



# **Review of the Child and Family Services Act**

## Summaries of Five Focus Groups Held in Yellowknife NWT

Prepared for the Standing Committee on Social Programs  
of the Legislative Assembly of the Northwest Territories

Prepared by:

T e r r i p l a n  
**CONSULTANTS**

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## **INTRODUCTION:**

This report contains Summaries of five focus groups held in January and February 2010 in Yellowknife as part of the review of the *Child and Family Services Act* of the Government of the Northwest Territories (GNWT).

In launching the Review of the *Child and Family Services Act*, the Legislative Assembly of the GNWT set the context for that review through public information materials: The 16<sup>th</sup> Legislative Assembly's priority actions include the promotion of healthy choices and lifestyles and speak to the role of personal and family responsibility. Members of the Legislative Assembly (MLAs) see the need to work with families, communities and schools to improve the physical and mental well-being of children and youth. Over the past years, MLAs and their constituents have voiced concerns regarding child protection, apprehension, the discretionary powers of Child Protection Workers, the overall oversight of the NWT child protection regime, the role of the extended family in child protection matters, and the implementation of Child and Family Services Committees in NWT communities. Members have pressed government to allow for a comprehensive review of the Child and Family Services Act and its implementation.

The 16<sup>th</sup> Legislative Assembly delegated the review to the Standing Committee on Social Programs, the members of which are listed below.

### **Standing Committee on Social Programs**

Tom Beaulieu, Chair and MLA for Tu Nedhe

Glen Abernethy, Deputy Chair and MLA for Great Slave

Wendy Bisaro, MLA Frame Lake

Bob Bromley, MLA Weledeh

The Committee took steps to encourage broad input from the public and from people working in the area. The opportunities included written submissions expressing thought, concerns or suggestions to the Committee care of Gail Bennett, Committee Clerk of the Standing Committee on Social Programs. Comments can be sent to Ms. Bennett at the Legislative Assembly of the NWT, P.O. Box 1320, Yellowknife NT X1A 2L9. The Committee also arranged public meetings in communities throughout the NWT. Finally, there were facilitated Focus Group discussions held with five groups. These took place in January and February 2010. This is a Draft Report of those sessions prepared by Terriplan Consultants who facilitated and recorded the focus groups.

The five Focus Groups were as follows:

<b>Focus Group 1</b>	Social Workers	January 25, 2010
<b>Focus Group 2</b>	Aboriginal Representatives	January 25, 2010
<b>Focus Group 3</b>	Non Governmental Organizations (NGOs)	February 5, 2010
<b>Focus Group 4</b>	Territorial Treatment Centres (TTCs)	February 5, 2010
<b>Focus Group 5</b>	Legal Profession	February 8, 2010



# 1. Focus Group 1 – Social Workers

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**Date:** January 25, 2010

**Time:** 9:00 a.m.

## CHALLENGES

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- **Addictions**
  - Increase in drug use and the variety of drugs being used increases the complexity of issues social workers are dealing with
  
- **Lack of connection with income support and housing**
  - Disconnect between need and allocation
  - Rigid criteria leaves many people without support
  - Referral to Health and Social Services as last resort
  
- **Lack of support for Youth**
  - There are kids that are 17 or 18 years old that don't have the skill set required for independent living
  - Lack of support for transition to adulthood puts youth on the path for future social problems and failure in raising their own families
  - There are 13-15 year olds that still qualify for care, but you can't keep them there – they're old enough and big enough to run away from care or foster home
  - Youth don't know how to get a court representative if they want to apply for care
    - It's up to the department to decide if a youth can get a lawyer
    - The rules are unclear and overly stringent
  
- **Lack of community engagement or support**
  - Social workers are too often seen as “baby snatchers”
    - Social workers walk a fine line regarding keeping kids at home, but ensuring they are cared for
  - E.g. in Lutsel K'e the Band feels powerless and that Social Services always has the final say and the Band is not included in decisions, but when social workers try and engage the Band they are told it's not the Band's problem and they want Social Services to fix everything
  - Communities sometimes find it easier to malign the system and its workers than get involved in sensitive issues
  
- **Lack of funding and facilities**
  - Social Services used to be under one umbrella with the rest of a large department in the GNWT, and people knew where they stood and had support from their department – this is gone now
  - Social workers are 'burning out' due to unreasonable caseloads



- E.g. in Yellowknife, there is one social worker who is responsible for working with over 100 families on parenting skills
- Usually unable to provide families with resources to sustain their Plan of Care Agreements, so the case goes to court
- **Malicious accusations**
  - Social services is often used as a vehicle for personal vendetta
  - Workers are required to follow up on every call and these accusations eat up resources
  - Workers are often aware of the nature of the accusation but must follow-up
  - No practical way to punish those who abuse the system in this way
- **Disproportionate amount of Aboriginal cases**
  - Though in Yellowknife, the non-Aboriginal apprehensions are increasing

## **WHAT IS WORKING**

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- **Gradual increase in Aboriginal foster homes for Aboriginal children**
  - Hay River is at about 50% active Aboriginal foster homes
  - Also an increase in extended family taking in children and providing care (“Kinship Care) which includes close family friends
  - There are also a number of extended families taking in children as informal foster parents
- **The Act allows for some creativity in implementation**
  - Flexibility for different authorities to provide services suited to their region
  - Authorities provide services based on what is available and can tailor to individual cases
- **The ‘Plan of Care’ is a good concept**
  - Social workers have more time to work with families to reduce the chances of ending up in court
  - Allows families to work with social services rather than against them to come to an agreement on what is best for the child
  - Meetings can occur over the phone, which saves travel costs
- **More services being provided in the home, which has resulted in a decrease in apprehensions**

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## WHAT NEEDS WORK

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- **Huge disparity between the number of Aboriginal and non-Aboriginal children in care**
  - More children in care now than were in Residential schools, which is an alarming fact
  - Given the fall-out of the Residential school system, this is a great concern for social services regarding the perception of apprehending children
  
- **Computer system**
  - Created without the needs of social workers in mind, and is getting worse
  - Based on kids, not families and therefore not searchable by family
  - Not integrated with other jurisdictions which results in wasted time on the phone
  - Impacts retention and is directly linked to implementation in that it's one more thing taking time away from doing actually social work
  
- **Prevention and aftercare**
  - Current system is mostly reactive, which results in conflict, trauma and people being failed by the system
  - Act appears to be written to accommodate the bureaucracy, and is far removed from the people who need it
  
- **Relationship between communities and social workers**
  - Requirement to inform the Band Council of an apprehension has been problematic
    - Families often do not want their personal business shared with the community
    - Families don't have the resources to challenge this part of the Act in court
    - Despite this, sensitive and private information is still shared with Council
  - Communities don't want to get involved in the apprehension of their neighbours' kids
    - Can create division in the community
    - Limits volunteer assistance from community members
  - The Act contains elusive terminology like "community standards" and isn't clear on whose standards those are
    - Danger of imposing one set of cultural values over another
  
