



Trajectories of First Nations

youth subject to the
Youth Protection Act

COMPONENT 3:
Analysis of mainstream
youth protection agencies
administrative data



FIRST NATIONS OF QUEBEC
AND LABRADOR HEALTH
AND SOCIAL SERVICES
COMMISSION



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LIST OF ACRONYMS

AANDC: Aboriginal Affairs and Northern Development Canada (2011 to 2015)

ACJQ: Quebec Association of Youth Centres (Association des centres jeunesse du Québec)

AFNQL: Assembly of the First Nations of Quebec and Labrador

AQESSS: Quebec Association of Health and Social Service Establishments (Association Québécoise d'établissements de santé et de services sociaux)

BDC: Banque de données communes (shared database)

CAC: Clinical advisory committee

CHRT: Canadian Human Rights Tribunal

CISSS (IHSSC): Centre intégré de santé et de services sociaux (Integrated Health and Social Services Centres)

CIUSSS (IUHSSC): Centre intégré universitaire en santé et en services sociaux (Integrated University Health and Social Services Centres)

CJ: Centre jeunesse (youth protection centres)

CRC: Canada Research Chair

CRCF: Centre for Research on Children and Families

FNCIS: First Nations Component of the Canadian Incidence Study of Reported Child Abuse and Neglect

FNCFSA: First Nations Child and Family Services Agency

FNQLHSSC: First Nations of Quebec and Labrador Health and Social Services Commission

GFISC: Gestion fondée sur les indicateurs de suivi clinique

INAC: Indigenous and Northern Affairs Canada (2015–present) and Indian and Northern Affairs Canada (1966-2011)

ISQ: Institut de la statistique du Québec (Quebec statistical institute)

MHSS: Ministry of Health and Social Services (Quebec)

NHS: National Household Survey

OACAP®: Ownership, Control, Access, Possession

PIJ: Projet intégration jeunesse

RCM: Regional County Municipality

SDC: Security and/or development compromised

SDNC: Security and/or development not compromised

SIRTF: Système d'information sur les ressources intermédiaires et de type familial

TRC: Truth and Reconciliation Commission

YPA: *Youth Protection Act*

YCJ: *Youth Criminal Justice*

YCJA: *Youth Criminal Justice Act*





Glossary



TERMINOLOGY RELATED TO FIRST NATIONS IDENTITY

Agreement Aboriginal communities (communautés conventionnées): Refers to the Inuit, Cree and Naskapi communities, whose nations reached agreements with the Quebec and federal governments in the 1970s; following these agreements, social services (including child protection) for these nations fell under provincial jurisdiction.

Non-agreement First Nations communities (communautés non conventionnées): Refers to the eight First Nations that did not reach agreements with the Quebec and federal governments: the Abenaki, Algonquin, Atikamekw, Huron-Wendat, Innu, Maliseet, Mi'gmaq and Mohawk.

First Nation community: In this report, the territory referred to as “reserve,” a “[t]ract of land, the legal title to which is held by the Crown, set apart for the use and benefit of an Indian band” (INAC, 2012), is labelled as a First Nation community.

First Nations: The Canadian Constitution recognizes three groups of Aboriginal people — Indians (First Nations), Métis and Inuit. “First Nations” came into common usage in the 1970s to replace the word “Indian.” In this report we use the term First Nations to include both:

- **Registered First Nations:** A person registered as an Indian under the Indian Act
- **Non-registered First Nations:** A First Nations person not registered as an Indian under the Indian Act (INAC, 2012).

TERMINOLOGY RELATED TO DATA

Centres jeunesse (CJ): Name of the mandated child protection agencies in the province of Quebec until March 31, 2015.

Cohort: A group of children sharing a similar child protection service experience that is monitored over time. In this report, we followed 3 cohorts of children. Children in the:

- **Service Cohort** had their report retained by a child protection agency (children under age 15),
- **Placement Cohort** experienced placement in out-of-home care in an accredited setting (children under age 18)
- **Recurrence Cohort** experienced case closure (children under age 17).





Substantiation: In the context of this report, substantiation is reserved for those cases in which a child's security and/or development was deemed compromised (SDC). It excludes cases for which maltreatment was found to be substantiated, but for which the security and/or development of the child was not deemed compromised. Other studies, such as the Canadian Incidence Study of Reported Child Abuse and Neglect, use the term to mean any cases for which the allegations were founded, regardless of whether the child's security and/or development was compromised.

Disparity: A term used to describe comparisons between the representation rates of two ethno-racial groups in the child protection system. For example, a comparison between the number of children in out-of-home care for every 1,000 First Nations children living in Quebec and the number of non-Aboriginal children in out-of-home care for every 1,000 non-Aboriginal children living in Quebec. Measures of disparity take into account disproportionality of representation for both ethno-racial groups being compared. Accordingly, they offer a measure of the change in representation that would have to occur in order for both groups to be proportionally represented in the child protection system (Sinha et al., 2011).

Gestion fondée sur les indicateurs de suivi clinique (GFISC): A province-wide knowledge mobilization initiative which provides the child protection data presented in this report. It draws data from:

- **Projet intégration jeunesse (PIJ):** The primary information system used by child protection agencies to manage case files.
- **Système d'information sur les ressources intermédiaires et de type familial (SIRTF):** A payment system designed to manage all aspects of subsidized out-of-home care in accredited settings (including child protection related foster and residential care placements).

Delegated First Nations agencies (FNCFSA): Refers to child protection agencies operating in First Nations communities. Bipartite and tripartite agreements with First Nations bands/tribal councils, mandated child protection agencies and/or INAC specify the organization of service delivery and financial responsibilities for child protection services. Some First Nations agencies also provide services to band members living outside First Nations communities.

Mandated child protection agency: Refers to the child protection agencies that were known as Centres jeunesse (CJ) until March 31, 2015, as well as the CISSS and CIUSSS, which are currently responsible for child protection.

Overrepresentation: A term used to indicate that the proportion of children within the child protection system who come from a specific ethno-racial group is greater than the proportion of children from that ethno-racial group in the child population (Sinha et al., 2011).





PLACEMENT-RELATED TERMINOLOGY

Accredited settings (*milieux reconnus*): Settings that were accredited (*reconnus*) by a regional health and social services agency¹ (non-institutional resources) or that are administered and funded by an institution (institutional resources, e.g. a mandated child protection agency) to receive children placed in out-of-home care. Accredited settings include:

- Foster care (non-institutional resource): Foster families that have been accredited to provide foster care. It includes regular (non-kin) and specific foster homes.
 - *Specific foster home*: A person important to the child – such as an extended family member, a friend or another adult known to the child – accredited to provide foster care.
- Residential care:
 - *Intermediate resources*: A person or legal entity or “a foster home or apartment-type resource” that provides youth with rehabilitation services (non-institutional resource).
 - *Group homes*: Facilities that provide children with rehabilitation services to increase their autonomy and pave the way for their social integration (institutional resource).
 - *Living units*: A resource with a specific mandate related to the youth's detention (or custody) needs or other needs related to intensive supervision pursuant to the YPA or the YCJA (institutional resource). More specifically, there are three types of living units: standard living units; living units with intensive supervision for youth under YPA; and closed living units for youth under the YCJA.

Entrustment (*confié à*): Placement in out-of-home care with a person important to the child (such as an extended family member, a friend or another adult known to the child) who is not accredited to provide foster care

¹ As of April 2015, as indicated in section 68 of An Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies, foster families are granted their status through signing a specific agreement with the relevant CISSS or CIUSSS.





Executive Summary



INTRODUCTION/BACKGROUND INFORMATION

The overrepresentation of First Nations children in the child protection system in Canada has been documented for several decades (Johnston, 1983; Sinha et al., 2011; Sinha, Trocmé, Fallon, & MacLaurin, 2013; Trocmé, Knoke & Blackstock, 2003; Trocmé et al., 2006) and has been recently highlighted as a source of concern by the Truth and Reconciliation Commission (TRC, 2015), the Council of the Federation (2015) and by the Canadian Human Rights Tribunal (CHRT, 2016) in its decision regarding *First Nations Child and Family Caring Society et al. v. Attorney General of Canada (for the Minister of Indian and Northern Affairs Canada)*. The 2008 First Nations Component of the Canadian Incidence Study of Reported Child Abuse and Neglect (FNCIS–2008; Sinha et al., 2011) showed that the overrepresentation of First Nations children in the child protection system starts at the point of first contact with child protection agencies and builds across the investigation cycle. In 2008, the rate of investigation for First Nations children was 4.1 times higher than the rate for non-Aboriginal children and the rate of out-of-home placement during the investigation period was 12.4 times higher. The 2011 National Household Survey (NHS) demonstrates the overrepresentation in Quebec, indicating that the rate of First Nations foster children was 7.5 times higher than for non-Aboriginal children. The rate of First Nations children placed in foster homes outside First Nations communities (37/1000) was higher than the rate of First Nations children being cared for within First Nations communities (24/1000; Sinha & Wray, 2015). The First Nations of Quebec and Labrador Health and Social Services Commission (FNQLHSSC) and the Assembly of the First Nations of Quebec and Labrador (AFNQL) have raised concerns about the overrepresentation of First Nations children and, more specifically the possible impacts of a maximum duration for out-of-home placements, in their briefs on amendments to the *Youth Protection Act* (Bill 125; YPA; FNQLHSSC and AFNQL, 2005) and the restructuring of the health and social services network (Bill 10; FNQLHSSC and AFNQL, 2014). Despite these concerns, understanding the dynamics of overrepresentation of First Nations children in the child protection system has been limited by a lack of longitudinal case-level data. The child protection service trajectories of First Nations children beyond the investigation stage are not well understood. This lack of knowledge limits collective capacity to start addressing the overrepresentation of First Nations children.





