

Reconciliation: Rebuilding the Canadian Child Welfare System to Better Serve Aboriginal Children and Youth

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Despite changes in child welfare service design and implementation, Aboriginal children have been drastically over-represented in child welfare care for more than five decades (Trocmé et al., 2006). The failure to reduce the over-representation of Aboriginal children in care calls for an exploration of the child welfare system itself, and the social work profession in particular, to assess how they support or lessen positive outcomes for Aboriginal children. This chapter presents the view that reconciliation (conceptualized broadly as learning from the past to reframe current approaches and relationships) is an essential prerequisite to improving child welfare outcomes for Aboriginal children, youth, and families in Canada. It also describes the beginnings of a process of reconciliation in the Canadian child welfare context, which began with approximately 200 leaders in child welfare who came together in October 2005 to identify the process of reconciliation in child welfare and develop foundational principles (touchstones) to guide that process. The chapter concludes with a dis-

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cussion of how the touchstones can be implemented throughout the child welfare system.

RECONCILIATION IN CHILD WELFARE: WHY NOW?

Aboriginal communities flourished throughout the lands now known as North America successfully providing for their children for thousands of years. After Europeans dislocated Aboriginal peoples from their traditional lands and established reserves, often in less desired geographic areas resulting in cultural and socio-economic poverty, it became increasingly difficult for Aboriginal communities to provide for their children.

Among the most devastating of these government policies was official support for religious institutions to establish and run federally-funded residential schools. These schools were developed to assimilate First Nations children and eliminate what Duncan Campbell Scott, Superintendent of Indian Affairs, called "the Indian problem" (Milloy, 1999; RCAP, 1996). Residential schools existed in one form or another for over 100 years, from the early 1800s to mid 1990s, and were attended by approximately 100,000 students (Indian and Northern Affairs Canada, 2004; Indian Residential Schools Resolution Canada, n.d.), despite some ongoing criticism by contemporaries, publicly known reports of the deaths and abuses of children, and the continuous lack of demonstrated success (Milloy, 1999). Perhaps the main reason for their continuation was that governments did not avail themselves of opportunities to provide meaningful and respectful supports to First Nations (RCAP, 1996). As a consequence, numerous social, economic, and related problems continued to worsen. One such problem was the protection and care of Aboriginal children.

By the 1940s, social workers within Canada's provincial child welfare systems began to recognize this problem and to advocate for the expansion of child welfare services on reserves. Service provision began at different times and in different ways across Canada in large part because Indians and lands reserved for Indians are the constitutional responsibility of the federal government, whereas social services and education are the responsibility of provinces and territories. However, by the mid 1950s, a number of child welfare services were

being offered to people who lived on reserve across the country (Hudson & McKenzie, 1985; Johnston, 1983).

There are various views about the intentions of social workers of the era, but what does seem clear is that the non-Aboriginal social work profession as a whole functioned according to a set of values and beliefs that had evolved from European cultures and applied them to Aboriginal communities with very little critical analysis. This resulted in a continuation, among social workers and social policy makers, of the prevailing view that Aboriginal children who lived on reserve were best served living off reserve in residential schools or in the care of non-Aboriginal families (RCAP, 1996).

Social workers were among the strongest supporters of residential schools (Caldwell, 1967; Indian Residential School Survivors Society, 2006; Milloy, 1999). Some residential schools had begun closing in the 1940s, but when a joint House of Commons and Senate committee recommended closure of all residential schools in 1948, the social work profession joined with churches in lobbying against such action (Indian Residential School Survivors Society, 2006). The main reason was that social workers perceived the schools as a useful and immediate way to alleviate the problems Aboriginal children faced, and they had come to use schools widely as a child welfare placement option (Indian Residential Schools Survivors Society, 2006). Social workers also took an active role in perpetuating the residential school system by serving on admissions committees (RCAP, 1996). By the 1960s, over 80% of the children in Saskatchewan residential schools were placed there by social workers (Caldwell, 1967; RCAP, 1996).

Residential schools also feature prominently in what came to be known as the "sixties scoop," when social workers removed large numbers of on-reserve children from their homes and communities (Union of BC Indian Chiefs, 2002). The children were primarily placed in residential schools (Caldwell, 1967; RCAP, 1996), and sometimes in non-Aboriginal foster or adoptive homes. By the 1970s, 10% of Aboriginal children were in care, as compared to 1% of non-Aboriginal children (Milloy, 2005).

Gradually, residential schools began to close, although the last ones closed fairly recently. The Gordon Residential School in Saskatchewan closed only in 1996 (Indian and Northern Affairs

Canada, 2004), and the St. Michael's Indian Residential School in British Columbia closed in 1998 (Indian Residential Schools Resolution Canada, n.d.).

Remarkably, throughout these decades, most social workers apparently did not understand or were not concerned that these placements would exacerbate rather than solve the socio-economic problems (e.g., poverty, unemployment, substance abuse, poor health) that motivated them to remove children from their families in the first place. Instead, many social workers appeared to falsely interpret these socio-economic problems as evidence that Aboriginal parents were unable to care for their children and that assimilation into the broader society would serve Aboriginal children well in future years.