- **Lack of support for families**
  - "family entitlement" is not being implemented to the extent it could be under the Act
  - Poverty is a huge issue that effects families and their ability to provide adequate care
  - Social workers have to get creative within the system to keep kids out of care
  - Often social workers cannot provide the resources to help families keep up their side of the Plan of Care, and everyone has to go to court
  
- **Lack of income support/housing**
  - When a family is given an eviction notice, often they have to hand over their children to social services because they have limited financial options
  - Income support often cuts people off and sends them to social services
  - Income support analyses and judging need is done using a computer program rather than personal assessment, so there's no critical thinking involved in allocation
  - Need to have a person on the ground assessing a family's need is far greater than it used to be and a computer program is not sufficient for this assessment

- **Assistance for youth (age 16-19)**
  - Other Acts were changed around the same time as this one, and this resulted in a very negative domino effect for youth services
  - There are no services for 16-19 year olds, and nowhere for them to go
  - Lack of treatment programs in the communities means youth who are sent south return to the same problems when they come home
  - Children over 16 need to go to court to obtain services
    - Lawyers need to be more accessible
    - Kids give up and lose hope when they get tangled up in red tape, even if they have a real plan for success
  - No transition programs for youth to return to normal life when they have been in care for most of their lives – no safety net or support
  - This age group doesn't qualify for income support or housing (i.e. between 16 and 19)
    - Teenage mums don't qualify for income support and have nowhere to go
    - Because teen parents can't provide for their children, the children end up in the care of social services – it's a vicious cycle
  
- **Court System**
  - Families get discouraged with the courts because of wait times for getting lawyers and getting through the court system
  - Court assessments of apprehensions are based on the current situation, rather than the time of apprehension, and a lot can change in that time
  - Even if a family is willing to hand their child over to social services, everyone is still required to go to court
  - The courts do not work in the best interests of the child, it's very lawyer-driven
    - It become a case of "win or lose" for the lawyers and the child loses out
    - Lawyers often counsel families not to talk to social services
    - Lose connection with the families when lawyers take possession of their clients
  - Plan of Care Report (different from Agreement) is not balanced
    - Depends on how good a family's lawyer is
  - Required to serve parents who, in many cases (especially fathers) have not been involved the child's life, which can be very traumatic for everyone involved
  - Required to go through case history with the child which can also be very traumatic (e.g. 13 year old being informed that cause for apprehension is father's abuse of mother)
  - Social workers are not treated with a lot of respect in court
    - Berated for minor issues like appearance, preparedness
    - Paperwork requirements are scrutinized more closely than those submitted by legal counsel
  
- **Allocation of HSS resources**
  - Social services is overshadowed by Health
    - Gets the 'bits and pieces' of the budget when health is finished
  - Boards are very protective of their budgets and Social Services winds up "begging for pennies"
  - When dollars are allocated, Social Services is not a priority
  - Disparity among regions in terms of deficits and surpluses in health authorities

- Social workers often take on health issues because Health refuses to get involved in some cases
- **Training, Staffing, and Burnout**
  - Basic flaw in how social workers are trained in the NWT
    - Acting as Child Protection Agents, not social workers
  - British Columbia requires 17 weeks of training, the NWT does it in 10 days
  - There aren't enough personnel – social workers aren't doing social work, they're swamped with paperwork because the caseloads are too heavy
  - Paperwork requirements for court proceedings are very demanding
  - Workers are required to follow up on every single call, which can be exhausting and, in many cases a waste of resources (particularly malicious calls)
  - Difficult to retain staff when MLAs and departments don't provide support
    - Workers follow the Act because they need to be accountable, are perceived as “baby-snatchers” and then get no support from MLAs in the Legislative Assembly
  - Social workers are stretched too thin and are used by communities as truant officers and are dragged into custody disputes
  - Social workers in communities are also dealing with all aspects of support – elders, families, children, etc – whereas in Yellowknife, there are specific workers for each category, though they are tied up in court most of the time
  - Retention is not about money, it's about lack of support – social workers give up because they can't provide resources to families to keep kids in the home
    - Social workers fresh out of university or training come back to the North with great ideas but lack resources to implement them

## POSSIBLE SOLUTIONS

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- **Computer System**
  - Need something like the doctors have which allows them to access information across the NWT
  - The Ontario Children's Aid Society has an excellent system
  - Need something that is tailored to the needs and workload of a social worker
    - incorporates a risk assessment form
  - A system that could track calls would be valuable
    - help in reducing time wasted on malicious calls
    - monitors case history, reoccurrences,
  - Need a system that is family based, not just child based
- **The Act itself**
  - Need to look at other jurisdictions and what is working well for them
  - Ease some of the requirements within the act to reduce some of the paperwork and give more time for face-to-face social work
  - Priorities should be given to prevention, and then apprehension when necessary
    - SSA and VSA are tiny parts of the Act that could be ramped up with more resources and focus
  - It would be good to do some research outside of the NWT system to see what is working in other jurisdictions and to interview former social workers

- In the section of the Act pertaining to prevention, change the word "may" to "will"
  - This is a huge difference, and may be difficult to realize but it would mandate prevention in the Act; must be more focus on prevention
- **Relationship between communities and social workers**
  - Need to get the public to buy into the idea that child welfare is a community responsibility
  - May be more fundamental societal changes required outside of tweaking the Act
  - Community based committees are a good idea and the weight needs to be on them rather than on social workers
    - Parents need to feel comfortable with who sits on these committees
    - Committee or band involvement can be useful when the parents consent
    - Happy medium would be to involve the Band, but only with parental consent
    - Definitely need to get communities involved in taking responsibility for their children
  - To get the communities involved, you need to get rid of the negative spin on involvement – that is, taking children away from their families – and make it a positive thing, such as maintaining healthy communities and communities collectively caring for their children
- **Lack of support for families**
  - Implementing "Family Team Meetings" would be useful
    - Neutral party (such as a Child Advocate) could mediate between the family, the social worker, and extended family to come up with a viable plan
  - Another option is a "Concurrent Permanency Plan" where a social worker sits down with the family to decide if the child needs to move and, if so, where they should be placed
  - Current system is too formal – more sit-down meeting with families involving mediation could keep more cases out of court
- **Lack of income support/housing**
  - Departments need to work together – if someone doesn't have housing or heat, who has responsibility for that? It should not be Child and Family Services but often is.
  - Need to define responsibilities and make sure resources reach the people who need them – e.g. if a person doesn't have a house, they could lose their kids – so need to determine if this is a housing issue or a social services issue
  - Maybe take a look at how departments are grouped and consider reordering to provide a coherent system of support
    - Funding for Income support, Housing and Social services used to all be in one pot – it wasn't perfect, but it was more effective when those three departments were working together
  - Income support was separated from social services to emphasize the employment aspect, but it has proven to remain a social issue
- **Helping youth (age 16-19)**
  - Legislate coverage until age 24 in the form of support – tuition for post secondary, housing, job training, etc
  - Provide some sort of safety net to ease their transition out of care so they can become responsible, stable adults