This report uses longitudinal, case-level administrative data to provide a much more detailed portrait of the Quebec First Nations' child protection experiences than was previously achievable. It describes the service trajectories of First Nations children,² living both in and outside of First Nations communities, across a wide range of investigation and post-investigation stage child protection interventions.³ The analyses presented in this report track First Nations and non-Aboriginal⁴ children for up to 3 years following investigation, case closure and out-of-home placement. This report summarizes the third component of a collaborative project, started in 2009, by the clinical advisory committee (CAC), a committee formed by the FNQLHSSC, with representatives from the Quebec's Ministry of Health and Social Services (MHSS), the then Canadian Ministry of Indian and Northern Affairs (INAC), the Quebec Association of Youth Centres (ACJQ), and the Quebec Association of Health and Social Service Establishments (AQESSS). The *Analysis project on the trajectories of First Nations youth subject to the Youth Protection Act* arose from discussions about the overrepresentation of Aboriginal children under the *Youth Protection Act (YPA)* and the impact of the YPA amendments that came into effect on July 9, 2007. Its objectives were to: 1) gather conclusive data on the well-being of First Nations children and their families, as well as on the services they receive; 2) produce analyses to help improve planning, collaboration and interventions; and 3) contribute to First Nations autonomy with respect to the interpretation of this data. The first two components comprised an analysis of INAC financial and client data (FNQLHSSC, 2013a) and an analysis of MHSS annual statistical reports (FNQLHSSC, 2013b).

The primary objective of this third component was to document and understand differences in the child protection service trajectories of First Nations and non-Aboriginal children living in Quebec. A secondary, exploratory, objective was to identify any early evidence of changes in these service trajectories resulting from the 2007 amendments to the YPA (Bill 125). These goals were achieved through the collaborative work of the sub-committee on data, composed of representatives of the FNQLHSSC, MHSS, ACJQ, and McGill University Centre for Research on Children and Families (CRCF), as well as the Université de Montréal Canada Research Chair (CRC) in social services for vulnerable children. The committee served as a forum for partners to exchange information and knowledge, and to provide advice and guidance in the analysis and interpretation of the data. The committee's work was guided by the First Nations of Quebec and Labrador Research Protocol (AFNQL, 2014) and the Ownership, Control, Access, and Possession (OCAP®) principles (FNIGC, 2014). These analyses were possible because the executive directors of the mandated child protection agencies and the ACJQ agreed to support the effort to better understand the child protection service trajectories of First Nation children served by their agencies.

² This research does not include the Cree and Inuit. See Appendix B for more details about Aboriginal children not included in this study.

³ For a detailed representation of the child protection intervention process in Quebec, see Appendix A.

⁴ See Appendix B for more details concerning Aboriginal children (First Nations, Inuit and Métis) who might be misidentified in the child protection data and who might, therefore, be included in the non-Aboriginal group.





METHODS

This report presents secondary analyses of the *Gestion fondée sur les indicateurs de suivi clinique* (GFISC) dataset (Esposito et al., 2015). GFISC includes anonymous, longitudinal, clinical-administrative child protection data (April 1, 2002, to March 31, 2014) from sixteen mandated child protection agencies (formerly Centres jeunesse) across the province of Quebec and more limited data from the sixteen delegated First Nations agencies (FNCFSA) providing (at least partial) services to First Nations children in 20 communities. It also uses population data (0–17) from the INAC Indian registry (excluding non-registered First Nations children) and the Institut de la statistique du Québec (ISQ) to calculate population-based rates of child protection services. These data are used to present two types of descriptive statistics – **rates per 1,000 children** illustrate the occurrence of the child protection interventions within the overall child population, and **percentage of cases** to illustrate the occurrence within the child protection population.

The analyses in this report tracked three groups of children based on a shared child protection service experience. Children in the:

- **Service Cohort** had their report retained by a child protection agency (children under age 15),
- **Placement Cohort** experienced placement in out-of-home care in an accredited setting⁵ (children under age 18)
- **Recurrence Cohort** experienced case closure (children under age 17).

The report presents the following data for each cohort:

- Service Cohort: retained reports, substantiation of maltreatment (security and/or development of the child deemed compromised),⁶ final protective legal measures, ongoing services (legal and voluntary measures), out-of-home care (accredited settings and entrustments⁷) and youth criminal justice involvement (for those aged 12 or above).
- Placement Cohort: placement change, placement status 36 months after initial placement, and cumulative days in care (for children reunified with their family).
- Recurrence Cohort: recurrence of substantiated (safety and/or development compromised) maltreatment.

5 Accredited settings include foster and residential care. Foster care includes regular (non-kin) and specific (a person important to the child – such as an extended family member, a friend or another adult known to the child) foster homes that have been accredited to provide foster care. Residential care includes intermediate resources, group homes and living units.

6 See the glossary for a brief discussion on definitions of substantiation in child protection research.

7 An entrustment is defined as a placement in out-of-home care with a person who is important to the child – such as an extended family member, a friend or another adult known to the child – not accredited to provide foster care.





When interpreting the findings presented in this report, several limitations to the data analyzed must be taken into account. While the data presented here are the best possible estimates that could be calculated, they carry an undetermined degree of uncertainty. Both the child protection and child population data used in analysis reflect complex challenges in identifying and counting First Nations children (see chapter 2 or Appendix B for more details). Given the multiple, interacting limitations to the data sources, it cannot be ascertained whether the estimates presented in this report represent an over- or under-estimation of the occurrence of the child protection indicators. Accordingly, small differences between groups should be interpreted with caution, and greatest confidence should be placed in the types of pronounced differences highlighted below.

HIGHLIGHTS OF FINDINGS

First Nations children are overrepresented at every stage of the child protection process examined

This report describes the child protection experiences of First Nations and non-Aboriginal children using population-based rates which represent the number of children, out of 1,000 children in the First Nations or non-Aboriginal population, who experienced a child protection service/intervention. One of the key findings is that First Nations children experience all child protection services and interventions examined at a greater rate than non-Aboriginal children. This disparity starts from the point of entry into child protection services (when a report made to child protection agency is retained for investigation⁸) and increases as children moved through Quebec's child protection system. The rate of retained reports for First Nations children was 4.4 times greater than the rate for non-Aboriginal children. The biggest disparities were found for the out-of-home care and the recurrence (SDC) indicators, with the rates for First Nations children being 7.9 (out-of-home-care) and 9.4 (recurrence SDC) times greater than the rates for non-Aboriginal children.

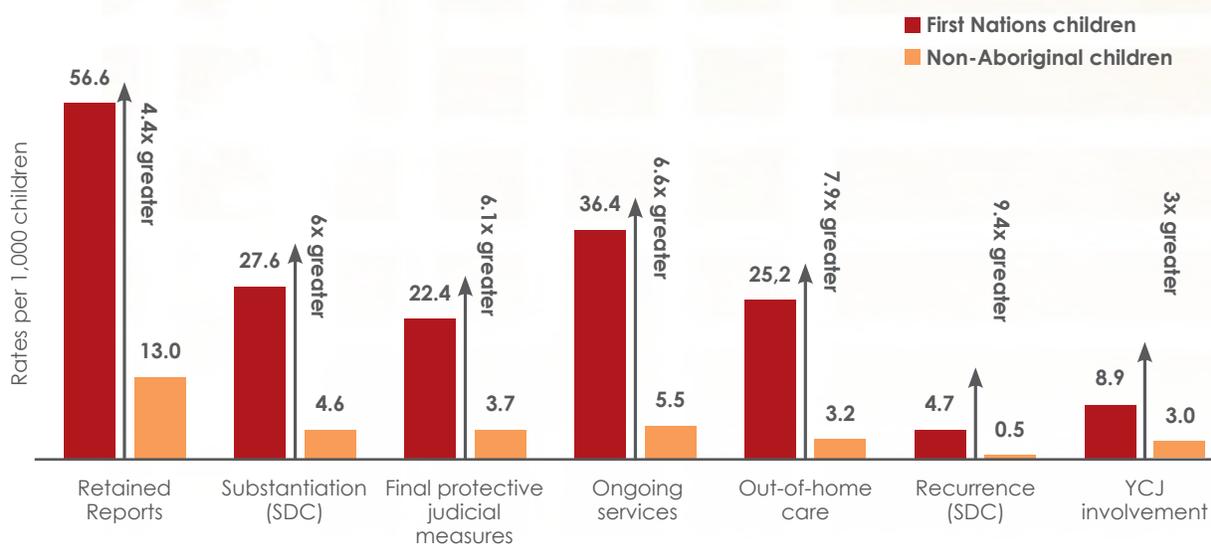
These findings are summarized in Figure A, which presents the average rates (2002–2010), per 1,000 children in the population, for a series of child protection indicators. It contrasts the rates for First Nations children to those of non-Aboriginal children by displaying the disparity in rates between the two groups. The general pattern of increasing disparity as children move through the child protection system in Quebec echoes national-level findings from the FNCIS–2008. The Quebec disparity in investigations (retained reports) is very similar to the national-level disparity

⁸ This report did not examine rate of reports received by child protection agencies and cannot therefore conclude whether there is an overrepresentation at the point of first contact with child protection agencies.



(4.4 vs. 4.2, respectively), but the disparity in out-of-home care in Quebec is lower than the national-level disparity reported for the FNCIS–2008 (7.4 vs. 12.4, respectively; Sinha et al., 2011). Care is needed in extrapolating findings in this report beyond the Quebec context, which differs from many other jurisdictions both with regards to the size of the First Nations population and the general pattern of child protection work, with Quebec having a much lower rate of child protection investigations than other major jurisdictions in Canada (Hélie, Turcotte, Trocmé & Tourigny, 2012; Trocmé et al., 2010a). In addition, comparison with findings from previous studies must be made cautiously, given the differences in the definition of similar measures or indicators.

Figure A: Average rate per 1,000 by indicator (2002-2010)



First Nations overrepresentation is primarily driven by investigations of neglect

The report describes retained reports by maltreatment type (neglect, physical abuse, sexual abuse, serious behavioural disturbance, abandonment and psychological ill-treatment⁹) and age at intake. In keeping with national-level analyses, the analyses presented here show that the disparity between First Nations and non-Aboriginal children is most pronounced for cases of neglect and cases involving children under 6 years of age.

