



**Analysis  
project on  
the trajectories**

**of First Nations youth  
subject to the  
Youth Protection Act**

**SUMMARY REPORT**







## AUTHOR

Hélène Bagirishya, Research Agent  
First Nations of Quebec and Labrador Health and Social Services Commission

## ADVISORY SUB-COMMITTEE ON DATA

Élaine Bouchard, Aboriginal Affairs and Northern Development Canada  
Martine Côté, Sub-Committee Co-Chair, First Nations of Quebec and Labrador Health and Social Services Commission  
Nancy Gros-Louis Mchugh, First Nations of Quebec and Labrador Health and Social Services Commission  
Gilles Paradis, Ministère de la Santé et des Services sociaux du Québec  
Denise Picard, Aboriginal Affairs and Northern Development Canada  
Noëlla Plouffe, Ministère de la Santé et des Services sociaux du Québec  
Natalie Rosebush, Ministère de la Santé et des Services sociaux du Québec  
Nico Trocmé, Centre for Research on Children and Families, McGill University  
Michael Udy, Sub-Committee Co-Chair, Association des centres jeunesse du Québec  
Pamela Weightman, Centre for Research on Children and Families, McGill University

## ACKNOWLEDGEMENTS

We would like to extend our gratitude to all our partners for making themselves available and collaborating with us on this project. We are particularly grateful to all the members of the Advisory Sub-Committee on Data and the Clinical Advisory Committee for the First Nations of Quebec (CAC). These innovative collaborative efforts were instrumental in producing the analyses presented in the report and promoting the advancement of knowledge based on a participatory approach.

The FNQLHSSC completed this project thanks to funding from the Department of Aboriginal Affairs and Northern Development Canada (AANDC) and as per the First Nations of Quebec and Labrador Research Protocol, produced by the Assembly of the First Nations of Quebec and Labrador (AFNQL).

The publication is also available in French under the title: *Analyse des trajectoires des jeunes des Premières Nations assujettis à la loi sur la protection de la jeunesse, Rapport synthèse*

This report is a summary of the two comprehensive reports produced to present the analysis of AANDC data (Component 1) and MSSS data (Component 2). To consult these two reports, contact the FNQLHSSC Research Sector Manager.



# Table of Contents

<b>Context and methodology</b> .....	<b>7</b>
<b>ANALYSIS RESULTS</b> .....	<b>10</b>
1. Component 1: Analysis of AANDC financial and client data .....	10
<b>1.1 Analysis of budgetary envelopes from 2007-08 to 2009-10</b> .....	<b>10</b>
<b>1.2 Placement of First Nations youth</b> .....	<b>11</b>
1.2.1 Total number of children placed at least once in one type of care, by year .....	11
1.2.2 Days spent in care .....	12
1.2.3 Average cost billed to AANDC .....	12
1.2.4 By number of children placed in care at least once .....	12
1.2.5 By number of days spent in care .....	14
2. Component 2: Analysis of data from the MSSS AS-480 statistical reports .....	14
<b>2.1 Intervention process: Trends and comparisons</b> .....	<b>14</b>
2.1.1 Reports .....	14
2.1.2 Evaluations: Decisions on the child's security and development .....	14
2.1.3 Orientations .....	16
2.1.4 Implementation of protective measures .....	18
<b>2.2 Care placements: Trends and comparisons</b> .....	<b>18</b>
<b>General conclusion</b> .....	<b>21</b>

## LIST OF TABLES

Table 1: Total expenses billed to AANDC, by type of cost, 2007-2010 .....	10
Table 2: Total number of First Nations children placed at least once, by type of care, from 2007-08 to 2009-10 .....	10
Table 3: Breakdown of number of days spent in care in relation to the number of children placed at least once, by year and type of care .....	12
Table 4: Average cost billed to AANDC for placing children in care at least once, by year and type of care, 2007-2010 .....	13
Table 5: Average cost billed to AANDC, by day spent in care, year and type of care, 2007-2010 .....	13

## LIST OF FIGURES

Figure 1: Average incidence rate per 1 000 children for the number of reports retained for non-agreement First Nations and non-Aboriginal youth in Quebec, from 2005-06 to 2009-10 .....	15
Figure 2: Breakdown of reports retained between 2005-06 and 2009-10, by form of maltreatment .....	15
Figure 3: Breakdown of evaluation decisions (compromised security and development), by form of maltreatment, 2009-10 .....	17
Figure 4: Breakdown of decisions made during orientation, by incidence rate per 1 000 children, from 2005-06 to 2009-10 .....	17
Figure 5: Breakdown of number of children placed in care, by incidence rate per 1 000 children, from 2005-06 to 2009-10 .....	19





## Glossary

### **Implementation of protective**

#### **measures (MSSS)**

Once the intervention process is launched, youth protection workers begin to implement protective measures as soon as they meet with the child, the parent or a significant person in the child's environment. In the AS-480 reports, a child can be counted more than once if he or she is subject to more than one series of implementation measures.

#### **Operational costs (AANDC)**

Operational costs are calculated using a national formula that corresponds to a global amount allocated to agencies and include all the expenditures incurred to maintain the program, for instance, operations, reports, ad hoc funding for emergencies and regional meetings (forums, regional tables, intermittent crises, pilot projects, residential costs).

#### **Cost of contributions (AANDC)**

The cost of contributions represent the actual expenses incurred by housing youth in the three types of care placements (institutional care, foster homes, group homes).

#### **Evaluation (MSSS)**

The evaluation process is launched after a report has been officially retained. The evaluation verifies the reported facts and analyzes the child's situation in light of his or her vulnerability, the parents' capacity and the community's resources in order to make a decision regarding whether or not the child's security and development are compromised (ss. 38 and 38.1 of the YPA).

### **Placed in the care of an**

#### **intermediate resource (MSSS)**

A natural person or legal entity or "a foster home- or apartment-type resource" that provides youths with rehabilitation services (non-institutional resource).

### **Placed in the care of a living**

#### **unit (MSSS)**

A resource with a specific mandate related to the youths' detention (or custody) needs or other needs related to intensive supervision pursuant to the Youth Protection Act (YPA) or the Youth Criminal Justice Act (YCJA).