- Make it easier for them to acquire a lawyer to help them through the court process
- Need to implement Youth Workers
  - Social workers don't have the time to dedicate to keeping youth on track
  - This is a popular field of study, so the people are out there
- Setting up a surrogate parent for permanent wards would make a difference, especially if the youth goes to post-secondary, it gives them a home base
  
- **Court System needs a lot of work**
  - Need to put a time limit on family involvement with a child
    - The Act should not require serving absentee parents, as it eats up considerable amounts of time tracking down parents who are not involved in their child's life
    - Can be a traumatic experience bringing parents and children together after extended periods of absenteeism
    - Need to determine if children who are permanent wards require the parent's involvement
  - Need to make sure lawyers understand their role and mandate
    - What they need to do for the child rather than what is most convenient or efficient for themselves
  - Apprehension hearings should be amended so that the cases do not need to go to court if the families are in agreement with social services on what needs to be done
    - This would provide accountability to the social worker to ensure a good plan is agreed upon and if not, then it could go to court
  
- **Allocation of HSS resources**
  - Would be more equitable if resources were provided for the Department, rather than each authority
  - Need to look at all the flip-flopping surrounding merging and separation of boards over GNWT history and see what really did work and what didn't and why
    - Determine what was gained or lost during transitions
  
- **Training, Staffing, and Burnout**
  - Need more staff to do the paperwork so the actual social workers can be out in the field doing social work
  - Need to bring social workers together more often for workshops and sharing of resources
  - In-house training and support is also useful, especially in communities
  - A caseload cap would be beneficial, at least on paper
    - Could lead to increased funding based on workloads
    - If number of cases per worker was legislated, then when you reached that threshold the government would be mandated to hire more social workers
  
- **Create a Child Advocate**
  - Separate from the Child and Family Services Act that has a defined role
  - Define the role with the intent that the advocate does not become a wedge between children and their families or children and care

## **PRIORITIES IDENTIFIED**

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- Addressing the gaps, particularly pertaining to youth
- Adjusting the requirement to serve notice to Band Councils without parental consent
- Creation of a Child Advocate that would be separate from the Child and Family Services Act and clearly mandated and defined
- Improved funding and resources, especially in areas of allocation of resources, staff retention and a better computer system
- Giving prevention a place in the Act
- Four 'C's amongst the boards: Coordination, Cooperation, Consistency, and Communication
- Integration with other departments, like Income Support and Public Housing
- More training for Social Workers, including Familiarization with the Act, Implementation of the Act, and ongoing professional development
- Increasing community engagement, possibly through Community Child and Family Committees
- Reducing the number of cases that go to court

## 2. Focus Group 2 – Aboriginal Representatives

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**Date:** January 25, 2010

**Time:** 2:00 p.m.

### CHALLENGES

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- **Addiction**
  - Alcoholism is the most serious problem
  - Increasing variety of drugs available in the north
  - Often a causal factor in cases involving domestic violence and/or child neglect
  
- **Reintegration of children into families**
  - Loss of culture
  - Parents unable to maintain standard of living that children experienced in care
  - Parents simply do not know how to be good parents
  
- **Lack of income support/housing**
  - Primarily affects youth who are not in care but cannot be at home
  - Parents may be good parents but cannot afford to keep their kids
  - Income and housing support system is not very forgiving or flexible
  
- **Lack of information**
  - Chiefs and councils unaware of the statistics in their communities
  - Youth unaware of their rights and entitlements
  
- **Lack of community engagement**
  - Community members reluctant to get involved in conflicts
  - Families reluctant to share their problems
  
- **Lack of funding and facilities**
  - Treatment centers are out there, but lack the funding to get people to them
    - Out of province works best, as people are removed from problem
    - Counselors often have to be “creative” in assessments to get clients the help they need outside the Territory, as standards are too stringent
  - No detox facility in the NWT, other than Salvation Army or hospital psych ward
    - Limited space and timelines for care
  
- **Malicious accusations against parents**
  - These are often results of private hostility between neighbours or family
  - Sometimes it’s a way or revenge in custody disputes
  - Hard to punish because social workers are overworked already and don’t have time to follow up and deal with them



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## WHAT IS WORKING

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- **Community wellness workers**
  - Cases referred to by social workers
  - Meets with families and social services to help resolve issues
  - Provides counseling services to families
  - Helps parents or children with addictions and getting treatment
  
- **“Family Treatment”**
  - Facilitated by wellness workers
  - Helping parents learn to be parents
  - Assistance to parents of special needs children (ADHD, FASD, etc)
  - The desire for this service exists, but there are not enough resources (waiting lists)
  
- **Counseling and support is available**
  - One-on-one counseling available in Yellowknife
  - Group counseling also available (AA)
  
- **Aftercare**
  - Aurora College teaches a really good course on aftercare in its nursing program
  
- **Healthy Family Initiative**
  - Helps with pre- and post-natal care
  - Assists new families in setting good parenting practices
  - Families involved in the pilot seemed to be benefitting from the program
  
- **Some foster families are setting good examples for care**
  - Maintaining good relationships with biological parents
  - Bringing traditional foods into the home
  - Encouraging cultural activities and way of life
  - This is a model that should be encouraged and supported
  
- **There are some good social workers out there, but they need to be given the ability to be creative in their approach**

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## WHAT NEEDS WORK

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- **Funding**
  - More money is needed for people to travel to treatment centers
  - Wage disparity between social services workers (GNWT) and wellness workers/addictions counselors makes it hard to attract and retain good staff
    - \$40/hour vs. \$20/hour, and often, they are providing the same services
  
- **Communication, awareness and accessibility**
  - Providing community statistics on apprehensions and/or interventions to chiefs and band councils

- Informing people about their options and where/how to get help
- Keeping biological parents informed of the status of a child in care
  - Report cards
  - Health issues
  - Achievements
  - Mental state (is the child happy/not happy?)
- People need to see the children wandering the streets outside bars and be held accountable before those kids that are taken into care
- **Screening of foster families or placements** (\*\*note, foster families are regulated under a separate act)
  - To ensure that children are not bounced around to multiple homes during their time in care – kids seem to do better when they stay in one place
  - If children are placed with extended family, making sure that there are good relationships with that family
- **Prevention and aftercare**
  - There is a definite process for apprehension, but not prevention or helping people become families again
  - New parents need support so they don't end up in a situation where they are unable to care for their children
  - Families need more support when children are returned to the home so they are not apprehended again – teaching them to function as a family
- **Relationship between communities and social workers**
  - Some social workers need to have more respect for the families they are investigating
    - E.g. Not making a huge scene during apprehensions
    - More of a respect issue than a cultural issue
  - More communication before apprehension when developing Plan of Care
- **Helping youth (age 16-19)**
  - When kids turn 16 they are not forced into care, they have to ask for care, and many don't know what is available to them
  - If a youth does not want to be placed in care they have few options
    - Do not qualify for income support until they are 19
    - Do not qualify for public housing
  - No support once they leave the system
  - Aboriginal youth are losing touch with their culture through lack of traditional parenting (biological and foster parents)
  - Not enough programs in communities for youth to keep them out of trouble
  - Not enough focus on prevention – keeping youth away from drugs and crime