The impact of the sixties scoop was and continues to be devastating for many Aboriginal children, families, and communities. Justice Kimmelman, as cited in Balfour (2004), claimed that in Manitoba, the placement of Aboriginal children away from their families and communities amounted to cultural genocide. It is unfortunate that, today, few social work students are taught about the child welfare profession's historic support of residential schools.

By the 1990s, leading social work academics believed that child welfare had learned from its harmful actions of the past and entered what Armitage (1995) referred to as "the post assimilation period" when the profession focussed on what were termed "culturally appropriate" responses. The problem is, though, that there is no standard for understanding what culturally appropriate practice is, nor are there ways of measuring whether child welfare has eliminated vestiges of what Armitage (1995) termed "assimilative practice."

In fact, the problem might be getting worse. A study conducted in 2005, which reviewed children in care data from three sample provinces that collect disaggregated data on Aboriginal children, found that as of May 2005, 0.67% of non-Aboriginal children were in care compared with 3.31% of Métis children and 10.23% of status Indian children (Blackstock, Prakash, Loxley, & Wien, 2005). The Canadian Incidence Study on Reported Child Abuse and Neglect confirmed that First Nations children are two and a half times more likely to be placed in out of home care than non-Aboriginal children (Trocmé, Knoke, Shangreux, Fallon, & MacLaurin, 2005). The pri-

mary reason why Aboriginal children come to the attention of child welfare is neglect, with the key drivers of neglect being poverty, poor housing, and substance misuse (Trocmé, Knoke, & Blackstock, 2004).

What makes this trend particularly worrisome is that the outcomes for Aboriginal children in care are, on the whole, not encouraging. Although there are no specific studies exploring the experiences of Aboriginal children and youth in care, media reports and experiential reports from social workers and Aboriginal communities suggest that these young people experience high rates of suicide, homelessness, substance misuse, incarceration, continued involvement with child welfare, and low levels of educational attainment. This is consistent with findings of the National Youth In Care Network, which suggest that the in-care experience for young people has not improved over the past 30 years despite changes in the child welfare system itself (Alderman, 2003). Youth in care continue to report that they are experiencing multiple placements, are not adequately involved in their life planning, and receive inadequate supports from the state, both while in care and after discharge (Alderman, 2003; Blackstock & Alderman, 2005; Manser, 2004). Moreover, it is a mistake to believe that removing Aboriginal children from their homes and placing them in care always amounts to placing the child in a risk-free environment. In many cases, it is simply replacing one set of risk factors with another that may or may not be more severe than what the young person was experiencing at home.

Some argue that the past actions of child welfare workers must be considered within the context of the period in which they occurred. More detailed analyses by Blackstock (2005) and Milloy (1999) of the impact of levels of knowledge, prevailing social values, and ability to implement redress provide little justification. Milloy noted that many of the reports of child maltreatment and deaths of children in residential schools were made by people who found the treatment of Aboriginal children to be unacceptable and, in some cases, criminal. Blackstock asked if issues, such as lack of knowledge, mandates, and sensibility of the time, all serve to mute social workers' ability to respond to the pronounced and publicly known incidence of abuse experienced by Aboriginal children in residential schools and their poor outcomes in current child welfare systems, then why is this not

a topic of intense exploration and debate within the profession today?

Reconciliation is needed now because the social work profession simply has not learned from the devastating effects past interventions had on Aboriginal children and families. Good intentions are not enough. The poor outcomes that are evident in the current lived experiences of Aboriginal children, youth, and families compel child welfare to move past tinkering with services to examine what needs to be changed in the values and basic approach of the profession itself to improve child welfare work and relationships with Aboriginal children and families. Reconciliation in child welfare is a process of jointly examining the history of child welfare from Aboriginal and non-Aboriginal perspectives, understanding the values and beliefs that underpinned poor practice, and then moving forward with a new set of foundational and collaborative values (touchstones) to develop an improved system. It has never, to our knowledge, been done before.

RECONCILIATION: WHAT IS IT?

The authors view reconciliation as a dynamic process with an overall goal of peacemaking, whereby everyone's history and reality are validated and respective rights are recognized. It is chameleon-like in terms of process, as it takes different forms depending on the context, history, and culture in which it is occurring. For example, reconciliation in South Africa took into full account the distinct histories of the people involved, and was embedded in local context and culture. The reconciliation movement between Indigenous and non-Indigenous peoples in Australia reflects colonization as it has been experienced in that country. What is different about these two examples is that in South Africa, there has been more vigour and sustainability in the movement, whereas support from the Australian government and people for reconciliation has been uneven, accounting in part for the less substantial outcomes.