Neglect was the primary form of investigated maltreatment in almost two-thirds (64%) of retained reports for First Nations children. Each of the other forms of maltreatment accounted for less than 13% of retained reports for First Nations children. The rate of neglect investigations (per 1000 children in the population) for First Nations children was 6.7 times higher than the rate for non-Aboriginal children. The disparity in investigation rates was higher for neglect (6.7) than for any other type of maltreatment; In comparison with investigation rates for non-Aboriginal children, the rate for First Nations children was 4 times greater for cases of abandonment, 3.9 times greater for cases of serious behavioural disturbance, 2.8 times greater for cases of sexual abuse and psychological ill-treatment, and 1.9 times greater for physical abuse.

⁹ Consult Appendix C for definitions of maltreatment type as defined under the YPA.





Within the neglect category, the disparity was greatest for investigations of risk of neglect. The rate for First Nations children was 9.3 times higher than the rate for non-Aboriginal children, in comparison with rates varying from 5.1 to 5.4 higher for other neglect categories. About a third (34%) of all retained reports for First Nations children were related to allegations of serious risk of neglect, 15% involved supervisory neglect, and an additional 15% involved other categories of neglect (e.g. physical neglect or health neglect).

In addition, almost half (48%) of the First Nations children with a retained report were 5 or under at the time of report; more specifically, 23% of First Nations children with a retained report were under 2 and 25% were 2 to 5 years old. The disparity in rates of investigations for children 5 or under, for whom rate for First Nations children was 6.2 times higher than for non-Aboriginal children, was more pronounced than for children aged 6 to 14, for whom the First Nations rate was 3.5 times higher).

Child protection disparities hold for First Nations children living in and outside First Nations communities

The overall pattern in population rates for First Nations children holds when population rates are calculated specifically for children living in and outside First Nations communities. There were, however, some significant differences between the two groups. First Nations children living outside First Nations communities had greater rates of investigations for physical abuse (1.5 times greater), psychological ill-treatment (1.7 times greater), physical neglect (1.8 times greater), health neglect (1.8 times greater) and supervisory neglect (1.6 times greater). In contrast First Nations children living in First Nations communities, had a greater rate of investigations for serious risk of neglect (1.3 times greater) and experienced greater rates of recurrence (1.4 times higher).

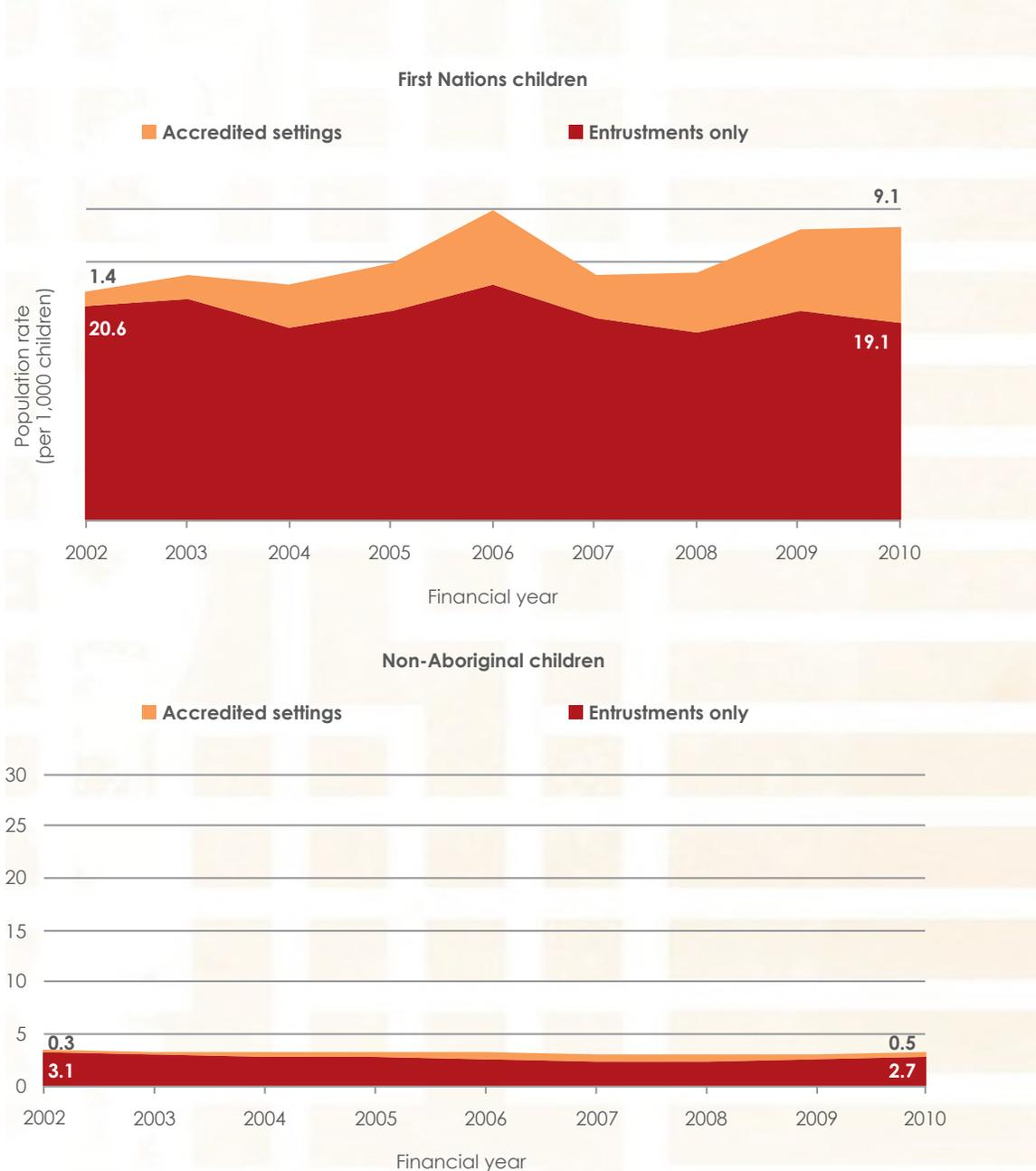
Entrustment disparities increased while disparities in out-of-home care in accredited settings were sustained over time

Rates per 1,000 were calculated on a yearly basis for both groups of children (First Nations and non-Aboriginal) in order to observe trends in indicators over time. Overall, the out-of-home care rates for First Nations children increased, from a total of 22 out-of-home placements per 1,000 First Nations children in the 2002 cohort to 28.2 placements per 1,000 First Nations children in the 2010 cohort. In contrast, the rate for non-Aboriginal children showed no clear change. There was a pronounced increase in entrustments disparities (placement in out-of-home care with a person important to the child — such as an extended family member, a friend or another adult known



to the child not accredited to provide foster care) during this period, as illustrated in figure B. The entrustment rate for non-Aboriginal children during this period remained fairly stable; in contrast, the rate for First Nations children rose steadily, from 4.7 times to 18.2 times higher than that for non-Aboriginal children. Meanwhile, there was no clear reduction or increase in the placement rates in accredited settings (foster and residential care) for First Nations children over these years; compared to the slightly declining rates for non-Aboriginal children, the overall pattern for this type of placement was one of sustained disparities over time.

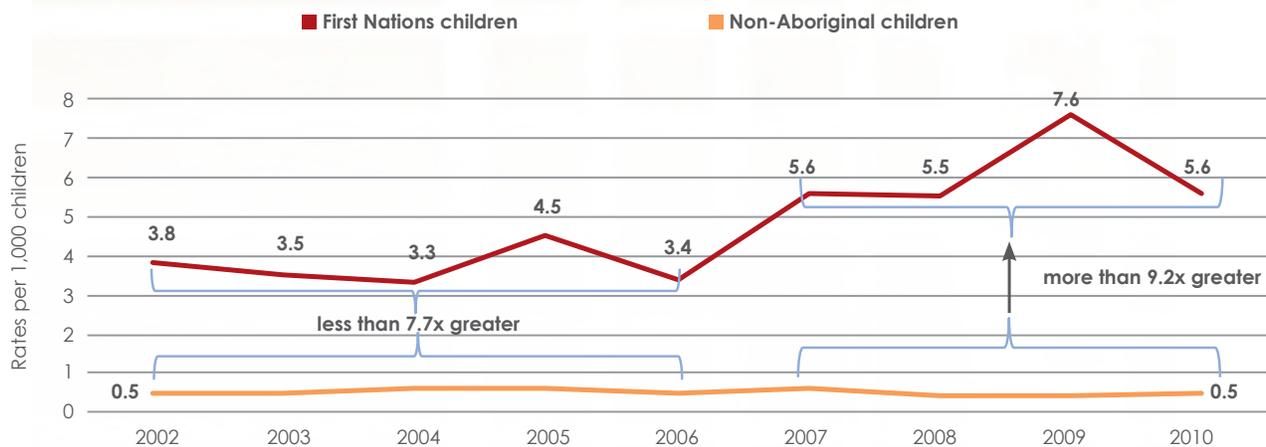
Figure B: Out-of-home care rates per 1,000 children



Disparities in recurrence increased; all other child protection disparities were sustained over time

Analyses of the annual rates per 1,000 for First Nations and non-Aboriginal children for the remaining indicators show that the overall pattern was one of sustained disparity. For most indicators, there was neither a clear reduction, nor a clear increase in the First Nations rates relative to the non-Aboriginal rates between 2002 and 2010. The only additional exception (apart from the increase in entrustments) was a pattern of growth in disparity visible in the data on recurrence (SDC): the disparity grew from 7.6 times greater or less for First Nations children, compared to non-Aboriginal children, to 9.3 times greater or more (see figure C).

Figure C: Recurrence rates per 1,000 children



Most First Nations children placed in out-of-home care were reunified with their families

The population rate for the out-of-home care indicator shows that First Nations children were placed more often than non-Aboriginal children. When considering all children placed for more than 3 days in accredited settings (foster and residential care) managed by one of the sixteen mandated child protection agencies, 60% of First Nations and 59% of non-Aboriginal children were reunified with their families within three years of the start of their placement. A higher proportion of First Nations children in all age groups except the 14-17 year old category were reunified with their families when compared with non-Aboriginal children. The majority of First Nations children reunified with their families spent 6 months or less in care before being reunified with their families, and the average number of cumulative days in care before being reunified was found to be lower for First Nations children than for non-Aboriginal children, across all age groups.