### **Placed in the care of a foster home**

#### **or entrusted to a third party (MSSS)**

Placed in the care of a recognized foster home (on or off reserve).

### **Placed in the care of a group**

#### **home (MSSS)**

Facilities that provide children with rehabilitation services and serve to increase their autonomy to pave the way for their social integration (institutional resource).

#### **Orientation (MSSS)**

A process which immediately follows the evaluation phase and informs the choice of protective measures, strives to further define the diagnosis, explore the applicable measures, identify the interventions coordinator, design an intervention plan, choose the protective measures and prepare an individualized service plan. The orientation phase can take place with judicial intervention (implementation of judicial measures) or without judicial intervention (agreement on voluntary measures or successful completion of final protective measures).







**Placed in the care of a foster**

**home (AANDC)**

"Care provided in a family setting by persons who are not the parents of the child and where placement was made by an agency, such as a band or a provincial child welfare authority. This includes care provided without reimbursement, but excludes care in a family where adoption is clearly the intent."

**Placed in the care of a group**

**home (AANDC)**

"Care provided to a small group of 5 to 10 children in a setting where normally the permanent full-time staff is a couple operating in a setting which provides a family atmosphere. Group homes do not include foster homes."

**Placed in institutional**

**care (AANDC)**

"Care provided in a setting where large groups of children (10 or more children) occupy the premises."

**Placement (general definition)**

For AANDC: Children placed in care pursuant to the YPA, the ARHSSS and the YCJA (barring children placed pursuant to the YCJA starting in 2008-09).

For MSSS: Children placed in care pursuant to the YPA, the ARHSSS and the YCJA (barring children who are "entrusted to" foster homes that are not recognized by the provincial network).

**Report (MSSS)**

Any situation involving a child between the ages of 0 and 17 that is reported to the Director of Youth Protection (DYP) by a person who believes that the child's security or development is or may be in danger.

**Status of children who were the subject of at least one retained report during the year (MSSS)**

New case under the YPA: A child who is either unknown under the YPA or who has already been the subject of an active case which has since been closed and is no longer on record because the period prescribed by the YPA for keeping the record has expired.

Known but inactive case under the YPA: A child who is the subject of an active case which has since been closed but whose file is still on record because the period prescribed by the YPA for keeping the record has not yet expired.

Active case under the YPA: A child who is awaiting or undergoing evaluation or orientation or whose case is subject to the implementation of protective measures, as prescribed by the YPA.



# Context and methodology

## CONTEXTUAL CONSIDERATIONS AND RECOMMENDED APPROACH

Given the overrepresentation of First Nations youth in the youth protection system, it was crucial that evidence be gathered relating to the well-being of these children and their families as well as on the services they receive.

The research project "Analysis project on the trajectories of First Nations youth subject to the *Youth Protection Act*" thus set out to locate the various types and sources of data on First Nations youth and analyze this data in order to obtain concrete information on any changes in the well-being of First Nations youth in the youth protection system.

Since the services are offered and data are collected by both the federal and provincial governments, the study was divided into two components: 1) an analysis of financial and client data obtained by the Department of Aboriginal Affairs and Northern Development Canada (Component 1); and 2) an analysis of the statistical reports (AS-480 A and G) collected by the Ministère de la Santé et des Services sociaux du Québec (Component 2).

## METHODOLOGY

Each analysis component had particular characteristics. The following table presents the sources, analysis objectives, reference periods and types of data used for each component.

	Component 1 – AANDC data	Component 2 – MSSS data
<b>Sources</b>	AANDC financial and client data	Data from the AS-480 statistical reports submitted by youth centres to MSSS
<b>Analysis objectives</b>	<ul style="list-style-type: none"> <li>• Understand what aspects of First Nations youth services are funded by AANDC</li> <li>• Determine the total amount of budgetary envelopes granted as well as the total number of young people receiving services</li> </ul>	<ul style="list-style-type: none"> <li>• Compare the situation between First Nations youth living on reserve with the rest of Quebec youth in terms of the categories of information associated with placements</li> <li>• Conduct an analysis on the trends observed from one year to the next</li> </ul>
<b>Reference period</b>	2007-08, 2008-09, 2009-10	2005-06, 2006-07, 2007-08, 2008-09, 2009-10
<b>Data obtained and analyzed</b>	<ul style="list-style-type: none"> <li>• Monthly reports of children placed in care: by month, number of days spent in care, cost and type of care (institutional care, foster home, group home)</li> <li>• Costs to maintain services that fall under the cost of contributions (actual expenses for services rendered in the context of placements) and operational costs (sums allocated to ensure service delivery)</li> <li>• The total number of children placed per year (different from the total number of placements)</li> </ul>	<ul style="list-style-type: none"> <li>• AS-480 (G) and (A) statistical reports</li> </ul>
<b>Additional data obtained</b>	<ul style="list-style-type: none"> <li>• Total population, total 0-18 year olds and total non-agreement First Nations population</li> </ul>	<ul style="list-style-type: none"> <li>• Total Quebec population, total 0-17 year olds</li> </ul>






## LIMITATIONS OF DATA

The data obtained for this project were analyzed to shed light on the statistics in a way that took into account the data collection methods used by each level of government. Several limitations must be considered while reading the results for each component.