To some, reconciliation implies that a positive relationship once existed and, therefore, is about the restoration of that relationship. This definition, however, is limited in that it does not apply in situations where the relationship has arguably never been positive. For Aboriginal peoples, whose relationship with European-based cultures

has, to a great degree, been embedded in colonialism (Blackstock, 2003; Blackstock & Trocmé, 2005; Milloy, 1999; RCAP, 1996), reconciliation does not mean the restoration of the old relationship, but rather the establishment of a new one based on equality, respect for distinct cultures and ways of being, and a recognition of rights (Blackstock, Cross, George, Brown, & Formsma, 2006; RCAP, 1996). Human history throughout the world shows how one society prospered from the oppression of another, but that the gains of the oppressors are not sustainable over time. At some point, they have to account for their gross inhumanity, which has often been couched in the language of progress and civilization (Wright, 2005). Progress, it seems, is seductive; societies the world over have and continue to purchase it using their own humanity and values as currency. In societies that have been torn by gross violations of human, economic, and social rights, reconciliation for the oppressed can mean restoring the right to survive as a distinct people and, for the oppressors, the restoration of their humanity and values. Thus, reconciliation involves a process of transformation from systems of domination to a relationship of mutuality that involves improvements in personal and political understanding, valuing, and behaving (Sutherland, 2004).

Reconciliation and restorative justice are related concepts (Hauss, 2003). While restorative justice is concerned with *repairing harm* (Declan, 2006), reconciliation is concerned with *healing and mending* deep emotional wounds on both sides of a relationship (Assefa, 1999; Herwitz, 2003). Justice and equity are at the core of reconciliation. For this reason, wrongdoers, victims, victims groups, representatives of various communities, government officials, and others must be involved not only in the processes but also in the development and designing of restorative processes. Such inclusion contributes to the work of restoration (Llewellyn, 2002).

EMERGENCE OF THE RECONCILIATION MOVEMENT IN CHILD WELFARE

In recent years, a growing number of people began to understand that child welfare practice was not resulting in positive outcomes for many Aboriginal children. However, experimenting with services or

assessment tools continued to be the focus of professional efforts to correct the problem, as child welfare was not ready to consider if its interventions were actually harming children and their families. Harm was considered to be something that was located outside of the social work profession and found most often within the family. It was easier when we thought that way, but it was not effective—at least not for the Aboriginal children and families we supported.

How reconciliation in child welfare emerged from fragmented, radical, and often unspoken thoughts to become an open conversation about understanding and building together is an important story. As in all movements, a number of small, courageous conversations began to emerge, often occurring in isolation of one another, where people began naming the significant problems of child welfare interventions with Aboriginal children and families. At the beginning, these conversations, in spite of their credibility, had little overall impact on a child welfare system that continued to invest in the belief that it was doing the best it could—perhaps even doing the right thing—for Aboriginal children. Despite repeated claims (Milloy, 1999; RCAP, 1996; Trocmé, Fallon, et al., 2005) that children continued to be removed at alarming rates, there was little investment by child welfare systems to investigate or respond to the concerns. It was difficult to make the case in ways that non-Aboriginal people could understand, especially as there was only a small amount of focussed research available to document the problem and inform solutions.

Over time, the conversations of concern became more pervasive in both Aboriginal and non-Aboriginal child welfare circles. At the same time, a growing body of research reports, such as the analyses of the Canadian Incidence Study on Reported Abuse and Neglect (e.g., Trocmé, Knoke, et al., 2005), validated concerns about the over-representation of Aboriginal children in care. Reconciliation in child welfare became a concrete project in 2004, when four national child welfare organizations (the Centre of Excellence for Child Welfare, the First Nations Child and Family Caring Society of Canada, the National Indian Child Welfare Association, and the Child Welfare League of America) came together and collectively recognized that they needed to take action.

The problem was determining what action to take. The four sponsoring organizations had several conversations about whether child

welfare professionals would be ready to explore the part played by their profession in perpetrating harm against Aboriginal children and families. We anticipated that some would acknowledge their role, but that others would not. In any case, we knew that the question of whether or not reconciliation in child welfare was *needed* was not open to any further debate. Clearly, the answer was that reconciliation was needed. Standing still and silent in the face of such pronounced evidence of poor outcomes for Aboriginal children was not an option. No matter how controversial, we had to do something to begin the process of reconciliation. But how?

We began where Elder Wilma Guss (personal communication, May 16, 2004) would have us begin—by learning. But learning begins with asking and exploring questions: What is reconciliation? Are there examples we can learn from? What do we know about how organizations and professions learn? How can reconciliation make a difference? Addressing these questions collectively, the sponsoring organizations learned important information from the worldwide literature and consultations with experts:

- To begin the process of reconciliation, those who experienced the harm had reached out in friendship to those who had been largely responsible for the harm.
- Reconciliation requires a joint accounting of the history. For Canada, this meant a joint Aboriginal and non-Aboriginal account. In Canada, the telling of history respecting Aboriginal peoples has largely been left to Aboriginal peoples themselves (RCAP, 1996). Although the voices of Aboriginal peoples should have a central role in any process of reconciliation in child welfare, it is equally important to hear the voices of non-Aboriginal people who were involved, directly or indirectly, in the design and implementation of child welfare research, laws, policies, or services affecting Aboriginal children and families (see Llewellyn, 2002 on dealing with the legacy of residential school abuse in Canada; see also Funk-Unrau, 2004 regarding the imposition of residential schools and the role of apologies as one aspect of reconciliation made by the United Church of Canada to Aboriginal people).