CONCLUSION

The analyses presented in this report identify a disturbing level of overrepresentation, which aligns with previous research in Quebec and Canada. They demonstrate the persistence of a historical pattern of child removal and state engagement with First Nations families in Quebec. As the TRC (2015) has recently identified in its Calls to Action, all levels of government – federal, provincial and Aboriginal – must keep working together to further examine and respond to this overrepresentation. In order to build on the foundation laid by this report, and to continue progress towards understanding the service trajectories of First Nations children, it is recommended to:

- Pursue and enhance, in association with Quebec First Nations, the collaborative work between partners involved with the protection and well-being of First Nations children.
- Update/replicate the indicators presented in this report, for both First Nations and non-Aboriginal children annually, and to expand the indicators to better respond to the TRC's Calls to Action and better address questions arising from this report.
- Support the development of First Nations capacity to collect and use data on First Nations children in the child protection system. This includes monitoring neglect cases and placements in out-of-home care. It should also include local, agency-level research priorities.





1. Introduction



In 2006, a tripartite Socio-Economic Forum was held in Mashteuiatsh, Quebec, that was attended by representatives of the Canadian and Quebec governments and the Assembly of First Nations of Quebec and Labrador (AFNQL). Among the agreements reached at this forum was one to address the situation of First Nations children in Quebec with respect to child protection issues. To pursue this goal, the First Nations of Quebec and Labrador Health and Social Service Commission (FNQLHSSC) formed a clinical advisory committee (CAC) in 2007, with participants from the Quebec's Ministry of Health and Social Services (MHSS), the then Canadian Ministry of Indian and Northern Affairs, the Quebec Association of Youth Centres (ACJQ), and the Quebec Association of Health and Social Service Establishments (AQESSS). The committee constituted a forum where, for the first time in Quebec, representatives of First Nations communities and services, relevant government policy and program personnel, and public institutions providing services could discuss the child protection issues facing First Nations children and families in Quebec, and undertake collaborative initiatives to address them.

Committee participants defined the issues to be pursued and created sub-committees to carry out the work. In April 2009, the CAC launched a research project — *Analysis project on the trajectories of First Nations youth under the Youth Protection Act*— aimed at building a shared body of knowledge about the well-being of First Nations children and families involved with the child protection system, the child protection services they received and the impact of the amendments to the YPA (Bill 125), which were tabled in October 2005 and came into effect on July 9, 2007. The parties agreed this project would replace an Access to Information request that had earlier been made by the FNQLHSSC with each of the 16 mandated child protection agencies (Centres jeunesse). Because there was no comprehensive and reliable data available about First Nations children and the child protection system in Quebec, a sub-committee on data was formed. This sub-committee has the mandate to provide data to all stakeholders about the child protection status of First Nations children and families in Quebec; carry out analyses that contribute to understanding needs and trends; and contribute to the autonomy of First Nations regarding such data and its interpretation. The CAC dissolved through attrition, largely due to the restructuring of the Quebec health and social services network during the implementation of *An Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies*, which led to the elimination of the ACJQ and AQESSS in 2015. However, the sub-committee on data pursued its work, concluding it with this report.





The restructuring of the Quebec health and social services network in 2015 also meant that the child protection mandate that was carried out by the sixteen mandated child protection agencies (Centres jeunesse) now falls to sixteen Integrated Health and Social Services Centres (commonly referred to as CISSS) or Integrated University Health and Social Services Centres (commonly referred to as CIUSSS) offering child protection and rehabilitation services for children and their families. The term 'mandated child protection agency' will be used to refer to the former Centres jeunesse (CJ) and the CISSS and CIUSSS, which carry out child protection activities.

Three overarching objectives were set for the *Analysis project on the trajectories of First Nations youth subject to the Youth Protection Act*: 1) to gather conclusive data on the well-being of First Nations children and their families as well as on the services they receive; 2) to produce analyses to help improve planning, collaboration and interventions; and 3) to contribute to First Nations autonomy with respect to their data and its interpretation. These objectives guided efforts to identify data on First Nations children involved with the child protection system in Quebec, and use them to understand the experiences of First Nations children in the child protection system. The analysis was divided into three components: 1) an analysis of INAC financial and client data; 2) an analysis of the MHSS annual statistical reports (AS-480 A and G); and, 3) an analysis of mandated child protection agency clinical-administrative data.

Component One of this project analyzed financial and client data from INAC (FNQLHSSC, 2013a). It identified the aspects of First Nations child services funded by INAC, the total budget allocated and the number of out-of-home placements (in foster, institutional, or group home care) for non-agreement First Nations¹⁰ children in Quebec. This component of the project examined aggregate cross-sectional data for First Nations children aged 0-18 living in First Nations communities (defined as on-reserve by INAC) for the fiscal years 2007 to 2009. For 2007 and 2008, the data painted a portrait of child services expenditures in First Nations communities under the directive 20-1 funding formula, which only provided funding for operational expenditures and services to children placed in out-of-home care. Financial year 2009 began under directive 20-1, but a prevention-focused approach was implemented mid-year, modifying allowable expenses. Key findings from this component indicate that:

- 80% of all placements were in foster homes (including kinship care placements);
- Two-thirds of INAC expenses for child services were for out-of-home placement contribution costs.
- 90% of out-of-home placement contribution costs were spent on children in foster home and institutional care placements (the balance being for children in group home placements); and
- While the average cost of placement in institutional care and group home increased between 2007 and 2009, the average cost of placement in foster homes decreased during this period.

¹⁰ In Quebec, there are 11 Aboriginal nations, including the Inuit and 10 distinct First Nations peoples: Abenaki, Algonquin, Atikamekw, Cree, Huron-Wendat, Innu, Maliseet, Mi'gmaq, Mohawk and Naskapi. In the 1970s, the Inuit, Cree and Naskapi nations reached agreements with the Quebec and federal governments. Social services (including child protection) for these nations subsequently fell under provincial jurisdiction. The members of the Cree and Naskapi nations are colloquially referred to as "agreement First Nations;" members of all other Nations are therefore considered non-Agreement First Nations.





Component Two of this project analyzed MHSS annual statistical report data on child protection services delivered in the fiscal year (FNQLHSSC, 2013b). It compared the services provided to non-agreement and Naskapi First Nation children living in First Nation communities to those provided to all other children in Quebec. The analysis focused on service differences across the intervention process, from the reception of maltreatment allegation by child protection agencies, to the substantiation of maltreatment and the implementation of protective measures, especially placement. Aggregate cross-sectional data for five fiscal years were collected (2005 to 2009). Key findings from this component show that, in comparison with other children in Quebec, First Nations children were:

- 4 times more likely to experience a retained report in child protection;
- 5.7 times more likely to have their security and/or development deemed compromised;
- 5.7 times more likely to experience final protective judicial measures; and
- 4 times more likely to be placed in out-of-home care.¹¹

This report presents the results of the third component of this research project: secondary analysis of the GFISC project dataset (Esposito et al., 2015). It compares the trajectories of First Nations^{12,13} and non-Aboriginal children under the YPA. GFISC is a province-wide knowledge mobilization initiative aimed at improving the understanding of the dynamics of child protection services in Quebec. It gathers clinical-administrative data from 16 mandated Quebec child protection agencies. The analyses presented here were possible because the executive directors of these agencies and the ACJQ agreed to support the effort to better understand the child protection service trajectories of First Nation children served by their agencies.

This third component was also possible given the collaboration achieved by the partners on the sub-committee on data: representatives from the FNQLHSSC, MHSS, ACJQ, McGill University Centre for Research on Children and Families (CRCF) and Université de Montréal Canada Research Chair (CRC) in social services for vulnerable children. This committee served as a forum where partners could exchange information and knowledge, and provide advice and guidance in data analysis and interpretation. The committee's work was guided by the First Nations of Quebec and Labrador Research Protocol (AFNQL, 2014) and the Ownership, Control, Access, and Possession (OCAP®) principles (FNIGC, 2014).

11 Note that this measure excluded out-of-home placements within First Nations communities made by delegated First Nations agencies and entrustments.

12 This research does not include the Cree and Inuit. See Appendix B for more details about Aboriginal children not included in this study.

13 See Appendix B for more details about Aboriginal children (First Nations, Inuit and Métis) who might be misidentified in the child protection data and who might, therefore, be included in the non-Aboriginal group.





This component of the project extends beyond cross-sectional analyses of data for children living in First Nations communities presented in the two previous components, offering a longitudinal portrait of the child protection trajectories of non-Aboriginal and First Nations children, living both in and outside First Nations communities.¹⁴ Accordingly, it provides a much more detailed portrait of First Nations' child protection experiences than was previously achievable. Current knowledge about the child protection experiences of First Nations children, particularly those living in First Nations communities, is derived primarily from cross-sectional and front-end child protection data. For example, the majority of provinces rely on cross-sectional INAC data for child protection information about out-of-home placement of children living in First Nations communities (Jones and Sinha, 2015; Jones, Sinha, & Trocmé, 2015). A recent comparison of INAC data for children living in First Nations communities with provincial data for children living outside First Nations communities found that out-of-home placement rates for First Nations children living in First Nations communities were roughly 10 times higher than rates for First Nations children living outside First Nations communities for every year between 1991 and 2010 (Jones and Sinha, 2015). Similarly, the National Household Survey (NHS), provided information on foster care rates in 2011, indicating that the rate of First Nations children in foster care in Canada was 16 times the rate for non-Aboriginal children, with the rate of First Nations children in care varying across jurisdictions, from 7.5 (Quebec) to 34 (Alberta) times greater than that for non-Aboriginal children (Sinha & Wray, 2015). NHS-2011 data further demonstrate that in some provinces, including Quebec, the rate of First Nations children living in foster homes outside First Nations communities was much higher than rate of First Nations children living in foster homes in First Nations communities (rates for Quebec were 37/1000 for First Nations children placed outside First Nations communities, and 24/1000 for First Nations children placed in First Nations communities). However, the NHS data is limited to self-reports for 2011 only. Neither NHS nor INAC data can be linked to statistics on other aspects of the child protection process.