### Limitations for Component 1 – AANDC data

- The data exported from the system was organized according to the date on which the children were entered into the system and not the placement start date. It was brought to our attention that extracting data based on the placement start date would require manual manipulations, which would in turn occasion a high risk of error on various fronts (e.g. duplicates, typos) (AANDC, 2012). Consequently, using data based on the dates on which children were registered into the system provides an incomplete portrait. Indeed, all the children placed in care at least once during a given fiscal year are not necessarily represented in this data. It is therefore recommended that all results be interpreted with caution.
- The data on the total number of children placed in care per year correspond to the total number of children placed in one type of care during the year. In other words, each child is recorded once within a given year per type of care placement, and a child may be recorded twice if he or she were placed in two types of care in the same fiscal year<sup>1</sup>. However, if a child is transferred to a different placement but continues to be provided with the same type of care within a given month (i.e. a child moves from one foster home to another), he or she is only counted once for this type of care placement. It is therefore important to keep in mind that the data analyzed does not specify the total number of children placed for all types of care within a given year.
- The primary purpose of collecting this data is not to profile the clients who receive services funded by AANDC; rather, the monthly reports (quarterly reports since 2009-10) are first and foremost an administrative tool with financial—not research—ends. This explains why: 1) The current data cannot be used to know or measure the incidence of individuals being moved from one type of placement to another. Data of this nature would have shed light on the factors that are responsible for the fluctuation of costs from one year to the next; and 2) the current data cannot be used to know why the number of placements has increased since no context is provided to support the data.
- The AANDC data related exclusively to registered Indian children or entitled to be registered, who has a parent or a legal tutor living in non-agreement First Nations communities; therefore, the data on which the analysis is based does not bear on Cree, Naskapi and Inuit youth, nor does it bear on non-agreement First Nations youth living off reserve.



1) AANDC keeps track of the number of placements by type of care and not by child, which means that a given child can be counted twice if he or she is placed in two different types of care within a given month and fiscal year; a child can therefore be counted twice—thus creating a duplicate—in the total number of children housed in care placements, but this situation does not represent a significant number of children in the system.





- As of October 1, 2008, AANDC has ceased to fund placements under the *Youth Criminal Justice Act* (YCJA). The data collected for the 2007-08 fiscal year included data on children placed in care pursuant to the YCJA. However, this data was excluded for the 2008-09 fiscal year, which could have had an influence on the total number of placements recorded (particularly in the case of placements in institutional care).

### **Limitations for Component 2 – MSSS data**

- The population segment selected for the purpose of these analyses was the non-agreement First Nations population. In the AS-480 (A) report, certain data that specifically identifies the Cree, Naskapi and Inuit populations will be included but not analyzed.
- No institution or region was clearly identified as official service provider for the Naskapi population (Kawawachikamach). However, by relying on knowledge acquired in the field, it appears that these services are rendered by the North Shore region (09), and that the children are placed in and around Sept-Îles. Since the data from the AS-480 reports does not specify communities, it was impossible to remove the Naskapi from the calculations to identify only the First Nations from non-agreement communities.
- The population data obtained following a request to MSSS (total Quebec population between the ages of 0 and 17) and to AANDC (total First Nations population in Quebec and total First Nations population between the ages of 0 and 17 in Quebec) allowed for pertinent comparisons. However, it is important to remember that the analyses presented in this report aim to uncover general trends over a five-year period only.
- Finally, the AS-480 (A) and (G) statistical reports do not provide any community context. Furthermore, some data was marked as not available or not applicable; this was particularly true of data from the Ungava Tulattavik Health Centre (region 17) and the Cree Board of Health and Social Services of James Bay (region 18). However, these data were not included in the comparative analyses and did not affect the analyses presented.



# Analysis results

## 1. COMPONENT 1: ANALYSIS OF AANDC FINANCIAL AND CLIENT DATA

The analysis of the expenses and various types of protection services provided to children and families creates a general portrait of the situation revolving around the placement of Quebec First Nations children and the resulting costs. The following sections summarize the results and the interpretations from the statistical analyses conducted as part of this project.

### 1.1 Analysis of budgetary envelopes from 2007-08 to 2009-10

The first objective of Component 1 was to understand what aspects of youth services were being funded by AANDC. The First Nations Child and Family Services (FNCFS) program administered by AANDC provides both funding for activities that facilitate the program's operations and amounts allocated for placements in foster homes, institutional care and group homes.

Between 2007-08 and 2008-09, the total amount of funding allocated through the program was between \$44 million and \$42 million, respectively<sup>2</sup>; in 2009-10, it equaled \$45 million (Table 1). The cost of contributions for the three types of care placements (institutional care, foster homes, group homes) included nearly two-thirds of the overall expenses for the three fiscal years covered by the study. Most of the contributions (close to or more than 90%) were distributed among placements in institutional care and foster homes (92% of these costs in 2007-08, 93% in 2008-09 and 87.2% in 2009-10).

**Table 1: Total expenses billed to AANDC, by type of cost, 2007-2010**

Type of cost		2007-2008		2008-2009		2009-2010	
		Amount (\$)	%	Amount (\$)	%	Amount (\$)	%
<b>Contribution</b>	Institutional care	13 173 536	47.0%	10 940 316	42.1%	11 078 021	42.8%
	Foster home	12 722 301	45.4%	13 288 310	51.1%	11 506 747	44.4%
	Group home	2 120 002	7.6%	1 758 367	6.8%	3 311 835	12.8%
	<i>Total cost of contributions</i>	<i>28 015 839</i>	<i>100%</i>	<i>25 986 993</i>	<i>100%</i>	<i>25 896 603</i>	<i>100%</i>
<b>Operational</b>		16 132 000		15 831 900		19 128 001	
<b>Total budgetary envelope</b>		<b>44 147 839</b>		<b>41 818 893</b>		<b>45 024 604</b>	

\* All amounts are rounded to the nearest unit, and do not include the costs incurred for children living off reserve.

2) These costs may reflect certain annual rate adjustments established on the heels of the First Nations Socioeconomic Forum held in Mashteuiatsh in 2006.



## 1.2 Placement of First Nations youth

The client data provided by AANDC revealed the number and types of placements made for First Nations youth between the ages of 0 and 18 living on reserve. This data also shed light on the general situations surrounding these placements.

### Total number of children placed at least once in one type of care, by year

According to Table 2, in 2007-08, 1 552 children living on reserve were placed in care (for an incidence rate of 127.16 per 1 000 enfants); in 2008-09, the total number of children increased to 1 575 children, for an incidence rate of 128.38 per 1 000 children. In 2009-10, 1 554 children were placed in care, marking a return to the placement levels observed in 2007-08 (for an incidence rate of 126.06 per 1 000 children).

More specifically, from 2007-08 to 2008-09, there was a significant increase in the number of children placed in foster homes, with an additional 60 children placed in this type of care. Foster homes continued to house the largest proportion of children, representing 77% and 80% of all care placements, respectively. This held true in 2009-10, with foster homes providing care to 1 269 children and representing 82% of total placements.