Putting a Human Face on Child Welfare

- Reconciliation requires acknowledgement that good people with good intentions can do harmful things to others (Neiman, 2002). In the case of child welfare, those good people with good intentions were most often non-Aboriginal individuals, and their impact on Aboriginal people has been devastating (Milloy, 2005). The need for social workers to do good is apparently so powerful that it can overshadow the ability of many to see harmful outcomes as a result of what they perceive to be altruistic actions.
- The success of reconciliation requires that non-Aboriginal people understand that they were harmed during the process of colonization as well. The actions they undertook, knowing they had an unequal power relationship, did not work to enhance the very values that presumably lead them to professional social work in the first place. The sixties scoop was a powerful example of this. Recognizing, exploring, and understanding this harm is a first step for non-Aboriginal people, but leads to a new lens through which to view disputes and conflicts and develop new models for resolving and restoring helpful and healthy relationships (Llewellyn, 2002).
- Non-Aboriginal and Aboriginal people must jointly understand that they, and the people they care about, will continue to lose if the nature of their relationships does not change. For non-Aboriginal people, the journey will be longer as they are less familiar with Aboriginal peoples than Aboriginal peoples are with them.
- Maintaining momentum once the reconciliation movement has begun can be challenging without the personal experience of harm, and without feeling driven to redress that harm, non-Aboriginal peoples have always had the option of walking away. Aboriginal people who have been harmed do not have this option.
- The outcomes of reconciliation efforts worldwide have been uneven. It has been least successful when people viewed it as a discrete moment or event, and most successful when people understood that it involved a difficult, fundamental

change with an ongoing re-examination of truth, values, and beliefs at personal, professional, and societal levels.

Over time, the sponsoring organizations were joined by other partners, and they together worked through a two-year process to design an event where Aboriginal and non-Aboriginal leaders in child welfare—researchers, practitioners, Elders, and youth from United States, Canada, and around the world—attended a reconciliation gathering. The goal was to develop the foundational principles on which to build an ongoing reconciliation movement and eventually, a more responsive child welfare system for Aboriginal children and youth. To get there, participants would work through their diverse perspectives of the history of child welfare and the values and beliefs that fuelled the professional actions and inactions of the past. Finally, participants would envision what an improved child welfare system could look like and identify the reconciliation steps necessary to get there.

The Reconciliation: Looking Back, Reaching Forward—Indigenous Peoples and Child Welfare gathering took place in Niagara Falls, Canada, on the traditional territory of the Six Nations of the Grand River, from October 23 to 25, 2005. The magical energy that emerged from having approximately 200 people reach out to each other—not as social workers or experts but as people interested in doing better for Aboriginal children and families—made the event a success.

Delegates had come together to face what many in child welfare feared the most, which is that we, the "good guys," had been doing harm to children all along (Cross & Blackstock, 2005). Just as importantly, we took on the task of establishing principles for the development of a new system of safety and care for Aboriginal children, taking full account of an Aboriginal worldview and understanding of the underlying problems evident with mainstream child welfare practice.

RECONCILIATION AND TOUCHSTONES OF HOPE

At the end of the *Reconciliation: Looking Back, Reaching Forward—Indigenous Peoples and Child Welfare* event, the sponsoring organizations had more than 20 pages of rich suggestions from delegates

and were challenged to distil this into a touchstone document that reflected the spirit of all of the contributions. The first step of the process involved two Aboriginal individuals (Cindy Blackstock and Terry Cross) and two non-Aboriginal (Ivan Brown and John George) independently looking at the participant contributions and developing no more than 10 touchstones and then comparing their results.

When they met in Portland, Oregon in January 2006, they were amazed by the similarity of the touchstones they had individually developed. They also became keenly aware that delegates suggested two forms of touchstones: one that described the *process* of reconciliation, and one that described the *values* needed to shape the design of a new child welfare system. These became known, respectively, as the Four Phases of Reconciliation and the Touchstones of Hope: Guiding Values. After the Portland meeting, a draft touchstone document was developed, followed by a second review that was completed to ensure it embodied the suggestions made by conference participants before it was sent out to the individuals who attended the reconciliation event for their input. Feedback from participants was integrated, and *Reconciliation in Child Welfare: Touchstones of Hope for Indigenous Children, Youth, and Families* (Blackstock et al., 2006), was published in March 2006.

Four Phases of Reconciliation in Child Welfare

The four phases of reconciliation that emerged from the Reconciliation event are (see Figure 1):

- *Truth telling*: Telling the story of child welfare as it has affected Indigenous children, youth, and families;
- *Acknowledging*: Learning from the past, seeing one another with new understanding, and recognizing the need to move forward on a new path;
- *Restoring*: Doing what we can to redress the harm and making changes to ensure it does not happen again; and
- *Relating*: Working respectfully together to design, implement, and monitor the new child welfare system.