A final source of national data, the First Nations Component of the Canadian Incidence Study of Reported Child Abuse and Neglect (FNCIS-2008; Sinha et al., 2011), describes front-end child protection trajectories, showing that the overrepresentation of First Nations children starts at the point of first contact with child protection agencies and builds across the investigation cycles. In comparison with the rate for non-Aboriginal children, the rate of investigation for First Nations children was 4.1 times higher, the rate of substantiated maltreatment was 5.1 times higher, the rate of cases open for ongoing services was 6.7 times higher, the rate of child protection court applications was 8.7 times higher and out-of-home placement was 12.4 times higher. However, FNCIS data does not extend beyond the initial 4–6 week investigation period, and thus cannot provide data on ongoing child protection service trajectories.

¹⁴ Note that, while Components 2 and 3 report on some similar indicators, the methodological differences between the two components means that the findings are not directly comparable.





In contrast, as one of the most comprehensive and largest longitudinal child protection datasets in Canada, GFISC dataset allows us to track the service trajectories of children in Quebec across a wide range of investigation and post-investigation stage child protection interventions. Accordingly, it allows us to describe the First Nations overrepresentation in the child protection system through front-end interventions – such as opening an investigation, substantiating maltreatment and keeping a case open for services. It also allows us to explore the accumulation of overrepresentation through post-investigation patterns, such as more frequent out-of-home placements, more placement changes while in care, different long-term patterns in and out of care, and more frequent recurrence of maltreatment after an initial case closing. As GFISC data is updated annually and contains information about most children served by child protection agencies in Quebec, it allows us to identify changes in child protection service experiences. Despite some limitations, the GFISC also has the benefit of a relatively rich inclusion of data about First Nations children living both in and outside First Nations communities, including data from First Nations agencies. Accordingly, it allows us track First Nations children living in and outside First Nations communities.

The longitudinal analyses presented in this report track First Nations and non-Aboriginal children for up to 3 years following investigation, case closure and out-of-home placement. They extend existing knowledge about the child protection experiences of First Nations children in Quebec. They also provide a level of understanding that has not been achieved at the national level. However, care is needed in extrapolating findings in this report beyond the Quebec context, which differs from many other jurisdictions both with regards to the size of the First Nations population and the general pattern of child protection work, with Quebec having a much lower rate of child protection investigations than other major jurisdictions in Canada (Hélie, Turcotte, Trocmé & Tourigny, 2012; Trocmé et al., 2010a). In addition, comparisons with findings from previous studies must be made cautiously, given the differences in the definition of similar measures or indicators.





2. Methodology¹⁵

2.1 RESEARCH MOTIVATION

This third component of the *Analysis project on the trajectories of First Nations youth subject to the Youth Protection Act* has two main objectives.

The primary objective is to document and understand differences in the child protection service trajectories of First Nations children compared to non-Aboriginal children living in Quebec.

A secondary objective is to identify any early evidence of changes in these service trajectories resulting from the introduction of the 2007 amendments to the YPA (Bill 125). This objective is exploratory, given that the full impact of the legislative amendments may not have been observable by the end of this study.

The analyses presented in this report describe children's trajectories by tracking them across a series of key steps in the child protection process in Quebec. For a detailed representation of the child protection intervention process in Quebec, see Appendix A.

2.2 DATA SOURCES

Child protection data

This report presents secondary analyses of child protection data from the GFISC project (Esposito et al., 2015), a province-wide knowledge mobilization initiative aiming to improve understanding of the dynamics of child protection services in Quebec. GFISC draws data from:

- **Projet intégration jeunesse (PIJ)** - the primary information system used by child protection agencies to manage case files; and
- **Système d'information sur les ressources intermédiaires et de type familial (SIRTF)** - a payment system designed to manage all aspects of subsidized out-of-home care in accredited settings (including child protection related foster and residential care placements).

The GFISC project collects anonymous, longitudinal, clinical-administrative child protection data from sixteen mandated agencies providing child protection services across the province of Quebec (these agencies were the sixteen CJ that existed until 2015, now replaced by the CISSS and CIUSSS providing child protection and rehabilitation services for children and their families).

¹⁵ The expanded methodology appears in Appendix B.





The dataset compiled by GFISC also includes more limited data from the sixteen delegated First Nations agencies (FNCFSA) providing (at least partial) services to First Nations children in 20 communities. Some of these First Nations agencies also provide services to band members living outside First Nations communities. The GFISC dataset does not include data from the three agencies providing child protection services in Nunavik and Eeyou Istchee/Cree territory of James Bay (socio-sanitary regions 17 and 18), which represent less than 1% of the Quebec child population (Institut de la statistique du Québec [ISQ], 2016), as these agencies did not use PIJ. This exclusion aligns with the research design of this project, which targets children from non-agreement First Nations communities and the Naskapi nation, but not Cree or Inuit children. The GFISC dataset is updated annually with data for the fiscal year (April 1–March 31); this report presents child protection data from April 1, 2002, to March 31, 2014.

The GFISC dataset provides a detailed description of the child protection trajectories of First Nations and non-Aboriginal children in Quebec. However, **there are several limitations to the data** that must be taken into account when interpreting the findings presented in this report. The GFISC dataset:

- **Double counts children who had contact with more than one mandated child protection agency.** PIJ and SIRTf track children within, but not across, child protection jurisdictions. A child who received child protection services from one child protection agency, and then moved and was served by a second child protection agency is treated as two separate children.
- **Undercounts First Nations children, especially those with limited child protection contact and those who lived outside First Nations communities.** Children's ethno-racial background is identified by child protection workers based on the information shared/collected through interactions with the child, family and others with knowledge of the child and family. When a child's ethno-racial background is not known to the worker, the child is, by default, coded as being non-Aboriginal. Greater interaction with the child protection system increases the chances that a First Nations child is identified. First Nations children living outside First Nations communities may be more prone to misidentification. If neither they nor their families voluntarily divulge this information to the child protection worker, and/or if the worker does not ask specifically about ethno-racial background, it may never be known to the child protection worker. First Nations children living in First Nations communities are less likely to be misidentified, given their place of residence and INAC's financial responsibility.¹⁶
- **May undercount retained reports from three delegated First Nations agencies (FNCFSA).** These agencies provide case-related information to local mandated child protection agencies for entry into the PIJ system, but anecdotal evidence suggests some inconsistencies in the range of recorded cases.

¹⁶ INAC is financially responsible for child protection services for registered First Nations children living in First Nations communities (on-reserve). Bipartite and tripartite agreements with First Nations bands and/or mandated child protection agencies specify the organization of service delivery and financial responsibilities.





Child population data

This project uses population data from two sources in order to calculate population-based rates of child protection services. The populations of non-Aboriginal and First Nations children (0-17), and the breakdown of the First Nations child population in and outside First Nations communities were computed using data from the ISQ (2002-2010; ISQ, 2015, 2016) and the INAC Indian Registry (2002-2009; AANDC Quebec Regional Office, 2011).¹⁷ A key limitation of the Indian Registry data should be noted:

- **Non-registered First Nations children are excluded from the First Nations child population data used in this report.** The Indian Registry population data used in this report underestimates the First Nations children population by excluding all unregistered First Nations children. The resulting undercounting of First Nations children may be particularly pronounced for infants under 1 year of age, as registration is not required to access services and/or benefits during the first year of life. An alternative data source, the NHS, does include counts of non-registered children; however, this data source does not provide a reliable count of the First Nations population given that some communities do not allow the census to be taken and that there is a high non-participation rate in the census in others.

2.3 COHORT DESIGN AND CHILD PROTECTION INDICATORS

This report presents analyses of data for the population of children (0-17) who were reported to and investigated by child protection services in the province of Quebec between April 1, 2002, and March 31, 2014. The reported analyses **tracked three cohorts¹⁸ of children**. Children in the:

- **Service Cohort** had their report retained by a child protection agency (children under age 15),
- **Placement Cohort** experienced placement in out-of-home care in an accredited setting (children under age 18),
- **Recurrence Cohort** experienced case closure (children under age 17).

Within each cohort, cases are categorized based on the fiscal year that a child experienced the cohort defining service/intervention. Cohorts are not mutually exclusive; children can be found in one or more of the cohorts as long as they meet individual cohort criteria.

¹⁷ The population table is table B1 under Appendix B.

¹⁸ A cohort is defined as a group of individuals with similar characteristics and experiences.



Table 2.1: Child protection population totals

	SERVICES COHORT (2002-2010)	PLACEMENT COHORT (2002-2010)	RECURRENCE COHORT (2002-2012)
Total child protection population	1,51,034	48,000	86,434
Non-Aboriginal child protection population	1,44,754	45,704	82,187
First Nations child protection population	6,280	2,296	4,247
First Nations children living within First Nations communities child protection population	4,805	1,697	3,290
First Nations children living outside of First Nations communities child protection population	1,475	599	957

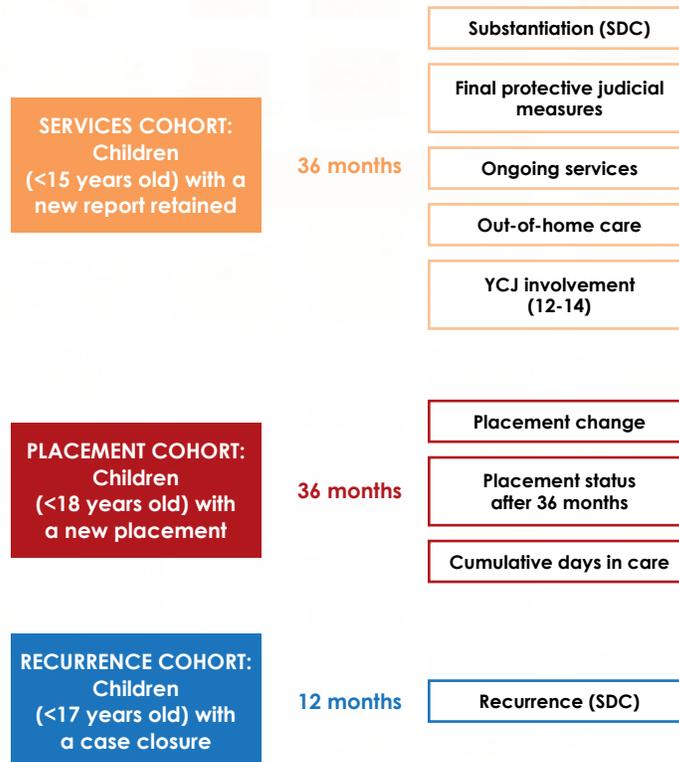
Service Cohort (children with a retained report)

The Service Cohort includes children for whom a report of alleged maltreatment was retained for further evaluation and for whom no other report was made to this mandated child protection agency in the preceding year (6,280 First Nations children and 144,754 non-Aboriginal children). These children are tracked 36 months forward from the report retention date. In order to ensure that all children included could be tracked for the full 36-month period, the cohort is limited to those children who were under age 15 when their reports were retained in the fiscal years 2002 (the start of GFISC data) to 2010. Thus, for example, a child whose report was retained in 2010, just before his 15th birthday, was followed until he became ineligible for child protection services in 2013 at the age of 18.

