keeping them close to home or with circles of people that know and care about them. There is an undeniable and pervasive sense of fear and mistrust of child protection authorities. Child protection is not seen as a resource, but rather as a source of fear. This is based on current experiences of the high numbers of Inuit children being removed, as well as adults' experiences as children with child welfare services.

It is important to acknowledge that there are many dedicated people who go to work in the child protection system every day, and others who work alongside them, to improve the lives of Inuit children and families. However their hard work is not providing the needed results for these young people. This problem is not about individual

performance. It involves problems with the system of child protection services.

Fundamental systemic change is needed in order to have better outcomes for Inuit children and their families. The good news is that many Inuit still believe that change is possible and that things can look and work differently if Inuit values, beliefs, and knowledge inform a new way of keeping children safe. There is an opportunity to make this shift now.



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We carefully considered what we heard in the individual and community sessions, assessed the results of the file review, and reflected on what we learned in the literature review. When we combined this with our experiences advocating for vulnerable Indigenous children and youth over the years, we developed the following recommendations. We believe these recommendations will create both immediate and longer term change to benefit Inuit children, youth, and their families.

This report does not contain recommendations on Nunatsiavut Government establishing its own child protection system. With this authority already in place, this is a decision for Nunatsiavut to make on its own terms, timing, and readiness. However there is widespread support that services and solutions for Indigenous children must be led by Indigenous governments, organizations and people.

Recommendations

These recommendations identify immediate changes to benefit children's rights. Some also offer a path to longer term change, and if implemented, can also support and build capacity for a transition to Inuit directed child welfare services in the future.

- 1.** Department of Children, Seniors and Social Development ensure Inuit values, knowledge, and cultural practices are integrated in all policies, planning and services for Inuit children and youth.
- 2.** Department of Children, Seniors and Social Development seek the input and perspectives of Inuit children and youth in all plans that affect them and in a manner that reflects their age and developmental level.
- 3.** Department of Children, Seniors and Social Development provide Inuit children and youth who are in care with information about their background, circumstances, and family in a manner that reflects their age and developmental level.
- 4.** Department of Children, Seniors and Social Development ensure Inuit children and youth maintain relationships with important individuals in their lives, with special consideration for siblings whenever possible.
- 5.** Government of Newfoundland and Labrador work with Indigenous governments and communities to establish and support activities and programs supporting Indigenous youth leadership opportunities and celebrating Indigenous youth role models.
- 6.** Department of Children, Seniors and Social Development ensure traditional Inuit values and healing practices are integrated into services, program options, safety plans and intervention plans for children, youth and their families. Nunatsiavut Government must be invited and supported to actively participate.

- 7.** Department of Children, Seniors and Social Development complete an audit on all out-of-community placements, and engage Nunatsiavut Government to ensure all placement options have been considered first within the child's family and/or community, and secondly within Nunatsiavut territory.
- 8.** Department of Children, Seniors and Social Development ensure all access visits are designed for the maximum benefit of the child, and that they take place in a child-friendly and culturally appropriate environment that promotes parent-child interaction.
- 9.** Department of Children, Seniors and Social Development ensure appropriate transition planning for children who have been removed from their parents and community. This must include specific and structured steps when children are removed and returned. Nunatsiavut Government must be invited and supported to actively participate.
- 10.** Department of Children, Seniors and Social Development broaden its mandate and range of responses to focus more on prevention and early intervention for children and families in the child protection system, and support Inuit community services and programs that contribute to prevention and early intervention.
- 11.** Department of Children, Seniors and Social Development consistently develop cultural continuity plans for children and youth and ensure these plans are meaningful, authentic and are enhanced by Inuit community resources. Plans must include measurable steps ensuring the child or youth in care is provided with opportunities for Inuit cultural activities, ceremonies, celebrations, practices, lifestyle, family and community contacts.
- 12.** Department of Children, Seniors and Social Development consistently engage parents, family members and foster parents in meaningful collaboration for all planning related to their children and youth, and those in their care.
- 13.** Department of Children, Seniors and Social Development enhance recruitment and explore new models of foster care which could potentially include placing parents and children together.