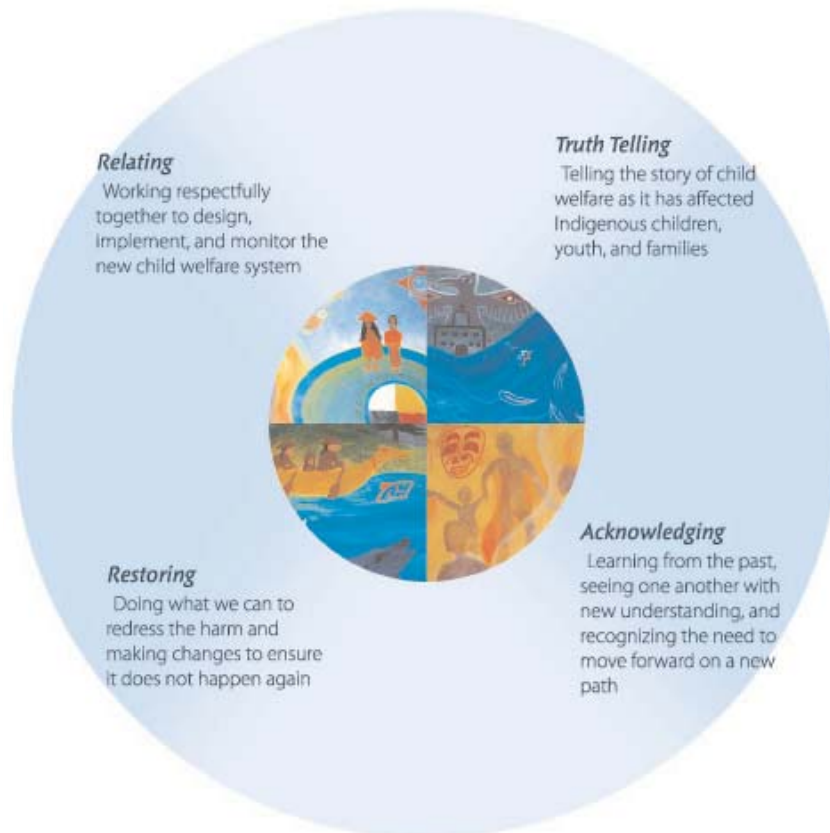


Figure 1. Four phases of reconciliation

Source: Blackstock et al., 2006. Reprinted with permission

All effective reconciliation processes begin, as noted earlier, with a mutual accounting of the historical truth by both Aboriginal and non-Aboriginal people who work together to examine both the past and present (Funk-Unrau, 2004; Llewellyn, 2002). This type of mutual historical examination has not happened in Canada in any systematic way and thus many people mistakenly believe that the past

does not manifest itself in our contemporary practice. Too often, the founding assumptions or values of child welfare have been either lost over time or are so embedded into our way of working that they are no longer visible, or even talked about. In fact, many Aboriginal and non-Aboriginal child welfare leaders at the reconciliation event were unable to articulate the values and beliefs that currently drive the child welfare system.

The participants at the reconciliation event were consistent in saying that the process of truth telling was a critical starting point for reconciliation in child welfare and that this process sets the foundation for the other phases of reconciliation. The other three phases (acknowledging, restoring, and relating), generally follow one another but this is not always the case, so the four phases are represented in Figure 1 in a circular fashion. Participants at the reconciliation event agreed that it was not necessary for these phases to be sequential in practice. For example, they anticipated that, in entering the restoring phase, groups may become aware of a new area where an examination of the truth may be necessary. What could be seen by some in this example as moving backwards (from restoring to truth telling) really is an understanding that "backwards" reflection is often necessary before we can move forward to a new reality. Participants agreed, however, that there must be an overall commitment to forward movement and that reverting to the past or the status quo were not options.

Identifying a process for reconciliation in child welfare was considered by the participants to be critical, but that such a process needed to be guided by touchstone values. These values are critical cornerstones to developing a new approach to better serve Indigenous children and youth.

Touchstones of Hope: Our Guiding Values

The guiding values in the reconciliation process are interdependent, are of equal value, and are seen to be fundamental to ensuring optimal child welfare services for Aboriginal children. They are intended to guide reflection and action at a national, provincial/territorial, and community level in all aspects of child welfare research, policy, and practice. For example, they can be used as key reflection mechanisms

when considering the implementation of child welfare approaches, such as differential response or risk assessment models. They are also essential to the design of education and training programs for Aboriginal and non-Aboriginal social workers working with Aboriginal peoples.

The word "touchstone" symbolizes the traditional view of stones in many Aboriginal cultures, as silent witnesses to the passing of time and generations before them. Stones are grandfathers—the holders of the wisdom of the times. For the purposes of this discussion, they are the witnesses to care provided to Aboriginal and non-Aboriginal children and young people (Blackstock et al., 2006). As the following section identifies, each Touchstone of Hope has also been substantively supported by other research literature. The five Touchstones of Hope in child welfare, detailed below, are:

- self-determination,
- culture and language,
- holistic approach,
- structural interventions, and
- non-discrimination.

Self-determination

Indigenous peoples must be in the best position to make decisions for Indigenous children and youth.

Research conducted by Cornell and Kalt (1992) and by Chandler and Lalonde (1998) substantially affirms the value of self-determination in ensuring sustained improvements in socio-economic outcomes in Aboriginal communities. Cornell and Kalt examined the socio-economic outcomes in American Indian communities to find out what factors were leading to sustained socio-economic well-being. The key factor that differentiated successful communities from those who were continuing to struggle was that the successful groups had high levels of sovereignty in decision-making. This same factor was found to be important in reducing youth suicide in First Nations communities in British Columbia (Chandler & Lalonde, 1998). Taken as a group, the 197 First Nations in British Columbia have one of the

highest youth suicide rates in the world but, as Chandler and Lalonde noted, there was a great deal of variability in suicide rates among communities. In fact, some communities reported having no youth suicides in the decade before the study and many more reported low rates. This led the researchers to track suicides by community and they discovered that more than 90% of the suicides had occurred in 10% of the First Nations. By controlling for different factors, Chandler and Lalonde were able to determine that the key factor differentiating communities with low rates from those with high rates was community self-determination as reflected in First Nations control over services and progress in self-government negotiations.