Data analyzed for the Service Cohort includes the variable used to define the cohort, retained reports, and five child protection services indicators described below and illustrated in figure 2.1. Each indicator is categorized dichotomously, meaning that the child in the cohort either experienced, or did not experience, the child protection service/intervention.



Figure 2.1: Cohorts and indicators



Retained reports

The retained reports variable includes all children for whom a report of alleged maltreatment was retained for further evaluation given the parameters of the Service Cohort. Because this measure of contact with child protection agencies is of substantive interest, rates per 1,000 for this variable are reported.

Substantiation (SDC)

The substantiation (SDC) indicator counts all children for whom the allegations of maltreatment were substantiated and the child's security and/or development were deemed compromised (SDC) on the first evaluation conducted following the initial retained report. All other case outcomes are collapsed into a single "security and development not compromised" (SDNC) category.

Final protective judicial measures

The final protective judicial measures indicator counts all children for whom one or more final protective judicial measures under the YPA were issued within 36 months of the initial retained report. It may exclude a small number of cases in which a judge closed the case after emergency, immediate, provisional and/or interim measures.





Ongoing services

The ongoing services indicator counts all children receiving ongoing child protection services through the implementation of voluntary or judicial protective measures following the first substantiation of maltreatment (SDC) within 36 months of the initial retained report. The ongoing service decision may be related to the first initial retained report if it was substantiated; however, if the first retained report was not substantiated, the ongoing service decision represented in this indicator followed another report, made within the 36-month tracking period, which was deemed substantiated. Other possible case outcomes, including receiving short-term intervention, are indicated as case closure.

Out-of-home care

The out-of-home care indicator counts all children who were entrusted and/or placed in accredited settings (foster and residential care) within 36 months of the initial retained report. The out-of-home care indicator is further subdivided into two measures:

- **Out-of-home care in accredited settings** counts all children with a retained report who were placed in foster care (regular and specific foster homes) and/or residential care (intermediate resources, group homes and living units) within 36 months of the initial retained report. It includes an unknown number of children in the care of specific foster homes (a person important to the child accredited to provide foster care).
- **Entrustments** counts each child with a retained report who was placed with a person important to that child not accredited to provide foster care within 36 months of the initial retained report. Counts only those children did not experience any other form of out-of-home care (foster and/or residential care). This indicator does not count the total number of children who were ever entrusted. Rather, it identifies those children who only experienced entrustments.

Youth criminal justice involvement

The youth criminal justice (YCJ) involvement indicator counts all youth (aged 12 to 15 years less a day at the retained report date), who received YCJ services within 36 months of having a retained child protection report. Youth aged 12 and above who receive services under the YPA can also receive services under the *Youth Criminal Justice Act* (YCJA) if they: 1) admit guilt in court and a judge assigns a form of alternative measure such as community service hours, or 2) refuse alternative measures and are found guilty before a judge in court.





Placement Cohort (accredited settings)

The Placement Cohort includes all children placed by one of the sixteen mandated child protection agencies, under age 18 at the time of placement, who experienced an out-of-home placement in an accredited setting (regular and specific foster homes, intermediate resources, group homes and/or living units) lasting more than 3 days, and who had not experienced out-of-home placement in an accredited setting during the prior year (2,296 First Nations children and 45,704 non-Aboriginal children). These children were tracked 36 months forward from their placement date. To ensure that all children could be tracked for the full 36-month period, this cohort includes children under the age of 18 who were placed during the fiscal years 2002 to 2010.

This cohort was constructed using data recorded in the SIRTf information system, which has limitations that extend beyond those of the PIJ data used in analysis of the Service and Recurrence Cohorts. The Placement Cohort data excludes:

- **Children whose only experience with out-of-home care is via entrustments** (that is, placement with a person important to them not accredited to provide foster care).¹⁹ Placement Cohort data includes information about placements in accredited settings. This includes regular (non-kin) foster homes, residential care (intermediate resources, group homes and living units), as well as placements with a “specific foster family” – a person important to the child accredited to provide foster care. It does not include “entrustments,” defined as placement with a person important to the child not accredited to provide foster care. It is not possible to distinguish specific foster homes from foster homes.
- **Children in out-of-home care placements within First Nations communities initiated/managed by delegated First Nations agencies (FNCFSA).** During the Placement Cohort entry time period covered by the analyses (2002 to 2010), none of the delegated First Nations agencies were using the SIRTf system from which this data is drawn. It is estimated that about a fifth of placements involving placements for First Nations children are not included in the Placement Cohort.
- **Data on out-of-home placements initiated/managed by one mandated child protection agency during the 2012-2013 and 2013-2014 fiscal years.** Accordingly, Placement Cohort data for these years may slightly undercount placements and placement changes, and may also misrepresent the placement status after 36 months for the children in this agency.

Data analyzed for the Placement Cohort includes the three indicators described below and illustrated in figure 2.1.

¹⁹ A child who moved from an entrustment to another form of care (foster or residential care), would be captured in the Placement Cohort at the time of entry into placement in an accredited setting.





Placement change

The placement change indicator counts all new out-of-home care placements (in an accredited setting and lasting more than 3 days) occurring within 36 months of the initial placement. It counts returns to out-of-home care following family reunification attempts or entrustments. This indicator does not count change associated with complementary placements (i.e., sleep away, summer camp, respite care or hospitalization), reunification with family or placement change to entrustment. Thus, a child who first experienced an out-of-home care placement in an accredited setting lasting more than 3 days, returned home, and then went into out-of-home care a second time for more than 3 days in an accredited setting would be represented as having 1 placement change.

Placement status after 36 months

The situation after 36 months indicator specifies how children were cared for 36 months after the initial placement start date. The four categories identified are: still in care, returned home, adopted and other. This indicator likely undercounts adoptions, as the full adoption process may take more than 36 months from the start of out-of-home care. Additionally, the quality of data prior to 2006 for this indicator is limited and will therefore not be presented in this report.

Cumulative days in care

The cumulative days in care indicator counts cumulative days in out-of-home care in accredited settings from the initial placement start date until a child is reunified with his/her family (for up to 36 months).

Recurrence Cohort

The Recurrence Cohort includes all children who received child protection services (implementation of voluntary or judicial protective measures, or short-term intervention), had their child protection case closed and were under 17 years of age at case closure (4,247 First Nations children and 82,187 non-Aboriginal children). They were tracked from the case closure date for a period of 12 months. This cohort was observed for fiscal years 2002 to 2012 to ensure that all children included could be tracked for the full 12-month period. Data analyzed for the Recurrence Cohort includes one indicator described below and illustrated in figure 2.1.

Recurrence of maltreatment (SDC)

The recurrence (SDC) indicator counts all children whose security and/or development were deemed compromised within 12 months of case closure.





2.4 RATES AND PERCENTAGES

We present two different types of descriptive statistics: rates per 1,000 children and percentage of cases. Rates per 1,000 children represent the occurrence of child protection services in the relevant child population. In this report, for example, they indicate how many First Nations children out of every 1,000 experienced an intervention represented by an indicator, such as ongoing services. Percentages (%) of cases are used to represent the occurrence of the indicators in the relevant child protection population. In this report, for example, percentages are used to illustrate how many First Nations children, out of 100 First Nations children in the Service Cohort, experienced a service/intervention represented by an indicator, such as substantiated maltreatment.

Rates and percentages for First Nations children presented in this report are estimates that reflect an undetermined degree of uncertainty in both the child protection and child population data.

The limitations to both sources of data affecting the rates and percentages are reiterated below, highlighting how they may affect the calculation of these estimates.

The **child protection (GFISC) dataset** undercounts First Nations children, especially those having limited child protection contact and those living outside First Nations communities. This undercounting is most likely to occur with the Service Cohort, as inclusion in this cohort requires only that a report of concerns about a child's safety and security be retained for investigation and that anecdotal evidence from the three delegated First Nations agencies receiving reports suggests some inconsistencies in the range of recorded cases. It is also likely more pronounced for children living outside, rather than in, First Nations communities, because place of residence does not provide any cues on potential First Nations identity. Moreover, there is no administrative/financial requirements to identify them (as opposed to registered First Nations living in First Nations communities, who fall under the financial responsibility of INAC). It is not possible to determine how many First Nations children are unidentified given that either the First Nations identity for these children is unknown to the child protection worker completing the administrative file, or that the identity, while known to the worker, is simply not noted in the electronic administrative file, given there is no obligation to do so.



The **child population data** also undercount First Nations children, since non-registered First Nations children are excluded. This undercounting is likely more severe for First Nations children living outside First Nations communities. According to the 2011 NHS data for children under 15 who identified solely as First Nations (North American Indian) in the province of Quebec, about 61% of First Nations children living outside First Nations communities are not registered, in contrast with only about 5% of First Nations children living in First Nations communities (Statistics Canada, 2011). However, NHS data does not provide a reliable count of the First Nations population, given that some communities do not allow the census to be taken and that there is a high non-participation rate in the census in others.