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## POSSIBLE SOLUTIONS

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- **Funding**
  - Providing more funding to wellness workers and counselors
  - Providing more funding for people to travel to receive treatment for addictions
  - Narrowing the wage gap between NGOs/treatment centre workers and government employees
  
- **Increased training for parents and social workers**
  - Training parents to be good parents and providing them with the resources to get their children back
  - Cross-cultural training for social workers to familiarize them with cultural values and aspects of life in small communities in the North
  - Cross-cultural training for foster families so they know more about where the children are coming from and how to maintain some of those values
  
- **Keeping focus on children**
  - Keeping them in one place during their time in care – less bouncing around foster homes
  - In regard to Aboriginal children in particular, keeping them involved in cultural activities so they maintain their identities as they grow older and don't end up at loose ends
  - Setting up some type of financial trust for kids in care – especially kids who are permanent wards – so they have something to start with when they are released from care
  - Developing curriculum in schools that help them learn to be culturally and socially responsible adults in their communities
    - e.g. social studies credits for courses out on the land
  
- **Creation of a Child Advocate in the NWT**
  - Can follow up with children to make sure they are succeeding in and out of care
  - Someone who can liaise between parents and social services
  - Could be one in each community as well, preferably a local person or elder
  - There to inform children of their rights and entitlements and help them retain them

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## PRIORITIES IDENTIFIED

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- Creation of a Child Advocate
- Increase of funding for programs and treatment
- Improve prevention and aftercare initiatives
- Improve relationship between social services and communities

### 3. Focus Group 3 – Non Government Organizations (NGOs)

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**Date:** February 5<sup>th</sup>, 2010

**Time:** 9:00 a.m.

#### CHALLENGES

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- **Misunderstanding of the system**
  - Often mothers have exhausted all their resources and they're confused about what they're supposed to do, or what they have to do. Their kids are in the system and they want them back, but they're not sure how
- **Economic difficulty rather than bad parenting**
  - People might resent a social worker coming in to analyze their situation – not necessarily bad parenting, but the parents are too stressed about finances to be good parents.
- **Disparity between resources for children in care as opposed to out of care**
  - A lot of times, aboriginal children do not have access to the programs available to kids who are in care (bus passes, extra-curricular).
  - There have been cases of aboriginal children coming into care and are getting used to getting all these things they wouldn't have at home, so they don't want to go home.
  - The standard of living is better in care
- **Significant hurdles to extended family caring for children**
  - You have to be approved and go through a criminal records check to get a child
  - Not a friendly process
  - In many small communities a lot of the kids apprehended come from parents with addictions and often extended families are afraid to take the children in because they are afraid to take on that burden
    - fear of the parents with addictions and what they might do.
- **Communities are hesitant to report abuse**
  - they don't want children taken away from families
  - don't want to interfere in a neighbour's business for fear of social repercussions
- **Education gap a detriment to many parents**
  - Unfair disadvantage for potential foster parents doing the paperwork and undergoing the process for getting approved as a foster family.
  - need someone to help fill out paperwork
  - parents often do not understand what they are signing when a social worker hands them paperwork – includes Plan of Care or signing children over as wards
- **Reintegration and cycles of abuse**
  - How do you help a child and a family reintegrate?

- You get some screwed up kids who don't want to leave their homes because they see their lifestyle as normal.
- Sometimes the kids can keep a home more stable – there needs to be more sensitivity to aboriginal culture and the role of the family unit.
- Families used to be able to cope – communities would support each other and bring single parents food if they needed it. Things have changed now as people are standing on a line between traditional and modern world and they're not sure where they fit
- **Communication gaps for foster families**
  - Foster families often have no idea why the children are in care.
  - Foster families are not privy to case histories and the background of the child
  - Foster families are not allowed contact with the child once that child leaves their care
    - Often the only stability in the child's life
- **Fear of liability**
  - What exists in the Act regarding support and culture encounters a problem when you look at liability. There's the fear that if we give the child to extended family, what if something happens? Liability is the focus

## WHAT IS WORKING

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- Social services provides extra-curricular activities for kids in care (bus passes, swim passes, etc).
  - These are provided by a social worker to kids in care or kids under a plan of care
  - not mandated by the act, but at social worker's discretion
- YWCA we gets support from social services to help young women who are pregnant or teen moms. Even though at age 16 you leave their services, social services has helped them through the YWCA. Social services helps YWCA help others.
- The emphasis in the Act on the family unit is important and really good (though not always implemented that way).
- The effort by social services to engage with aboriginal communities has been very forthright and that was helpful, even if the local people didn't turn up.
- Immediate response to a crisis is good – social services will show up at any hour to respond
- There are programs in place that do help families with younger children
  - YWCA uses them quite a bit
  - But, if your children are over 6 years old, you don't get help.
  - If it were expanded, that would be great, organizations and families would use it
- Public housing in Yellowknife can be very communal
  - These mini-communities often support each other and take care of each other's kids.
  - It's sort of informal care.
- The Centre for Northern Families offers a number of voluntary support programs for parents.

- It's interesting to note that white, middle class families go to the post-natal care at Baker centre, and the Centre gets the marginalized people.
- You need more integration so families have positive models.
- The pre-natal nutrition program is well attended.
- Other programs include cooking, sewing, literacy, crafts, etc.

## WHAT NEEDS WORK

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- **There is a divide between income support and social services**
  - If you need money to care for your family, you have to go to income support
  - When income support was under social services, more benefits were available to parents who requested them.
  - Since income support went to ECE, there are huge cracks that people fall into, because there are fixed rates, and they're not flexible.
    - With the rigid income assessment, you put in specific expenses and it spits out numbers.
    - Income support doesn't consider extra-curricular, or odds and ends required for managing a healthy household.
  - A computer program doesn't think critically, if a person makes the assessment, then there are structures in place for accountability.
  - If you have a parent who doesn't have the resources to provide for their children – where do they get help? Where do they get money?
  - Usually a person is told that he/she has to make a “productive choice” to qualify for income support (go to school, counseling)
    - This is not in their best interests when they have a family to care for– they just need money.
    - This just digs a parent deeper in the hole, and they might turn to addiction, or alcohol, which gets them even further into the poverty cycle.
  - Families get less money than foster families would receive to take care of those same children.
    - E.g. In YK, the rates for income support = approx. \$6 a day for a single mother to take care of her child, whereas a foster family would get \$24 dollars a day to care for that same child – there's a huge gap there.
    - Aboriginal culture is singled out because the statistics are ridiculously high. There are parents who say that if they had received the support that a foster family received, they would not have lost their kids.
- **Lack of support for extended families**
  - Can't afford to take on relative's children, there is no support.
  - There's a gap that needs to be bridged here between families and social services
  - Some families are asking why a child is apprehended when there are caregivers
  - Let the caregiver look after the child while the assessment is taking place.
    - E.g. a grandmother is raising a child but the social worker looks at the mother, not the grandmother when assessing the care being provided, so the child is taken away as the mother is seen as unfit.
  - Apprehended children are not being placed in care with extended family because they have to be placed in approved foster homes.
  - The “community” is in the Act.