The importance of self-determination in ensuring optimal outcomes for Indigenous peoples has also been recognized by the Royal Commission on Aboriginal Peoples (1996) and by the Permanent Forum on Indigenous Issues and the United Nations Draft Declaration on the Rights of Indigenous Peoples (United Nations High Commission for Human Rights, 1994/1995).

Child welfare in Canada has been only modestly influenced by this growing body of research, as provinces and territories continue to insist on holding statutory authority over child welfare, and the provincial and federal governments hold the financial resources to fund the services. Although there has been an increasing trend for provinces to delegate Aboriginal organizations to deliver child welfare, their actual decision-making authority is severely limited. Little has changed in the 10 years since Durst (1996) noted that:

[T]he level of self-government of child welfare is currently capped at a co-management/delegation level of self government, given the federal position that provincial legislation is the final authority. This restriction clearly limits the communities' ability to exercise self-determination regarding child welfare issues. (p. 16)

The possibility of enabling Aboriginal communities to leverage the efficacy of their traditional systems of child and youth safety by developing and implementing their own child welfare laws has yet to be realized in Canada. Child welfare is still a system where non-Aboriginal people draw up the rules and hold the child welfare

resources, leaving Aboriginal people with very little room to develop programs that would be most effective in their unique culture and context.

The Touchstone of Hope on self-determination is intended to inspire meaningful conversations of change leading to an affirmation of Aboriginal peoples' decision-making over child welfare.

Culture and language

Culture and language are ingrained in all child welfare theory, policy, and practice. There is no culturally neutral policymaker or practitioner.

Culture, which includes language, underpins everything we are and the way we understand ourselves, other people, events, and the world around us. It provides a framework for locating ourselves within a broader social order and ultimately shapes our ways of being, including our professional ways of being in child welfare. The culture and language touchstone is intended to affirm that services to Aboriginal children and youth must be based on their cultural ways of knowing, and on support for Indigenous children to learn and use their traditional language.

It might be assumed that child welfare practice, as it has evolved in Aboriginal communities, is based on Aboriginal culture and reflects their worldviews. Aboriginal peoples in Canada are a diverse group, but on the whole, there is some commonality. They position individual rights within a highly valued communal rights system, and have a holistic worldview that considers the child to be intrinsically connected to other people, the past, the spirit world, the earth, and future generations (Blackstock, 2003). But child welfare in Aboriginal communities does not embed these values and views as they are compelled to use Euro-centric child welfare laws and standards imposed on Aboriginal peoples.

Mainstream child welfare traditionally values individual rights and personal independence, holds that the present is more important than the past and future, and assumes that progress justifies free and unlimited access to resources. Moreover, values held by mainstream child welfare systems in Canada are those of the dominant culture,

and, at least partly because of this, they assume that these values can be usefully applied to all other peoples and cultures. In recent years, mainstream child welfare systems have made attempts to develop and implement culturally appropriate practice in Aboriginal communities. But when this has occurred, it has been applied only to program procedures rather than to the worldview or assumptions that drive the program. Furthermore, there has yet to emerge a set of principles to ensure that services truly embrace Aboriginal culture, rather than simply acknowledging it in a token way (Blackstock, 2005).

Language is one of most important aspects of culture because, among other functions, it ties people together. Language acts as a major way for people to share their common experiences, share lessons learned from the past, solve current problems, and plan for the future. Language functions to teach children and adults and conveys customs, spirituality, and other cultural beliefs. The United Nations Education, Scientific and Cultural Organization (UNESCO) has widely recognized the importance of teaching Indigenous children their mother tongue. This not only ensures the preservation of the language and the worldview that informs it, but also provides a better foundation for learning success in other languages (UN News Centre, 2004). Indigenous languages represent about 4,000 to 5,000 of the world's 6,000 languages and 90% of these are likely to be extinct by the end of the 21st century, according to the United Nations Conference on Environment and Development Convention on Biological Diversity (1992). This organization also suggested that languages around the world are disappearing at a rate of two per month.

In Canada, there are over 50 Indigenous languages within 11 distinct language families. Many of these are on the endangered list, having only a few fluent speakers left (Indian and Northern Affairs Canada, 2003). Since as many as 1 in 10 status Indian children are in child welfare care in some provinces (Blackstock et al., 2005), there is an urgent obligation for child welfare to ensure mother tongue fluency for these children, not only to strengthen their cultural and linguistic identity, but also to ensure their scholastic success. The situation is critical and yet child welfare workers are rarely advised of the importance of mother tongue language fluency for Aboriginal children or provided adequate resources to ensure that the children have

access to learn and sustain their Indigenous language.