The calculation of **percentages of cases** is based on child protection data. The limitations of this data likely result in the overestimation of the percentage of First Nations children who experienced the child protection services/events examined in this report. The overestimation is hypothesized to be greatest for the Service Cohort indicators, because the Service Cohort includes children who had only minimal contact with child protection services. Consequently, they may not have been correctly identified as First Nations (the default is to identify children as non-Aboriginal). In contrast, children in the Placement and Recurrence Cohorts had more intensive interaction with child protection services; therefore, there was a greater likelihood of being correctly identified as First Nations. Consider the following hypothetical scenario summarized in table 2.2. Suppose that 100 First Nations children had retained reports, but only 60 of these children were identified as First Nations. Further suppose that maltreatment was substantiated for 45 of the 60 correctly identified First Nations children. According to the information available in the dataset, we would estimate that 75% of First Nation children entering the child protection system experience substantiated maltreatment. However, this calculation does not take into account the 40 First Nations children not correctly identified. Suppose that five (12.5%) out of the 40 unidentified First Nations children had their cases substantiated. Had the First Nations identity of all the 100 children been identified correctly, we would report that 50% (instead of 75%) of the First Nations children in the child protection system experienced substantiated maltreatment.

Table 2.2: Hypothetical scenario

	Identified First Nations children	Unidentified First Nations children	All First Nations children
Unsubstantiated	15 (25%)	35 (87.5%)	50 (50%)
Substantiated	45 (75%)	5 (12.5%)	50 (50%)
Total number of cases retained	60 (100%)	40 (100%)	100 (100%)





The likely impact of data limitations on **population rates** is more difficult to determine. This is because both child protection and child population data are needed to calculate rates per 1,000 children. For the hypothetical scenario summarized in Table 2.2, the rate of substantiated cases in a child population would be calculated by dividing the number of substantiated cases by the child population, and then multiplying by 1000 [(1000*# of substantiated cases)/child population]. As discussed above, the number of substantiated cases for First Nations children (numerator) may be underestimated. The denominator — in this case the First Nations child population — is also known to be underestimated, as it does not include non-registered First Nation individuals. The cumulative impact of these two types of underestimation cannot be determined, thus it is not possible to know whether the resultant rates are under- or overestimated.

2.5 SUBGROUP ANALYSIS

First Nations children living in or outside a First Nations community

The child protection population is divided into two primary subgroups for the purposes of comparative analysis: children identified as non-Aboriginal²⁰ and children identified as First Nations.²¹ The First Nations group is further subdivided into children living in or outside First Nations communities. The category of First Nations children living in a First Nations community includes First Nations children living in any First Nation community, either their own or another. The category of First Nations children living outside a First Nation community includes First Nations children who do not live in any First Nation community.

Age subgroups

Each cohort was subdivided based on the age at entry into each cohort (age at initial report retained for the Service Cohort; age at initial placement for the Placement Cohort, and age at case closure for the Recurrence Cohort). For each cohort there are 5 age subgroups: under 2 years old; 2 to 5 years (all children between the ages of 2 and 6 years old less a day at entry into the cohort), 6 to 9 years, 10 to 13 years and 14 to 17 years.

20 See Appendix B for more details about Aboriginal children (First Nations, Inuit and Métis) who might be misidentified in the child protection data and who might, therefore, be included in the non-Aboriginal group.

21 This research does not include the Cree or Inuit. See Appendix B for more details about Aboriginal children not included in this study.





Maltreatment type subgroups

Each cohort was also subdivided into subgroups based on the primary form of maltreatment last recorded in the child's file at cohort entry (primary form of maltreatment alleged at initial report retained for the Service Cohort; primary form of maltreatment last indicated in the file prior to placement for the Placement Cohort, and primary form of maltreatment for which children were receiving services prior to case closure for the Recurrence Cohort). Within a child protection file, the worker may indicate up to three forms of maltreatment, with the primary form being the one that the worker identified as being of greatest clinical concern.

In this report, the six primary maltreatment types identified under sections 38 and 38.1 of the YPA are: Neglect (including serious risk of being neglected); Physical Abuse (including serious risk of being physically abused); Sexual Abuse (including serious risk of being sexually abused); Serious Behavioural Disturbances; Abandonment; and Psychological Ill-Treatment.²²

This report analyzes neglect cases in more detail, dividing them into five categories:

- Physical neglect: Failing to meet the child's basic physical needs with respect to food, clothing, hygiene or lodging, taking into account the caregiver's resources.
- Health neglect: Failing to give the child the care required for the child's physical or mental health, or not allowing the child to receive such care.
- Supervisory neglect: Failing to provide the child with the appropriate supervision or support, or failing to take the necessary steps to provide the child with schooling.
- Serious risk of neglect: A situation in which there is a serious risk that a child's parents or the person having custody of the child are not providing for the child's basic needs.
- Pre-amendment categories: All neglect categories which were eliminated by a 2007 amendment of the YPA act (only valid for the year 2007).

²² See Appendix C for definitions of types of maltreatment as defined under the YPA.





3. Child Protection Indicators: Rates Per 1,000 Children



In this chapter, we describe the child protection experiences of First Nations and non-Aboriginal children, using population-based rates. We present data for all retained children (Service Cohort), and for the recurrence (SDC) of maltreatment (Recurrence Cohort). For each of the child protection indicators examined, we present the rate of children who experienced child protection services or interventions (per 1,000 children). These rates represent the ratio of the number of children who received a specific service or intervention (such as substantiation) to the number of children in the child population, multiplied by 1000 (in order to better represent even relatively rare events). While the statistics on the percentages of cases presented in the next chapter of this report depict the progression of cases through the child protection intervention process, the rates per 1,000 presented here highlight the experiences of the First Nations child population. They are particularly useful in making comparisons between groups and examining trends over time, because they account for differences in group population size and changes in population over time. In interpreting the data presented in this chapter, readers should take into account the uncertainty in estimation of rates that comes from the undercounting of First Nations children in the child protection population (decrease rate estimates), and the undercounting of the First Nations child population (increases rate estimates; see Chapter 2 or Appendix B for details). The precise impact of this uncertainty in measurement cannot be ascertained, and readers should exercise caution when interpreting small rate differences.

In section 3.1, we present, for each indicator, the average rate per 1,000 children for 2002-2010 (the total number of children who first experienced an event during this time frame, divided by the sum of the child population across all years, multiplied by 1,000), including a detailed overview of the rates per 1,000 children by age group, maltreatment type and neglect category at initial report retention. In section 3.2, we examine trends over time, comparing the indicator data across each year between 2002 and 2010. In section 3.3, we present, for each indicator, the average rates per 1,000 children (2002-2010) for First Nations children living in and outside First Nations communities, including a detailed overview of the rates per 1,000 children by age group, maltreatment type and neglect category at initial report retention.





Overall, the data presented in this chapter show that First Nations children receive all child protection services and interventions examined at a greater rate than non-Aboriginal children. The disparity starts from the entry point into child protection services: the rate of reports retained for investigation for First Nations children was 4.4 times greater than the rate for non-Aboriginal children.²³ This parallels national findings from the FNCIS–2008, which show that the rate of investigations for First Nations children was 4.2 times greater than the rate for non-Aboriginal children in Canada (Sinha et al., 2011). The data in this report show that the disparity increases as children move through Quebec's child protection system. The biggest disparities were found for the out-of-home care and the recurrence (SDC) indicators, with the rates for First Nations children being 7.9 (out-of-home-care) and 9.4 (recurrence SDC) times greater than the rate for non-Aboriginal children. The general pattern of increasing disparity echoes national level findings from the FNCIS–2008. However, in keeping with analyses of NHS data showing that the out-of-home care disparity between First Nations and non-Aboriginal children in Quebec may be less pronounced than elsewhere in Canada (disparity of 7.5 in Quebec in comparison with 16 at the national level (Sinha & Wray, 2015), the disparity between First Nations and non-Aboriginal children out-of-home care rates in the Quebec data reported here is lower than the national level disparity reported in the FNCIS–2008 (7.9 versus 12.4 respectively).

In keeping with national level analyses, which find that investigations of neglect and of risk of future maltreatment are the primary drivers of First Nations overrepresentation in the child protection system (Sinha, Trocmé, Fallon, & MacLaurin, 2013), the analyses presented in this report also show that the disparity between First Nations and non-Aboriginal children was more pronounced for cases of neglect (6.7) than for other types of maltreatment, and that the disparity was greatest for investigations of serious risk of neglect (9.3) and for children under the age of 6 (6.2– although the rates for First Nations infants under 2 must be interpreted cautiously).

Analysis of the trends over time shows that the overall pattern is one of sustained disparity. For most indicators, there was fluctuation in rates between 2002 and 2010, but neither a clear reduction nor a clear increase in the First Nations rates relative to the non-Aboriginal rates during this time period is evident. One exception to this general pattern was a pronounced increase in the disparity in entrustments (placement with a person important to the child not accredited to provide foster care). While the rate of entrustments for non-Aboriginal children during this period remained fairly stable, the rate for First Nations children rose steadily. In 2002, the rate of entrustments for First Nations children was 4.7 times that for non-Aboriginal children. By 2010, the First Nation rate was 18.2 times higher than that for non-Aboriginal children. Meanwhile, there was no clear reduction or increase in the placement rates in accredited settings (foster and residential care) for First Nations children over these years. When compared to the slightly declining rates for non-Aboriginal children, the overall pattern was one of sustained disparities over time for this type of placement. A much less pronounced pattern of growth in disparity was also visible in the data on recurrence (SDC): the disparity in recurrence (SDC) rates grew from less than 7.7 times greater for First Nations children than non-Aboriginal children during the first five years of the cohort entry period, to more than 9.2 times greater during the last four years.

²³ This report did not examine rate of reports received by child protection agencies, and therefore cannot conclude whether there is an overrepresentation at the point of first contact with child protection agencies.