- This is a cultural issue – it's what a natural family does, they don't want to be foster families, they just want to do their job as extended family.
- Often the histories of these families are thrown at them as reason for not letting them care for kids.
- **There is a deep mistrust/misunderstanding in the relationship between the parent and social worker**
  - Parent may be required to go for counseling as part of getting their kids back, and what they say to a social worker or counselor might get used against them in court to keep the child in care.
  - The implementation is not helping families
  - Social workers have the power to swoop down and take kids and they don't have to answer for it.
  - Sometimes social workers will tell a person something to get them to comply and then turn around and do the opposite
  - Communities are so against the system, including social workers and foster families, because they see the inequality in support, I think they perceive that as very unfair
  - A lot of families don't really understand what Social Services is supposed to do
    - They are afraid of them, they see them only as baby-snatchers
    - They don't know what the system can do for them.
  - The system is very confrontational – No one is going to trust a person who can take their child away.
- **The Healthy Families program needs more promotion and clarity**
  - A lot of people shy away because they think Child Protection, not health
  - Parents think they're under scrutiny, they don't realize that these people are support
- **The wording of the Act was changed to apprehension when there is a "risk" of abuse, rather than actual evidence of abuse**
  - The social worker can come in and take a child and not say why for 72 hours.
  - If parents are not given notice or reason for an apprehension, it can result in conflict
    - E.g. parent being tasered during an apprehension in Inuvik
- **The plan of care doesn't mandate action – it makes suggestions.**
  - Addictions need to be addressed first before a child can go back into the home.
  - What also happens is they send the person out for a 28 day treatment, and the system seems to think that if the person does that treatment, they can be parents again, even though they may not be fit to parent yet.
  - The government is setting people up for failure.
- **We don't know how many mistakes a social worker may be making**
  - Often when working with aboriginal families, addiction or poverty is assumed
  - The social worker is going in with a bias.
  - Nobody is following up to see if parents are good parents
- **Lack of stability for kids in care**
  - Kids are being bounced back and forth between home and care in these two year stints and this is bad for the child.

- Children need stability, as their childhood is so short, and it's disappearing when they get bounced around.
- These kids want a stable home and a normal life and often they know their families can't take care of them, even though they love them and that's very hard on the child.
- **Lack of suitable foster families and support for existing foster families**
  - There aren't enough foster families in Yellowknife.
  - Often foster families aren't prepared for the things they have to deal with when they get a child.
    - E.g. many of these children need counseling and have experienced trauma
  - If there were more resources, training and support, more families would come forward
  - it is a very intrusive process to become a foster parent
  - There is a stigma attached to being a foster parent
    - Scrutinized more than other families
  - The screening process for fostering doesn't take into account the mentality of the foster parent as compared to other aspects of screening
    - They scrutinize certain things too much and ignore other problems.
- **Foster families have no input in proceedings with social services**
  - The foster parents know these kids better than just about anybody, often better than their own parents
  - Nobody comes to the foster families for input.
  - Many want to see children returning to successful placements if they are put back in care, instead of them being bounced between families.
  - When children are taken into care, they're sucked into a vacuum, and foster families don't know who the family members are, or who the child's friends are and so a kid is cut off from any support it might have had before. This even includes schools – maybe a kid has to change schools and loses a teacher that they like or get help from.
- **Lack of communication**
  - Everyone's working in their little boxes.
  - It's an acrimonious system – everyone is blaming everyone else for the problems.
    - Anyone trying to help is "interfering" in people's business.
  - It needs to become a system of support where foster parents can work with parents when the child transitions back to their parents.
  - You currently (in most cases) have birth parents versus foster parents with the "evil" social worker in the middle separating them.
- **Lack of support for prevention**
  - It used to be that when a woman had a baby, there was follow up and home care, but this program was cut due to budget issues.
  - Mothers are struggling at home and it's crucial to have that care available
- **Lack of consistency in social workers**
  - There are not enough social workers.
  - They're burning the candles at both ends and they are overwhelmed with paperwork, so they don't have time to provide a lot of the information to parents and foster parents
    - Less face time with parents and children



- There is no continuity in social workers because they burn out so frequently
- **Implementation of the Act is not working**
  - It all looks good on paper, but the execution is lacking, there is no will.
  - When you approach the implementation, everyone has biases
  - There is a racism element, but people refuse to address it and deal with it and change their approaches.

## **POSSIBLE SOLUTIONS**

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- Focus on prevention
  - Social services and their workers need to engage in early intervention with birth families to prevent children from ending up in care.
  - When a family is initially reported, there has to be something in place that allows social workers to step in, but instead of apprehending children, they would help families manage the crisis as a unit.
  - The Act needs to address problems before they result in apprehensions.
- It would be nice if the things kids can receive in care or under a Plan of Care could be provided before they enter the social services system.
- If programs for families with young children (under age 6) were extended, families would use it and you would see more success there
- More support for extended families
  - A mechanism needs to be in place when there is extended family who are willing to care for the child that proved them with the financial support they need.
  - There is a need for friendly engagement – families are afraid of social services so they won't engage. The relationship needs to be fixed so families know that SS doesn't just want to break up families.
- Take a serious approach to reducing poverty
  - Unless we tackle poverty, all this work will be for naught.
  - The root of all these problems is that people do not have the ability to feed their children and they get into all sorts of problems trying to keep a roof over their heads.
  - Unless we do something about poverty, this problem will continue.
  - Something needs to be done to close the gaps between the departments so people don't fall through the cracks.
  - If people are financially unable to care for the children, social services needs to look at what it can do to help the family keep the child in the home, rather than take them away.
- More support and resources are needed for families and children
  - When putting people into a Plan of Care, the government needs to be responsible for providing families with the resources to follow through
  - It's a hypocritical system; the government tells families what to do, but won't give them the support to do it.