**Table 2: Total number of First Nations children placed at least once, by type of care, from 2007-08 to 2009-10**

Type of care	2007-2008			2008-2009			2009-2010		
	N	%	Incidence per 1 000 children*	N	%	Incidence per 1 000 children*	N	%	Incidence per 1 000 children*
Institutional care	271	17.5%	22.20	231	14.7%	18.83	191	12.3%	15.49
Foster home	1 195	77.0%	97.91	1 255	79.7%	102.29	1 269	81.7%	102.94
Group home	86	5.5%	7.05	89	5.7%	7.25	94	6.0%	7.63
<b>Total number of children in care</b>	<b>1 552</b>	<b>100%</b>	127.16	<b>1 575</b>	<b>100%</b>	128.38	<b>1 554</b>	<b>100%</b>	126.06

\* The incidence rate is calculated based on the number of First Nations children between the ages of 0 and 18 (excluding Cree, Naskapi and Inuit children) living on reserve.





The exact number of children placed in care remains unknown since children who are placed in two types of care within a given year are counted twice in the total number of placements. In other words, there are no records that, for instance, would count a child only once when placed in both a foster home and a group home in the same year. However, despite the fact that the results necessarily inflate the number of children placed in care, it was noted that in 2009-10, the 1 554 recorded placements represented 12.6% of the 0-18 year old population living on reserve, for an incidence rate of 126.06 per 1 000 children (compared to 12.7% in 2007-08 and 13% in 2008-09).

### 1.2.2 Days spent in care

The total number of days spent in care per year is influenced by the number of placements recorded each month by AANDC. According to Table 3, there was an increase in the average number of days spent in care, particularly in the case of foster home placements (193 days in 2009-10, compared with 185 days in 2008-09 and 177 days in 2007-08). However, this increase may be proportional to the increase in children placed in the care of foster homes (82% of total care placements, representing 1 269 children in 2009-10).

**Table 3: Breakdown of number of days spent in care in relation to the number of children placed in care at least once, by year and type of care**

Type of care	2007-2008		2008-2009		2009-2010	
	N	%	N	%	N	%
Institutional care	103	29.6%	92	28.1%	117	30.2%
Foster home	177	50.6%	185	56.2%	193	49.7%
Group home	69	19.8%	52	15.7%	78	20.1%
<b>Total</b>	349	100%	329	100%	388	100%
<b>Average, all types of care</b>	158	-	164	-	176	-

### 1.2.3 Average cost billed to AANDC

The second objective of Component 1 was to determine the overall funding allocated to services and analyze costs in relation to the number of First Nations children placed in care.

### 1.2.4 By number of children placed in care at least once

According to Table 4, between 2007-08 and 2009-10, the average costs billed to AANDC for placing children in institutional care and group homes were relatively high, and the least expensive placement option remained foster homes. More specifically:

- In 2007-08 and 2008-09, it was possible to correlate the decrease in costs for services rendered in institutional care and group homes with the decrease in the number of individuals housed in these two types of care place-



ments. The increase in costs associated with placements in foster homes can also be correlated with the increase in the number of individuals housed in this type of care placement.

- In 2009-10, despite a decrease in the number of children placed in care, there was a significant increase in the average cost billed to AANDC for placing children in institutional care and group homes compared to 2008-09: an average of \$58 000 was billed per child for the 191 children placed in institutional care, and \$35 232 per child for the 94 children placed in group homes. However, the children placed in institutional care in 2009-10 appeared to remain in care for longer periods of time than in 2008-09 (see Table 3), which could explain the increase in costs despite the decrease in the number of children placed. Finally, there was a decrease in the average cost of foster home placements, that is, \$9 068 per child for the 1 269 children placed in foster homes (the number of children placed at least once in a foster home increased).

**Table 4: Average cost billed to AANDC for placing children in care at least once, by year and type of care, 2007-2010**

Type of care	2007-2008	2008-2009	2009-2010
	Average cost (\$)	Average cost (\$)	Average cost (\$)
Institutional care	48 611	47 361	58 000
Foster home	10 646	10 588	9 068
Group home	24 651	19 757	35 232

### 1.2.5 By number of days spent in care


An analysis of the relationship between the average annual costs incurred by AANDC (Table 5) and the number of days spent in care showed that in 2009-10, the average cost billed to AANDC per year for group homes significantly increased in relation to 2008-09; it cost on average \$453 per day spent in care for the 94 children in group homes, whereas it cost on average \$495 per day spent in institutional care. Foster homes remained the least expensive type of care placement, averaging \$47 per day spent in care.

**Table 5: Average cost billed to AANDC, by day spent in care, year and type of care, 2007-2010**

Type of care	2007-2008	2008-2009	2009-2010
	Average cost (\$)	Average cost (\$)	Average cost (\$)
Institutional care	471	513	495
Foster home	60	57	47
Group home	356	381	453

Finally, it appears that it is clearly more expensive to place children in institutional care and group homes as opposed to foster homes. Moreover, the numbers suggest that children in general spend more days in care per placement, regardless of type of placement. Any interpretation of these results must also consider that the decrease in the total number of children housed in care placements is also influenced by the fact that children placed under the YCJA have not been included in the statistical data since 2008-09.





Finally, the measures taken by AANDC in 2011-2012 in order to assume the government's responsibilities stemming from the *McIvor* decision will have an influence on the services rendered to First Nations youth and could result in an increase in the number of placements since many children are slated to recover their "Indian" status as per the *Indian Act*.

## 2. COMPONENT 2: ANALYSIS OF DATA FROM THE MSSS AS-480 STATISTICAL REPORTS

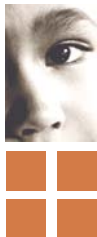
Component 2 of this study had several objectives. First, it investigated the trends that emerged throughout the intervention process for non-agreement First Nations and non-Aboriginal youths in order to paint a portrait of these two categories of young people. Note that unlike AANDC data, the MSSS data relates to children between the ages of 0 and 17 (as recorded at the provincial level).