Holistic approach

It is essential to reflect the reality of the whole child.

Child welfare interventions have broadly been acknowledged to have lifelong impacts on Aboriginal children, youth, and families (Blackstock, 2003; Carriere, 2005; Milloy, 2005; RCAP, 1996; Shangreux, 2004). The notion that decision-making has to take into account the life experience of a child is not ground-breaking on its own, but it is hardly evident in child welfare practice today. When it is discussed, the dialogue is most often confined to debates on permanency planning and adoption. Discourse and research on the life-long impacts of child abuse investigations, risk assessment/family assessment, and various other interventions are very much in their infancy and often confined to the debate on the efficacy of differential response models. Although differential response models claim to consider long-term impacts on children who come into contact with the child welfare system, there is little research on their efficacy with Aboriginal children throughout their life cycle.

Over time, the lack of longitudinal studies on the impacts of child welfare intervention has reduced the profession's ability to respond to calls from Aboriginal communities, families, and youth in care themselves to better consider the long-term impacts of child welfare interventions. In this regard, there is also a need to better evaluate the risks posed by the actions of the child welfare system itself. Too often, there is an implied assumption that children are better off when they are removed from risk-filled family homes and placed into a risk-free child welfare system. The multi-generational impacts of child welfare are often written about (Blackstock & Trocmé, 2005; Carriere, 2005; MacDonald, 2000; Milloy, 2005; RCAP, 1996), even though there is an absence of research exploring the long-term risks that child welfare interventions might pose.

There is some research suggesting that children do better in child welfare care than when they are returned home, although the value of this research is limited by the lack of reliable assessments of child functioning prior to admission to care, or analysis of the impacts of

service reductions once the child is returned home. Moreover, research by the National Youth In Care Network (2004) suggested that the quality of life for youth in child welfare care is poor, with child welfare inadequately responding to the holistic life needs throughout the life stages. Despite different approaches to child welfare, there have been very marginal improvements to the quality of life for young people in state care over the past 30 years in Canada. Research findings continue to point to the fact that young people face early and abrupt emancipation from care, have multiple placements, inadequate physical and sexual health care, poor educational outcomes, and lack meaningful participation in decisions affecting them (National Youth In Care Network, 2004). It seems logical to assume that these all have a strong impact on long-term outcomes for youth and adults who have experienced them during their childhood years.

This touchstone is intended to inspire child welfare law makers, researchers, policy makers, and practitioners to consider whether their decisions not only are in the best interests of the child at that moment, but also will remain in the child's best interests over time.

Structural interventions

Structural interventions are key to the protection of Aboriginal children and youth.

Researchers for the Canadian Incidence Study on Reported Abuse and Neglect have found that Aboriginal children are coming to the attention of child welfare authorities in Canada at disproportionate rates (Blackstock, Trocmé, & Bennett, 2004; Trocmé, Fallon et al., 2005). The leading reason for this is neglect (Trocmé et al., 2004). When researchers explored neglect to determine what caregiver or child functioning factors were resulting in the assessment of neglect, they found that poverty, poor housing, and substance misuse at the level of the caregiver were the key drivers (Trocmé et al., 2004). A replication of this study in 2006 found that these same key drivers are still leading to the assessment of neglect in Aboriginal families. Nevertheless, when it came to placement decisions by social workers, the identification of a child as a First Nations member appeared to have an influence on the decision to place children in care (Trocmé et

al., 2006). The prevalence of structural risks resulting in assessments of child neglect has also been found in research with American Indian families. For example, Nelson et al. (1994) found that substance misuse, poor housing, parental history of abuse or neglect as a child, limited father involvement, and poverty were the key factors contributing to neglect.

Social work has typically relied on interventions at the level of the child and the family (Blackstock & Trocmé, 2005). Contemporary risk assessment models continue to fail to capture structural risks that often lie beyond the level of influence of the family. The failure of risk assessments to capture structural risk raises the possibility of social workers reaching the incorrect assessment that the family is able to address the risk factor (Blackstock & Trocmé, 2005). It can also lead to social workers providing services that do not address the structural drivers resulting in the manifestation of child neglect. For example, social workers routinely provide parenting classes to families who are experiencing neglect, but unless these services simultaneously address such factors as substance misuse, poverty, and inadequate housing, they are unlikely to be effective.

Interventions at the structural level have long been identified by Aboriginal communities as key to the elimination of child neglect in their communities. There has been a sustained and focussed effort by First Nations child welfare agencies to urge the federal and provincial governments to equitably invest in primary, secondary, and tertiary prevention programs that target both structural and family risk (Blackstock et al., 2005; MacDonald, 2000; McDonald & Ladd, 2000; RCAP, 1996).

The inclusion of this touchstone is intended to promote focussed reflection and action in the development of culturally-based structural interventions that respond to neglect and other forms of child maltreatment within Aboriginal communities.

Non-discrimination

Indigenous children and youth should not receive inferior services because they are Indigenous.