- Social workers need to work real expectations into the Plans and work with families for achievable goals, not unfair or unreasonable expectations
- It would be helpful for the Act to have a provision for more time to help parents get their lives in order before a child is designated as a permanent ward
- We need to look at what kind of support is available to families to keep kids in the home, especially when dealing with teenagers.
  - Every child has a family, whether they are relatives, foster parents, teachers, etc. There are kids who feel they have no parents and no family, especially teenagers, and when they sign themselves out of care, they don't even have the foster families to come home to.
  - There is always someone out there for those children but an effort must be made to find those people.
- The Centre For Northern Families provides respite care for parents who need time away from their kids – we won't report those parents for needing a break
  - The system needs to recognize this need
- There is a need for a Child Advocate or even a Family Advocate
  - The children don't have a voice, and foster families are not allowed to speak for them.
  - A social worker cannot be a surrogate parent.
  - This child advocate should be a government employee
  - You need an Advocate at the table when a social worker is meeting with parents.
  - Often parents are not in the right frame of mind to talk to social workers after an apprehension; they are in crisis.
    - They are given a print out and sent on their way.
    - You need someone to be there who can hear what the social worker is saying and then help that person understand and follow through.
  - This person cannot be a social worker
  - Often parents don't understand what they're signing, and then the social worker follows up and the results are bad.
- Need to officially engage foster families, especially in reintegration
  - When kids are signed out of care, their foster family is not allowed to contact them anymore, they lose that family, which is often the only stable family they have
  - When foster families work with the birth families to support each other then that is a harm reduction system that works
  - When foster families help with the transition back to the home – sharing success stories about the child with birth parents, for example – this helps reduce stress and eases the transition.
  - Transition time is not mandated by the Act, but when it occurs with foster family engagement it is very successful – it may be worth it to make it mandatory.
- Need to educate parents about social services and its role in child protection
  - Educating people up front about social services and what they do helps a lot
  - Having someone with them when they meet with social services can really help.
  - The social worker is interested in what parents need to do, whereas NGOs help parents to work out a plan using little steps to make a goal more achievable.
  - When NGOs work with social services, there is success.

- We need to take the fear out of the system and help families navigate the system and let them know what they can do and how they can work with social services
- Close the gap for youth
  - The transition from care to the real world needs to be done properly, and there need to be a plan B and a plan C
  - Need some 'safe homes' where kids know they can go and be safe.
    - Especially in small communities, where people don't want their business spread around town.
    - Communities need to be encouraged and supported to be good neighbours and collectively look after children
  - Kids need something productive to do outside of school.
    - Other jurisdictions have vocational schools or alternate routes if they're non-academic.
    - Really needed in communities
  - Financial support for youth aged 16-19 would help kids until they are eligible for income support.
    - Otherwise these children do not know how to be adults and the cycle will just continue.
    - There is a need to create an income support program specifically for youth.
- Emphasize community engagement
  - Panels in the communities would be helpful.
  - A community council would be the first to intervene and deal with issues.
  - There is a need to work with people early on to help them gain some sort of pride in themselves.
    - E.g. Compare Dettah and Ndilo: one is more traditional and has a stronger identity – the other is experiencing a loss of identity
- Hand over some responsibilities to non-government organizations
  - Is it the government who should do this work?
  - Can social work be carried out by an NGO or community organization that is designated by the government?
    - Make sure the proper systems for accountability are in place
  - People are afraid of the government, but they come to the NGOs for help all the time.

## **PRIORITIES IDENTIFIED**

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- Review focus on liability, as this is hindering the relationship between social workers and families, especially in Aboriginal communities because the social worker is afraid to be creative.
- Make resources available for prevention: support for families, training for social workers, and early intervention to prevent crises.
- Look at the role of the social worker and the potential benefits of splitting responsibilities between the social worker as apprehender and social worker as support.

- Establish a child advocate for children up to the aged 0-12.
- Provide more help for youth transitioning out of care and provide support for them to a greater age – 21 or 23
- Provide more support for parents and kids when transitioning the child back to home through more resources and more time
- Focus on a harm reduction approach – it's a holistic common sense approach where you look at strengths and weaknesses and accommodate them to gently help families progress in dignity.
- Improve communication; perhaps by providing interpreters and support so people know what they are getting into when dealing with social services
- The government needs to take a good look at itself and decide if it is the best mechanism for doing social work. If they decide yes, then they need to really look at this review and take the recommendations seriously.
- Fix the income support system.
- Provide basic needs to parents so they don't get into trouble in the first place.

## 4. Focus Group 4 –Territorial Treatment Centres

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**Date:** February 5<sup>th</sup>, 2010

**Time:** 1:00 p.m.

### CHALLENGES

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- Culture shock for social workers
  - E.g. a young white female social worker was too scared to leave her house without police escort – she was unprepared for the attitudes against social workers in small communities (an extreme case but an illuminating case)
- Difficulty convincing local northerners to become social workers and stick with it
  - There's an expectation of special treatment for families, or turning a blind eye if the social worker is related to half the town
  - Social workers have a dual position in a community that is difficult.
    - If you aren't good at managing dual relationships you won't be successful.
    - It's hard to be local.
- Certain behaviours are symptomatic to specific areas in the north so it's hard to provide consistent care or a consistent approach.
- Perceived conflict of interests between adult family members that prevents extended family from fostering children – seen as taking kids away from their parents.
- Issue of how to appoint community members to get involved in self-governance
  - Many communities are too busy trying to survive to be able to engage in helping each other.
- Despite advertising and financial incentives, you can't find people to take in children.
  - Money doesn't matter; they don't want to take them.
  - It's hard to keep children in their communities as placements anywhere are hard to come by
- Potential foster parents are nervous about their supports
  - Afraid that if something happens, they might be in danger
    - E.g. parent's trying to retrieve their kids from care by force
- Yellowknife has resources, but no community. Communities have engagement, but no resources
- 100% of our TTC (Fort Smith) clients are aboriginal with nine aboriginal staff; which is great, but it was a struggle to find them
- Racism isn't the issue so much as a lack of understanding of the culture.

- Many social workers are forced to implement an Act they don't believe in

## **WHAT IS WORKING**

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- The social workers liaise between the treatment workers and their families.
  - Our referrals come from social workers, and they're the ones that keep us connected to the families and communities
  - The social workers are doing the best they can with the resources they have
- TTCs get kids when they've exhausted all their other resources and reached the end of the line in the system
  - Every case the TTCs don't see is a result of a positive process.
- The system in place is ok, you just need people in legislative authority to buy in.
- A southern referral process has worked quite effectively when required. It's a system in place that can act very quickly when necessary
- There's benefit to having the whole community involved: the RCMP, social services, etc.
- The Plan of Care used to be a committee that worked really well, but now it's just a piece of paper – the committee aspect was supposed to be the crux of the concept.
  - They worked really well, as everyone had a stake in the child's interests
  - Two Different Committees in the Act:
    - Plan of Care Committee – close, family and social services – no community involvement
    - Child and Family Service Committee – higher level; community involvement
- There are internal committees at the TTCs that decide what happens to the children when they enter the centre
  - Works as long as the child is in this insulated area
  - Getting the child back to their families is a whole different story.
- In a small community there is a reasonable amount of community engagement
  - Elders coming in and working with kids, taking them on the land.
  - Not so much in Yellowknife

## **WHAT NEEDS WORK**

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- Social workers are overworked
  - High turnover means building new relationships with kids each time and reinventing the wheel over and over.
  - It greatly affects the quality of service.
- Culture shock inhibits appropriate delivery of services
  - A lot of social workers come to the North from down south and experience serious culture shock

- Unfamiliarity with values in the communities.
- There are things accepted in small communities that might make people from down south uncomfortable or be problematic
- Need social workers to be aware of what is normal up here and how things work, especially if they're from a different culture.
  