### 2.1 Intervention process: Trends and comparisons

The intervention process implemented by youth centres is composed of four steps: reports, evaluation, orientation and the implementation of protective measures.

#### 2.1.1 Reports

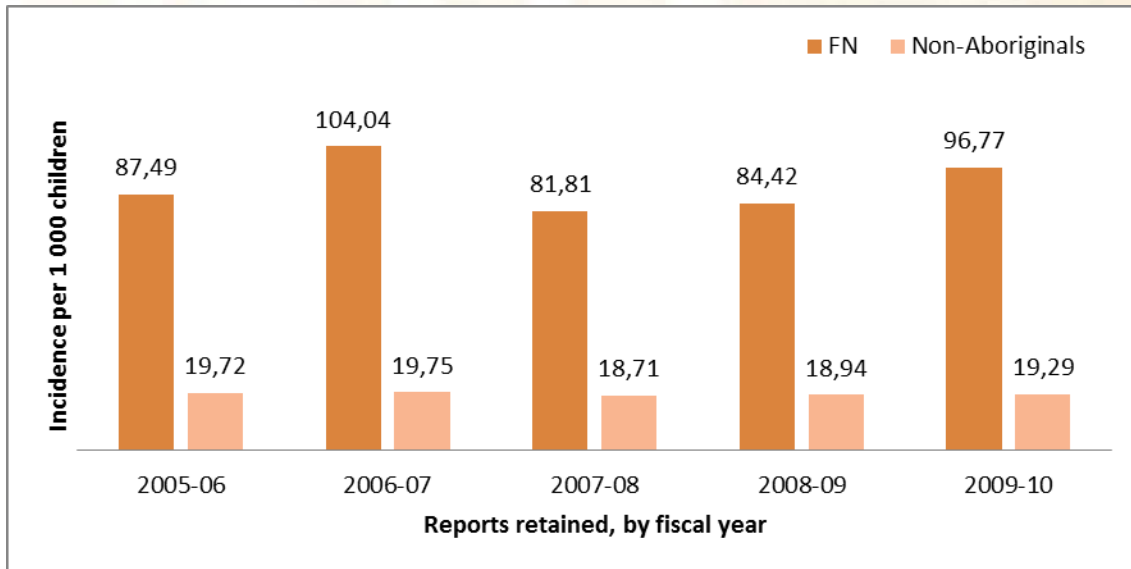
Between 2005-06 and 2009-10, among non-agreement First Nations (Figure 1), an average of 1 811 **reports** were processed per year, and almost two-thirds of these (57.6%) were retained; therefore, over the five years covered by this study, an average of 1 043 reports involving First Nations children were retained per year. Among non-Aboriginals, an average of 29 650 reports were retained per year between 2005-06 and 2009-10, corresponding to 1.9% of non-Aboriginal youth in Quebec, for an incidence rate of 19.28 per 1 000 children. These data point to a disproportion between non-agreement First Nations and non-Aboriginal children during the reports retention phase, with an incidence rate for First Nations children that was almost five times as high as the incidence rate for non-Aboriginal children for the five years under study.





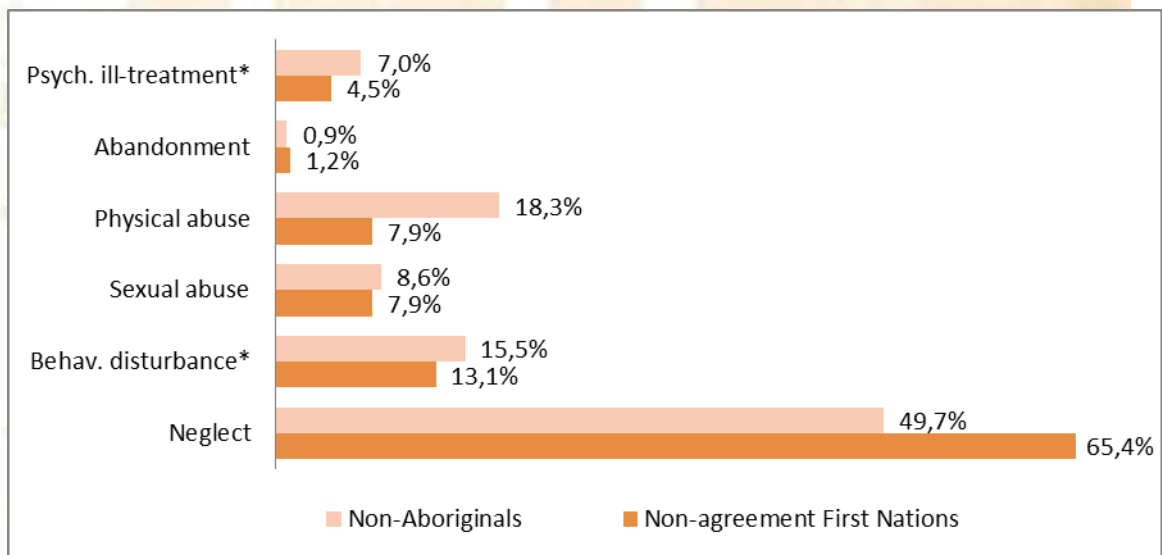



**Figure 1: Average incidence rate per 1 000 children for the number of reports retained for non-agreement First Nations and non-Aboriginal youth in Quebec, from 2005-06 to 2009-10**



From 2005-06 to 2009-10, neglect emerged as the **most frequently cited form of maltreatment** in retained reports (Figure 2); this was particularly true for non-agreement First Nations (65.4%, compared with 49.7% for non-Aboriginals). The least frequently cited form of maltreatment was abandonment (1.2% for First Nations and 0.9% for non-Aboriginals).

**Figure 2: Breakdown of reports retained between 2005-06 and 2009-10, by form of maltreatment**





Moreover, between 2005-06 and 2009-10, the number of **children known under the YPA** but whose cases were inactive at the time of the retained report steadily increased, pointing to the possibility that cases increasingly involved children who were known under the YPA and who had been the subject of more than one report. An average of 38.1% of First Nations cases were known but inactive under the YPA, compared to 33.6% of non-Aboriginal cases.