- 14.** Department of Children, Seniors and Social Development develop and evaluate outcome goals for child protection services in partnership with Nunatsiavut Government.
- 15.** Department of Children, Seniors and Social Development review and revise the scope, mandate and physical environment of the alternate family care group home in Nain to ensure a quality and safe placement option for Inuit children and youth. Include consideration for a visitation centre, emergency placements, parent coaching centre, healing facility, and transition-to-home placement centre for children and parents.
- 16.** Department of Children, Seniors and Social Development establish a permanent Indigenous cultural component in the PRIDE training program for foster parents, and ensure the cultural components in the PRIDE training program are developed and delivered by Indigenous resource personnel.
- 17.** Department of Children, Seniors and Social Development ensure timely and responsive delivery of PRIDE training program, at a minimum of once per year in Indigenous communities.
- 18.** Department of Children, Seniors and Social Development work to increase kinship care options and increase financial and social support for kinship caregivers.
- 19.** Department of Children, Seniors and Social Development ensure professionals and caregivers working with traumatized children and families receive mandatory education in caring for traumatized children and youth.
- 20.** Department of Children, Seniors and Social Development review and update the current level of financial supports to Inuit children, families and caregivers in the child protection system to reflect the northern Labrador reality. This must include addressing prices of goods and services, as well as transportation and delivery costs.
- 21.** Government of Newfoundland and Labrador vigorously adopt and observe Jordan's Principle for Indigenous children and youth, and work with the federal government to access available federal resources to help address needs.

- 22.** Department of Children, Seniors and Social Development provide enhanced authority to frontline staff to use professional discretion in day to day decision making, including financial decisions, on behalf of children and families.
- 23.** Government of Newfoundland and Labrador develop and deliver mandatory Indigenous cultural education to public servants in a tiered approach with Level 1 being required for all public servants, and Level 2 reflecting more advanced content for those directly working with Indigenous communities or making decisions and policies related to Indigenous communities. Indigenous representatives should be engaged in content development and delivery.
- 24.** Department of Children, Seniors and Social Development ensure training plans are in place for all social workers in Indigenous child protection settings and in addition to Recommendation 23, include community-based practical cultural learning experiences with community resources.
- 25.** Department of Children, Seniors and Social Development ensure each office in each community is staffed and equipped to respond on a daily basis to inquiries, requests, and complaints.
- 26.** Department of Children, Seniors and Social Development ensure that frontline social workers in Indigenous communities are supported with immediate access to quality clinical supervision and mentoring.
- 27.** Department of Children, Seniors and Social Development work with Nunatsiavut Government to recruit and educate Inuit staff to fill professional and paraprofessional roles with children, families, and communities.
- 28.** Department of Children, Seniors and Social Development develop a recruitment and retention strategy for remote Indigenous communities which includes best practices in innovative approaches to recruitment, with consideration for incentives including continuing education, travel allowance, housing support, remuneration, and staff wellness, and workplace practices reflecting Inuit knowledge and values.

- 29.** Department of Children, Seniors and Social Development actively engage frontline staff in Indigenous communities to develop and inform the recruitment and retention strategy in Recommendation 28, and to also inform the department on policies and practices in Indigenous communities, as well as a plan for employee self-care and well-being.
- 30.** Government of Newfoundland and Labrador work with Nunatsiavut Government and other levels of government as necessary to address inadequate housing, food insecurity, and safe shelters for vulnerable Inuit children and their families.
- 31.** Department of Justice and Public Safety engage justice system service providers to explore ways to improve access and timeliness of advice, services and decisions for family law matters in Labrador and ensure appropriate supports to implement the plan. This is particularly urgent where communities are served by circuit courts.
- 32.** Department of Children, Seniors and Social Development, at Nunatsiavut Government's request, actively support enhanced Inuit community capacity in order to prepare for transition to Inuit responsibility for child welfare services.
- 33.** Department of Children, Seniors and Social Development monitor and evaluate the state of Indigenous children and youth involved in protection-related services in Newfoundland and Labrador, and report this annually to the Legislature.

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