- Too often we're trying to impose southern programs on northern problems.
  - Instead of sending people out, we need to train here in the north
  - Even the system being taught up here is a southern program.
  - We need to teach methods that are more appropriate to working in the North.
  
- The inherent weakness of the Act is that it doesn't address the problems it was created for.
  - E.g. A 10 year old kid has had 26 placements.
  - There is too much involvement in apprehension and moving a child around and not a lot of consideration for best interests of the child.
  - That child will not grow up normal.
  - Not every child is successful, but what is frustrating is when children do well with us and we send them back to a bad situation.
    - They tend to succeed while they're in our care, but once they get outside they're cut off.
  
- Finding foster care is difficult
  - When a good family is found, social services overload them with kids and they can't cope.
  
- Too many kids in limbo
  - TCTC in Fort Smith has a waiting list, and the majority are over the age of 14
  - There's nowhere for them to go when they're done their program,
  - They are often stable and could be OK but they have no stable place to go.
  
- Unhealthy age categories
  - There's a huge difference between 12 and 18 year olds and the peer relationship isn't a healthy one.
  - Workers spend a lot of time battling peer pressure rather than helping kids
  
- No support for people who work with youth
  - Social services will step in and use their teeth when kids are young (apprehensions) but they back off when the kid is older and really needs the help.
  - There needs to be a set plan, when they go into care, of what will happen to them afterward
  - Workers need to have the authority to keep youth in care once they've agreed to come in.
  - The RCMP will not help social workers or treatment centre workers get a child back who has run away from treatment (kids who are in care).
    - This used to be in the Act, but not anymore.
  - The younger kids being influenced by the older ones – the younger youth stick around, but the 15-18 year old are AWOL all the time
    - No way to bring them back and the RCMP won't help out.

- Lack of implementation of the Family aspect of the Act
  - There's a huge disconnect there. If you want to improve the quality of life for a child, you need to help the parents.
  - We need to look at how to make the Act a Family Act, not just an act for children.
- Government focuses too much on liability
  - This stops a lot of placements from being made because the GNWT is paranoid about liability
    - E.g. sprinklers in foster homes – this is unrealistic and unnecessary

## POSSIBLE SOLUTIONS

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- Northern oriented training for new social workers
  - There are two approaches:
    - one is a specific cultural approach that requires immersion in a culture – but we have so many up here that's difficult.
    - The other is a universal approach where you seek to understand and not impose knowledge on someone. (CARL ROGERS approach)
  - Match a new social worker to someone in the community who can mentor them and keep them under their wing - you also need a social worker to commit to some time
- Establish safe houses where an elder, RCMP, or other local people are present to help a child
- There needs to be more community involvement in treatment
  - Set up a group in each community that could decide if a situation constitutes abuse based on cultural values and family history.
  - If you can get these community committees in place, you may, in 10 years or so, reduce a need for social workers in communities.
  - An honorarium for members would be appropriate
  - Add this role to the Community Justice Committees but make the two roles distinct
  - If this is something a community can build and be proud of then it can be maintained
  - If you want people to come up with ideas and invest in the system, it has to be set up in a way that people will want to come out and share their ideas.
    - When you're consulting in communities, it has to be run in a way that gets people out and have them engage.
    - We have to meet people on their own terms – some communities engage in community feasts, some in healing circles, and you have to be aware of how particular communities engage and work within that structure
- Provide support for the parents – someone official who they can turn to when they don't know what to do, but without repercussions (i.e. NOT a social worker).
- Provide consistency and sustainable growth across the north when it comes to services.
  - Some type of safe house or a panel of community members.
  - If phase one could be to have a safe house in most communities and have phase two be to turn them into treatment centres, then this could provide some consistency.



- Decide what's better – to apprehend, or to provide support to a family to keep the child in the home?
- Implement transitional housing for youth
  - A lot of kids would benefit greatly from transitional housing: kids who are done treatment, but nowhere to send them
  - TTCs can't offer that transitional service within the treatment centre setting and their programs have to run across the board.
  - If there was transitional housing that would help TTCs train kids for life.
    - These youth need people to help teach them how to cope with real life
    - E.g. in Newfoundland, there was a program for kids that were part of the Mount Cashill fallout and it was quite effective
- Create a role for youth mentors
  - Having a youth who has successfully done treatment acting as the mentor to younger kids
  - Hiring this youth to mentor younger kids, and having someone come in and check on that mentor
  - The mentor would benefit from the positive responsibility and the younger kids would benefit from their example.
- Provide more money to hire new staff to provide the support needed
- When a child is entered into treatment, the family and the youth have to commit to the time and not waste time and resources and space
- Establish a Child Advocate
  - You don't want someone who is confrontational, who will stop the workers from doing their job, or inhibit the social services process.
    - In Alberta, the advocate presses for what the child wants, not what they need, so there was a butting of heads.
- Consider that the bureaucracy and the system in place is young, and we need to go into our legislation carefully and with a lot of consultation from professional organizations
  - The GNWT need to realize that we are in our infancy up here in the north and we need to start growing up and keeping up with our demand.
  - We want to avoid a "nanny state" and adhere to the law while working on the adversarial aspects of the Act

## **PRIORITIES IDENTIFIED**

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- The Act has to reflect the needs of the community rather than a structure imposed on the communities
  
- Provide consistency of services across communities
  - Even if you only have a basic minimum in each community.
  - Practice persistency as well as consistency
  
- Identify an elder in each community who can take in children and counsel them
  
- Have some sort of committee in each community that lets SS know the needs of the community
  - Have that committee act as a filter for what requires child protection.
  - Have the strengths of the community come together to act as a group

## 5. Focus Group 5 – Legal Profession

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**Date:** February 8<sup>th</sup>, 2010

**Time:** 11:00 am

### CHALLENGES

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- Family law is an unpopular field of law which has a high rate of burnout and stress.
- The roles of social worker and lawyer are sometimes vague
  - Social workers having to participate in court proceedings can be very challenging
    - It's a very difficult position for a social worker to be in, having to represent themselves in court.
    - Lawyers prefer working with other lawyers
    - Judges can get a bit frustrated with social workers and their lack of knowledge with the legal process and procedures.
    - When it gets to a legal issue, social workers are inhibited from working with families.
  - Often lawyers have to play social worker
    - It's important that legal rights are respected, but often lawyers end up in meetings to discuss family issues
    - Lawyers are supposed to represent the parties, not act as mediator
- There can be a long period of time to get extended family to the table and difficulty engaging them in the process.
- Housing is a big issue for clients
  - Can't argue that clients should get their kids back when they don't have housing.
  - Lack of housing for clients inhibits an argument that they should get their kids back
- Lack of resources for parents who need help with housing and skills
  - The social worker doesn't have the ability to point the parents in the direction of assistance.
  - Limited resources for addictions, treatments, skills training – the resources aren't there.
  - If children are about to be returned and accommodation is the only impediment to the return of the child, then that should be priority.
  - Often the policies don't mesh.
- Lack of community engagement in deciding what to do about children and families
  - CFS Committee members aren't making commitments to the committees.
  - Need these committees to be implemented, but we need the money and the members.
- Youth are falling through the gaps in the system
  - A lot of 16 year olds are deciding if they want to be a permanent ward anymore, or not.
  - A lot of these kids are returning to live with their parents even though the problems are not resolved.
  - At this point, there's nothing social workers can do, legally.