However, it remained that for both First Nations and non-Aboriginals, most of the retained reports involved **new cases under the YPA** (45.1% for First Nations, 57.2% for non-Aboriginals). Since 2005-06, the gap between First Nations and non-Aboriginals has widened. In 2005-06, the incidence rate per 1 000 children for First Nations cases that were new to the YPA was three times higher than the incidence rate for non-Aboriginals. In 2009-10, the incidence rate per 1 000 children for First Nations cases that were new under the YPA (43.72 per 1 000) was six times higher than the incidence rate for non-Aboriginal children (7.20 per 1 000).

Moreover, the proportion of First Nations youth with **active cases under the YPA** (16.8%) was higher than that for non-Aboriginal children (9.3%); and in 2009-10, the incidence rate per 1 000 non-agreement First Nations children in this category was 9.6 times greater than the incidence rate for non-Aboriginal children (8.80 per 1 000 children and 0.92 per 1 000 children, respectively).

### 2.1.2 Evaluations: Decisions on the child's security and development

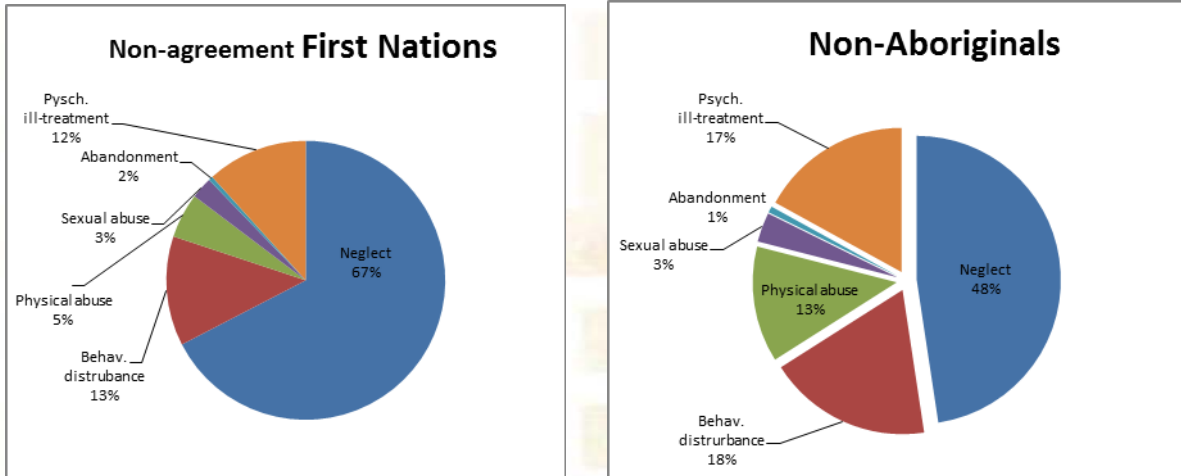
In terms of decisions made regarding the child's security and development (compromised or not compromised), significant differences have been observed between non-agreement First Nations and non-Aboriginals. Between 2005-06 and 2009-10, most of the evaluations conducted for First Nations cases established that the child's security and development was **compromised** (52.9% of evaluations, for an incidence rate of 36.61 per 1 000 children, compared to 38.4% for non-Aboriginal cases, for an incidence rate of 6.42 per 1 000 children). The trend observed among non-Aboriginals is therefore in opposition to that observed among non-agreement First Nations: Since 2005-06, the incidence rate per 1 000 First Nations children was on average 5.7 higher than that observed for non-Aboriginal cases.

Moreover, between 2005-06 and 2009-10, among non-agreement First Nations, 72.2% of evaluation decisions found that neglect was compromising the child's security and development, for an incidence rate of 26.44 per 1 000 children; in comparison, among non-Aboriginals, neglect was cited in 52.3% of the evaluation decisions, for an incidence rate of 3.37 per 1 000 children. These numbers confirm the disproportionate representation of non-agreement First Nations compared with non-Aboriginals, a phenomenon that was first noticed at the reporting phase and continued to hold true at the evaluation phase.





**Figure 3: Breakdown of evaluation decisions (compromised security and development), by form of maltreatment, 2009-10**

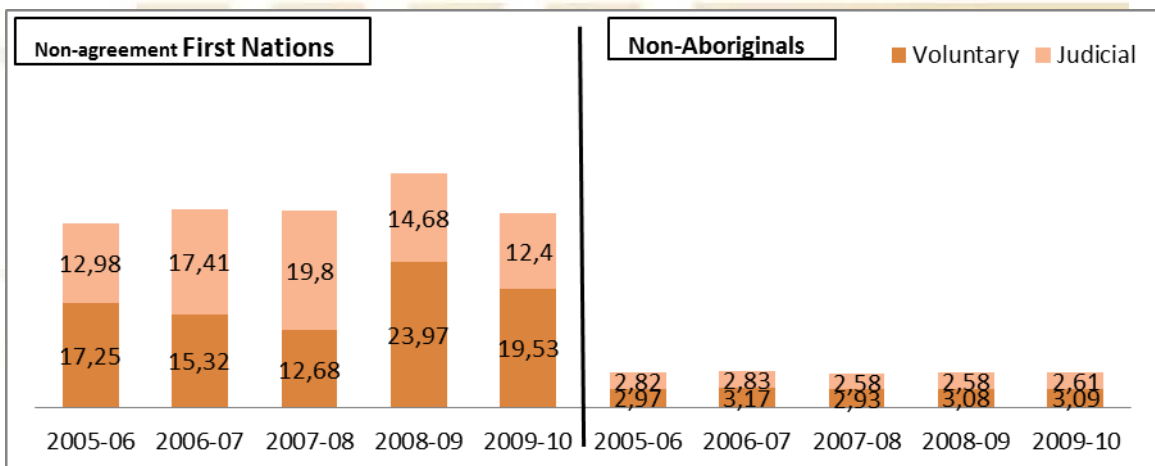


\* Psychological ill-treatment; Behavioural disturbance

### 2.1.3 Orientations

Turning to the protective measures specified during the orientation phase, it appears that most of the orientation outcomes for both non-agreement First Nations and non-Aboriginals involved voluntary measures (in 2005-06, 2008-09 and 2009-10). However, among First Nations, in 2006-07 and 2007-08, most of the orientation outcomes called for the implementation of judicial measures (52.1% and 57.9%, respectively, representing incidence rates of 17.41 and 19.80 per 1 000 children). As seen in Figure 4, in 2008-09, the incidence rate of orientation outcomes involving judicial measures for First Nations was 5.7 times higher than the incidence rate observed for non-Aboriginals; in 2009-10, it was 4.7 times higher. Further study would be needed to determine the causes behind these fluctuations and the high proportion of judicial measures implemented in First Nations cases.