There is universal agreement in Canadian law that discrimination on

the basis of race will not be tolerated and this principle is ingrained in the *Charter of Rights and Freedoms* and repeated in many provincial and territorial statutes. These national commitments are buoyed by Canada's enthusiastic ratification of a plethora of international human rights statutes that call for the elimination of racial discrimination, such as the *Universal Declaration on Human Rights*, the *International Convention for the Elimination of All Forms of Racial Discrimination*, and the *Convention on the Rights of the Child*. Ensuring non-discrimination on the basis of race is so widely accepted as the right thing to do that it seems perplexing to see child welfare systems continuing to discriminate against Aboriginal children in Canada.

Perhaps the most essential right of people is the right to define their own culture and race. It is something that Canada, and the Canadian child welfare system, respects for all people, except Aboriginal people. The *Indian Act* (1985) continues to define who is and who is not a registered or "status Indian." Canada issues identification cards to status Indians, and terms those who do not meet their definition as "non-status Indians," people for whom the federal government believes it has a lower level of legal obligation. With few exceptions, provincial and territorial child welfare laws either rely on the *Indian Act* to define which children are Aboriginal, or empower the minister overseeing child welfare with the duty to define who is Aboriginal and what an Aboriginal community is. Thus, Aboriginal peoples are not entirely free to choose for themselves their own cultural and racial identity. Such a situation appears to be blatantly at odds with the value of non-discrimination that is contained within many Canadian laws and presumably is widely supported by Canadians. The discrimination does not end there. Research has affirmed that First Nations children on reserve receive far less child welfare funding than non-First Nations children living off reserve, in all provinces except Ontario where child welfare services for status Indian children on reserve are funded pursuant to a separate funding agreement (McDonald & Ladd, 2000). The provinces typically pay the full cost of child welfare for non-First Nations children within their borders, but when it comes to providing services to First Nations children on reserve, the province looks to the federal government to pick up costs. When the federal government does not pay or does so

inadequately, the provinces typically do not step in to provide the needed funding, despite the fact that none of the child welfare statutes allow discrimination based on funding agreements with the federal government.

A detailed report completed in 2005 found that federal funding must be increased by a minimum of \$109,000,000 per annum (less than 1% of the most recent federal surplus budget at the time of publication of this book) in order to ensure that First Nations children on reserve have access to an equitable level of child welfare services (Blackstock et al., 2005; Loxley et al., 2005). The child welfare funding deficit is particularly acute in terms of services provided to families at-risk to help them safely care for their children at home. The negative impacts of the discrimination in funding have been repeatedly documented (Amnesty International Canada, 2005; Blackstock, 2003; Blackstock et al., 2005; First Nations Child and Family Caring Society of Canada, 2005; Lavalee, 2005; Loxley et al., 2005; McDonald & Ladd, 2000), and yet it persists.

Breathing life into the non-discrimination touchstone means setting aside racial discrimination in child welfare by respecting the right of Aboriginal peoples to define their own cultural and racial identity—non-discrimination also means entering Aboriginal knowledge in discussions affecting them. Funding systems and the policies that direct them must ensure that Aboriginal children receive equitable child welfare funding levels, and that there is adequate flexibility to employ culturally-based child welfare systems. Most of all, it challenges child welfare itself to understand why this degree of racial discrimination exists at a time when we universally, as the social work profession, accept that all children have the right to non-discrimination. What allowed us to normalize it and even rationalize it, instead of naming it and acting stridently against this type of discrimination? Those of us working in child welfare need to know and understand this. Most of all, the children and families of all the cultures that we serve, need us to know, so that we can stop it from happening again.

MOVING FORWARD IN RECONCILIATION IN CHILD WELFARE

These Touchstones of Hope are unremarkable in many ways. They are principles that Indigenous peoples and some others have identified as being important in child welfare for years. They are powerful in their simplicity and they ring true and important across the diversity of Aboriginal peoples and child welfare professionals. They are supported by evidence, both lived experience and research. In many ways, they go beyond what is important for Aboriginal children to suggest what might be important for all children who come into contact with the child welfare system. Therein may lie one of the most important potentials of the reconciliation movement: the promise to improve the lives of all children and young people who come into contact with the child welfare system, not just those identified as Aboriginal.

The effort, courage, conversation, and skill of those who contributed to the *Reconciliation in Child Welfare: Touchstones of Hope for Indigenous Children, Youth, and Families* document will be mute if the social work and allied professions do not collectively engage in a meaningful process to implement them. The authors of the document and their supporting organizations will move forward to develop tool kits so that those involved with child welfare research, law making, education, policy, and practice can begin reflecting on the degree to which the current child welfare reality reflects the touchstones and begin to actively move through the phases of reconciliation with a goal of improving child welfare for Indigenous children, youth, and families.

Those who read the touchstones document should not wait for the sponsoring organizations to develop the toolkits to begin the important work of reconciliation. The time is now to actively seek out conversations across cultures about the touchstones and to mobilize change in the child welfare system. It will take a sustained effort across the profession to accomplish the goal of redesigning the child welfare system to better serve Aboriginal children. Together, we must acknowledge that it will be tempting to set this document aside as so many have been before. But, if we do, we must also recognize that it will be the Aboriginal children and families who will bear the brunt

of our failure just as they will live much better if we succeed. They are leading us. We must follow—regardless of how ashamed, embarrassed, or tired we feel—because in the end, we are much more privileged than they are, and yet they have been much more courageous.

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