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## WHAT IS WORKING

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- There are some really good child protection workers that are committed to their jobs, but there are not enough of them, because their burnout rate is really high
- Inclusion of an apprehension hearing the last time they changed legislation was a good thing
  - ensure apprehensions are dealt with properly
- There are some communities that are really good at keeping cases out of court.
  - Still hard for parents to get counsel
  - often parents cannot get lawyers right away but the people at legal aid are working really hard to get people lawyers in a timely fashion
- The Act now allows parents to start obtaining a lawyer sooner.
  - The triggers are initiated sooner.
  - Parents are getting lawyers sooner and conflicts are getting resolved sooner.
- Once a lawyer is involved, there is some scrutiny to the process
  - Aggressive lawyers are generally the exception
- Everyone liked the Family Team Meetings, because you had an independent facilitator
  - Really got down to the nuts and bolts.
- Before the plan of care agreement is signed, parents can run it by a lawyer to be sure that it's fair and reasonable and doesn't infringe on their rights.
  - Helps open up the process.
- The preamble of the Act, and section 3 – regarding the best interests of the child – is very strong and needs to be retained.
  - Lawyers often rely on those conditions when drafting arguments.
  - The judges look at these sections and it influences their decisions.
  - This preamble helps the court make its decisions in a focused way.
  - Things like timely resolutions, things to consider, the right to be free from harm, and fostering a strong relationship with the parents need to be upheld.
  - Sections should be scrutinized, but not weakened.
- The provisions that provide that children can be returned to other family members are positive, and they need to be implemented more.

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## WHAT NEEDS WORK

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- Extended family care
  - In a lot of cases, e.g. when parents are drinking, children flee to grandparents or aunts and uncles as their informal safety net.
  - We don't see that happening in cases of apprehension – the issue is the steps the grandparents have to go through to get care of a child.

- Criminal records checks scare a lot of people off.
- Liability is an issue, but you should try and keep kids in temporary care at grandparents or aunts/uncles while a home-study is taking place. This is where these kids often go anyway.
- Legal aid will not approve expenditures for expert witnesses
  - Families usually unable to bring in psychologists, or other professionals
  - Director can, so there are these experts on behalf of the director, but not the families.
  - This is a funding issue that creates a clear disadvantage for parents versus the Director
- Need to look at how home studies are conducted
  - Need to define the standards of cleanliness rather than social worker's discretion.
  - A white, middle-class southern standard doesn't apply to most homes in the NWT.
  - There are such subtle cultural characteristics that we don't think of.
- Social workers usually have to seek out family, they won't volunteer.
  - There's a lot of hostility and anger toward social workers.
  - Common misunderstanding of social workers' role in child protection.
- A lot of older kids are angry and lost and calling out for help that isn't there.
  - They need someone to listen to them and nobody has time for them.
  - They just want a voice.
  - They need services and help.
  - They're not mature enough to take care of themselves, but there's nothing stopping them from doing what they want at that age.
- Children cannot be returned to a parent unless there is a custody agreement in place, and kids must be returned to the home they were apprehended from.
  - In many cases, one parent's home is safer and healthier, but the legislation states that the children must be returned to the home they were apprehended from, so that parent cannot get custody nor have a child returned to them.
  - If the child was apprehended from one parent, they cannot be returned to the other parent without going to court with a custody application.
  - Custody contention has to go to court and leaves the kids in limbo.
  - The rules were made so that social workers do not have to be wound up in custody disputes, but it's a loophole that catches children.
  - You often get parents who use social services for their own ends in a custody battle as well.
- Another gap area is a lack of in-home assistance for families.
  - Cases where if a parent just had a little bit of help it would keep so many more cases out of court.
  - Need someone who visits the home once and a while and makes sure things are on track and healthy

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## POSSIBLE SOLUTIONS

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- An “in-house” council may be of great benefit to social services.
- Social workers need more assistance with their legal aspect of their jobs
- There used to be Family Team Meetings, where we all parties sat at the table and everyone was involved in finding a solution to the problem and determining everyone’s best interests.
  - If there was funding for mediators or negotiators then this would be great.
  - These meetings work well, but are not the best use of a lawyer’s time, these are family issues, not legal issues.
  - This way, you could divert a lot of the cases that end up in court.
  - Effective communication leads to resolution
- If the Act mandated mediation, the funds would be there to make it happen
  - But you don’t want to force people to come to the table.
  - You don’t want to infringe on the rights of parents
- Section 3 of the Act says that if children are in need of protection and parents are unable or unwilling to provide for their children and the parents have decided who can care for their child, this provides some flexibility for parents to provide designates for their child’s care.
  - What needs to happen is for the parents to make that decision, not the social worker.
  - If the designate is willing to care for the kids, then an apprehension is not necessary.
- Utilizing the Community Justice Committees to take on Family issues
  - If you already have a structure in place, there is no reason why they couldn’t take on another role.
  - They already have experience with meetings and bringing people together in a facilitated manner.
- Programs need to be available in the North.
  - Otherwise you’re not going to have the buy-in.
  - People want to get services but still see their kids.
  - Many of these services need to be set up here, and there will be some specialized issues that need to go south, but parenting skills, and some addictions can be dealt with in the north, and that’s a better option.
- Need to fill the gaps for teenagers (ages 16 – 19)
  - One option is having programs available to that group but in different structures than those that exist for small kids.
  - Most jurisdictions cut kids off at 16, but there are a variety of legislative options out there for teenagers and our legislation is problematic and may be vulnerable to constitutional challenges (example in Nunavut).
  - If kids have a safety plan at age 16, they can go home, but they have this plan that they can follow if they need help or need to get away.

- More funding would make a huge difference.
- Having someone coming into your home and helping you cope with kids and taking care of your home would be greatly beneficial.
- A child advocate is a great idea, as it's very hard to get a child's views during family law proceedings.
  - It would help a teenager as well, as it gives them someone to go to who isn't with social services.
  - Getting kids lawyered is not a good use of resources, these kids need something more