**Figure 4: Breakdown of decisions made during orientation, by incidence rate per 1 000 children, from 2005-06 to 2009-10**





#### 2.1.4 Implementation of protective measures

Orientation outcomes generally involved the implementation of voluntary or judicial measures. In the case of non-agreement First Nations, the number of decisions to implement protective measures varied between 2005-06 and 2009-10, but hit a peak in 2007-08. Different trends were observed in the orientation outcomes for non-Aboriginals, that is, there was a decrease in the number of decisions to implement protective measures. Moreover, in keeping with the trends observed during the reporting, evaluation and orientation phases, most of the decisions to implement protective measures were made on the grounds of neglect (68% for First Nations and 50% for non-Aboriginals in 2009-10).

### 2.2 Care placements: Trends and comparisons

The analysis of data drawn from the AS-480 statistical reports shed light on the total number of children placed in care or subject to youth centre interventions.

During the analysis, it emerged that the total number of non-agreement First Nations children was actually underestimated because children who are entrusted to a third party or placed by First Nations agencies are not recorded in the AS-480 (A) and (G) reports. Consequently, the overrepresentation of non-agreement First Nations in the youth protection system may in fact be more significant than presented in this report, but it is impossible to determine to what extent at the present time. In fact, the documentation relating to children placed in the care of their extended family ("entrusted to a third party") is incomplete, and data on these types of placements are not automatically entered in the MSSS Système d'information sur les ressources intermédiaires et de type familial (SIRTF) in accordance with the child's legal status<sup>3</sup> (however, because the Director of Youth Protection is held to principles of accountability, all reports are recorded in the Projet intégration jeunesse [PIJ] system used by the youth centres). These families could have been excluded from the youth centre data if they had not been officially recognized as foster homes by the Quebec network.

The underestimation of children placed in care has had a considerable influence on the analyses, and even to this day, any attempt to gauge the extent of this lapse in recorded placement data would be futile. As a result, although the comparison between non-agreement First Nations and non-Aboriginal cases represents a springboard for further study, it must be approached with caution.

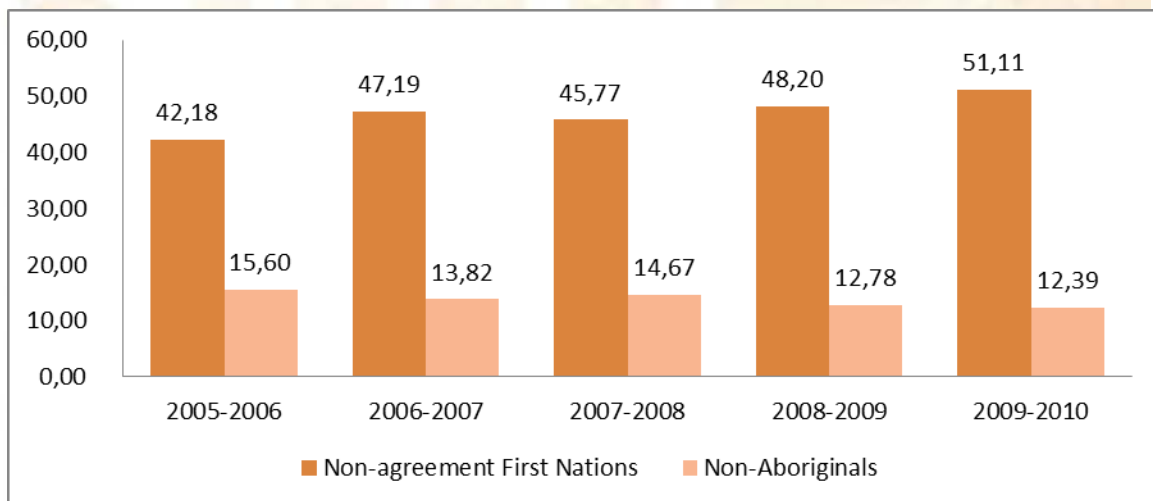
According to the AS-480 statistical reports, the total number of non-agreement First Nations children placed in care increased since 2005-06, except in 2007-08. In 2008-09, 555 children had been placed in care (for all types of resources), for an incidence rate of 48.20 per 1 000 children (Figure 5). Different trends were ob-

3) Except for the six Algonquin communities in Quebec, which have reached a special understanding with Aboriginal Affairs and Northern Development Canada through the Centre jeunesse de l'Abitibi-Témiscamingue.



served among non-Aboriginals: The total number of children placed in care gradually decreased; and in 2009-10, 18 941 children were placed in care, for an incidence rate of 12.39 per 1 000 children. The incidence rate for First Nations children is therefore close to 4 times higher than the incidence rate for non-Aboriginal children. The disproportions observed in every successive phase in the intervention process was maintained at the placement phase. However, in light of the confirmed underestimation regarding the actual number of First Nations children placed in care, the gaps may in fact be wider than previously reported. In the interests of furthering this study, it could be useful to determine whether the overall decrease in the number of users placed in care was caused by the amendments made to the *Youth Protection Act*, which first and foremost recommend placing children in family-type resources and "entrusting" them to a third party, whenever possible.


**Figure 5: Breakdown of number of children placed in care, by incidence rate per 1 000 children, from 2005-06 to 2009-10**



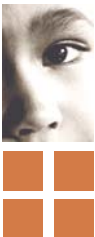
Most of the First Nations and non-Aboriginal children were placed in care or were subject to an intervention pursuant to the *Youth Protection Act* (YPA), that is, 83.8% and 80.5%, respectively, between 2005-06 and 2009-10. Most of these children were placed in foster homes.

There were significant differences in the trends observed among non-agreement First Nations and non-Aboriginal placements in foster homes (or family-type resources). Between 2005-06 and 2009-10, 62.4% of First Nations children placed in care were housed in foster homes, for an incidence rate of 32.01 per 1 000 children, compared with 56.1% of non-Aboriginal children (incidence rate of 8.3 per 1 000 children). This finding was in keeping with the trends observed in all the types of resources (living units, group homes, family-type resources, etc.); in 2009-10, the analysis detected an incidence rate of 56.22 per 1 000 First Nations children, compared with 13.74 per non-Aboriginal children.





In sum, this analysis showed that First Nations youth between the ages of 0 and 17, compared to non-Aboriginal children from the same age group, are subject to a hugely disproportional number of interventions and placements. There is not only an overrepresentation of non-agreement First Nations children in every phase of the intervention process, but the real number of children housed in the different types of care placements is actually underestimated because some children are placed in resources that are not associated with establishments that fall under provincial jurisdiction (i.e. establishments managed by First Nations agencies present in the communities). The gaps between non-agreement First Nations and non-Aboriginal children may therefore be even wider than the numbers from the analyses suggest.





## General conclusion

Components 1 and 2 of this project allowed for a more in-depth understanding of the subject of First Nations youth care placements by using data from Aboriginal Affairs and Northern Development Canada (AANDC) and the Ministère de la Santé et des Services sociaux du Québec (MSSS). It is important to keep in mind that the data collected by the two levels of government that fund or directly provide services to First Nations vary on several fronts. Specifically, the main differences lie in the notion of placements, the terminology used to qualify resources and care placements, the sources of data and the methods used to compile the information related to the children's placements. It should also be noted that the AANDC data (Component 1) included children between the ages of 0 and 18 (19 years minus a day), whereas MSSS data (Component 2) included children between the ages of 0 and 17 (18 years minus a day). A comparison or reconciliation of the statistical data from these two components is therefore not possible, nor is it recommended. A summary table of the differences and similarities between AANDC and MSSS data has been appended to the end of this document in order to clarify these distinctions (Appendix 1).

Finally, certain questions are still without answers but could nonetheless serve to better guide our understanding of the trajectories of First Nations youth in the youth protection system. Indeed, in the future, it would be useful to know:

- How many children are placed in care (without the duplicate data created by transfers between types of care)?
- What is the situation experienced by children living and being placed off reserve?
- How did the YPA amendments affect the system (life projects)?
- Why is the total number of children placed in care so profoundly underestimated in the MSSS data, as seen in Component 2? (Issue in need of further study.)

The data analyzed in the context of this project has confirmed that the overrepresentation of First Nations youth in the youth protection system should in fact be measured and monitored in order to address the issue in a constructive manner and thus ensure the well-being and development of the children concerned.





## Appendix 1: Summary of differences and similarities between AANDC and MSSS data

Variable for comparison	AANDC	MSSS
<b>Source of data</b>	Monthly reports, submitted by First Nations agencies	Annual statistical report, submitted by youth centres
<b>Definition of placement</b>	Children placed in care pursuant to the YPA, the ARHSSS and the YCJA (barring children placed in care pursuant to the YCJA starting in 2008-09)	Children placed in care pursuant to the YPA, the ARHSSS and the YCJA (barring children who are "entrusted to" foster homes that are not recognized by the provincial network and placements made by First Nations agencies)
<b>Targeted population segment</b>	Children between the ages of 0 and 18 living in First Nations communities	Children between the ages of 0 and 17 living in First Nations communities = AS-480 (A) Children between the ages of 0 and 17 living in Quebec (including First Nations, Cree and Inuit children living on and off reserve) = AS-480 (G)
<b>Type of resource/ placement</b>	Placements: Institutional care, group homes, foster homes	Resources: Institutional (group homes, living units), non-institutional (foster homes, intermediate resources, etc.)
<b>Equivalents in terminology</b>	<i>Placed in institutional care:</i> "Care provided in a setting where large groups of children (10 or more children) occupy the premises." (AANDC, 2012 – reference document on the monthly reports for child and family services)	<i>Placed in the care of a living unit:</i> A resource with a specific mandate related to the youths' detention (or custody) needs or other needs related to intensive supervision pursuant to the YPA or the YCJA.
	<i>Placed in the care of a group home:</i> "Care provided to a small group of 5 to 10 children in a setting where normally the permanent full-time staff is a couple operating in a setting which provides a family atmosphere. Group homes do not include foster homes." (AANDC, 2012 – reference document)	<i>Placed in the care of a group home:</i> Facilities that provide children with rehabilitation services and serve to increase their autonomy to pave the way for the social integration (institutional resource). <i>Placed in the care of an intermediate resource:</i> A natural or legal entity or "foster home- or apartment-type resource" that provides youths with rehabilitation services (non-institutional resource).
	<i>Placed in the care of a foster home:</i> "Care provided in a family setting by persons who are not the parents of the child and where placement was made by an agency, such as a band or provincial child welfare authority. This includes care provided without reimbursement, but excludes care in a family where adoption is clearly the intent." (AANDC, 2012 – reference document)	<i>Placed in the care of a foster home or entrusted to a third party:</i> Placed in a recognized foster home (on or off reserve).
<b>Unrecorded data</b>	Number of children placed (without duplicate data created by transfers between the types of care placements)	Number of different children placed (without duplicate data created by transfers between resources) Placement made by resources managed by a First Nations agency Placement where the child is "entrusted" to a family member or a resource that is not recognized by the regional youth centre
<b>Existence of duplicate data per type of resource/ placement?</b>	Total number of children placed each month: No Number of children placed in two types of care within a given year: Yes	Total number of children placed in care, by type of resource: Yes
<b>Duplicate-free data</b>	None (except for the number of children placed each month in a given type of care placement)	Number of children placed in care per year







FIRST NATIONS OF  
QUEBEC AND LABRADOR  
HEALTH AND SOCIAL  
SERVICES COMMISSION