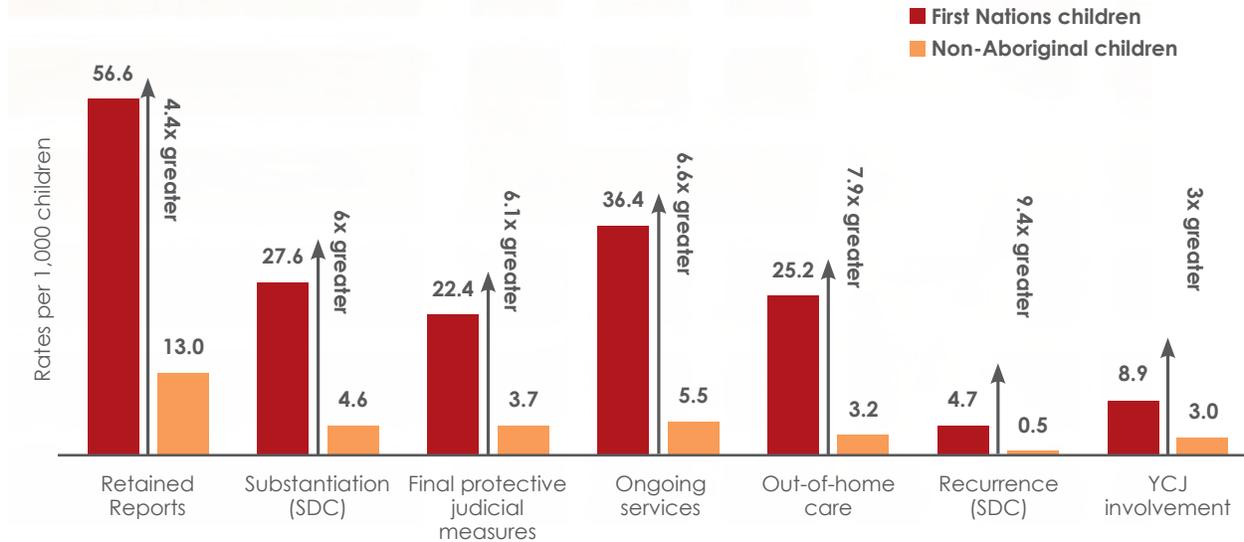
Finally, the data presented in this chapter show that the overall findings for First Nations children hold for First Nations children living in and outside First Nations communities. While some small differences exist between rates for the child protection indicators for First Nations children living in and outside First Nations communities, the overall patterns are the same. The only exception pertains to the rates of recurrence, for which the population rate for First Nations children living in First Nations communities was 1.4 times greater than for First Nations children living outside First Nations communities. Analysis of the forms of maltreatment and age groups show that there were also differences in rates of investigations for certain forms of maltreatment. The rate of investigation was greater for First Nations children living outside First Nations communities for physical abuse (1.5 times greater), psychological ill-treatment (1.7 times greater), physical neglect (1.8 times greater), health neglect (1.7 times greater) and supervisory neglect (1.6 times greater). Conversely, the rate of investigations for serious risk of neglect was 1.3 times greater for First Nations children living in First Nations communities.

3.1 RATES PER 1,000 – AVERAGE OVER TIME

Figure 3.1 displays the average rates (2002-2010), per 1,000 children in the population, for the child protection indicators describing children's experiences with the child protection system. It presents these data for two groups of children: First Nations children (living in and outside First Nations communities) and non-Aboriginal children. The first two bars in figure 3.1 depict the average rates of **retained reports** for First Nations and non-Aboriginal children (aged below 15), between 2002 and 2010. They show that, on average from 2002 to 2010, 56.6 out of every 1,000 children in the First Nations population were the subjects of new child protection reports retained for investigation. In contrast, for every 1,000 non-Aboriginal children in the population, 13.0 were the subjects of retained reports. The retained report rate for First Nations children was 4.4 times ($56.6/13.0=4.4$) higher than that for non-Aboriginal children. The following indicator, **substantiation (SDC)**, shows that the rate of First Nations children who had their security and/or development deemed compromised was 6 times higher than that of non-Aboriginal children. The third indicator in figure 3.1 identifies children who received **final protective judicial measures**. The rate of final protective judicial measures for First Nation children was 6.1 times higher than that for non-Aboriginal children. The fourth set of bars illustrates that the rate of First Nations children who had their case open for **ongoing services** was 6.6 times greater than that of non-Aboriginal children.

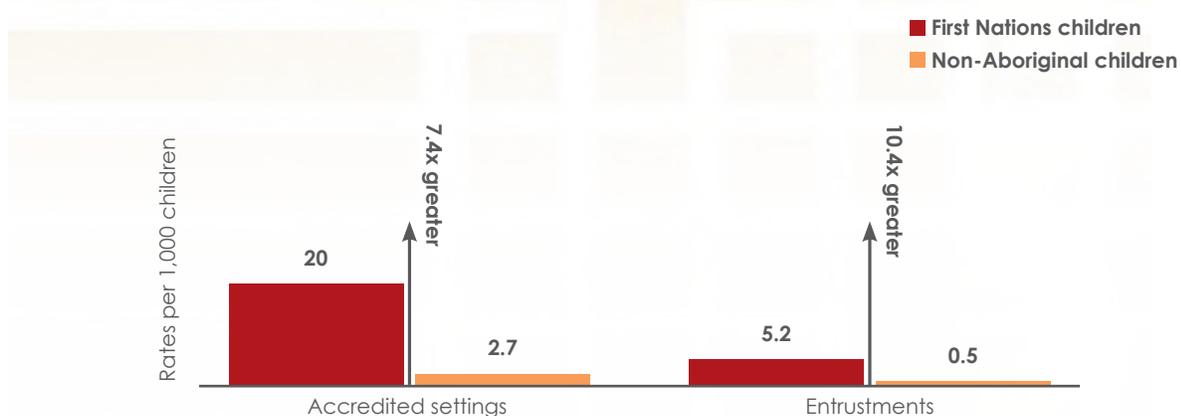


Figure 3.1: Average rate per 1,000 by indicator (2002-2010)



The fifth indicator illustrates that the rate of First Nations children who experienced any type of **out-of-home care** (including entrustments) was 7.9 times higher than that for non-Aboriginal children. The out-of-home care indicator can be broken down into two measures: *out-of-home care in accredited settings* (representing placement in regular and specific foster homes, intermediate resources, group homes, and/or living units) and *entrustments exclusively* (no other out-of-home placement experienced), as shown in figure 3.1b. With regards to out-of-home care in accredited settings, the average rate per 1,000 for First Nations children was 7.4 times higher than the non-Aboriginal rate. For entrustments, the average rate per 1,000 for First Nations children was 10.4 times higher than the non-Aboriginal rate.

Figure 3.1b: Average rate per 1,000 for out-of-home care subindicators (2002-2010)



The sixth indicator in figure 3.1 is **recurrence (SDC) of maltreatment**, which shows if a child's security and/or development were judged compromised within a year after having their previous child protection case being closed (aged under 17 at closure). The rate for First Nations children was 9.4 times higher than the non-Aboriginal children rate of recurrence (SDC) of maltreatment. The last indicator of figure 3.1, **YCJ involvement**, shows that the rate of First Nations youth who experienced YCJ services (when aged 12 to 14) was 3 times higher than that for non-Aboriginal youth.

Figure 3.2 gives the average retained report rate for 2002-2010, per 1,000 First Nations or non-Aboriginal children in the population by the age of the child at report retention. Data in figure 3.2 show that the disparity between First Nations and non-Aboriginal children existed for all age groups, and was most pronounced for children below 6 years old (when we consider all children under age six, the rate of retained reports for First Nations children was 6.2 times the rate for non-Aboriginal children). However, the population rate for First Nations children below 2 years of age must be interpreted with caution. Given that registration is not required to access services and/or benefits during the first year of life, the population numbers for First Nations infants under 1 year of age are likely to underestimate the real number of children of that age in the First Nations population.

Figure 3.2: Average rate per 1,000 for retained reports, by age at report (2002-2010)

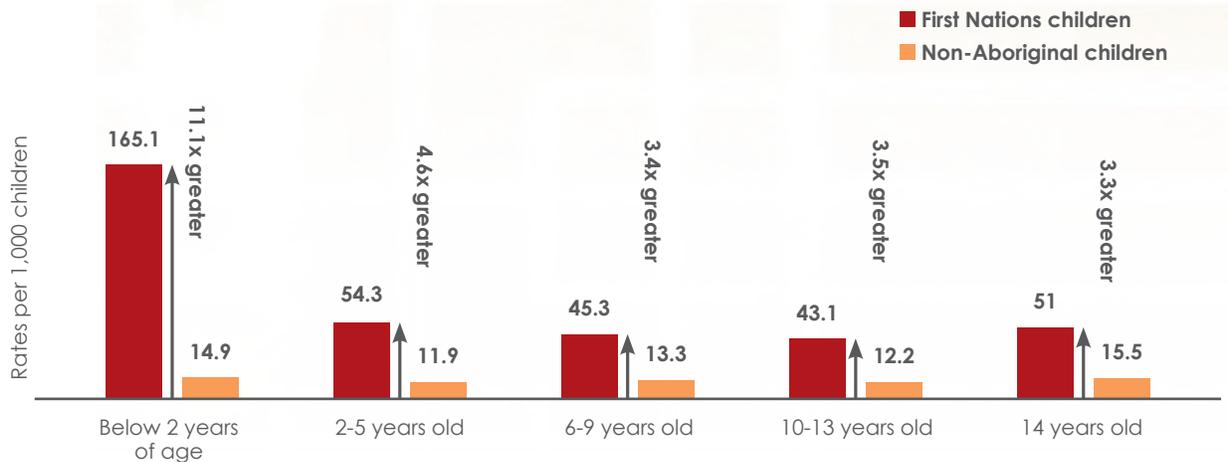


Figure 3.3 gives the average retained report rate for 2007-2010 per 1,000 First Nations or non-Aboriginal children in the population by the primary form of maltreatment alleged at report retention. In a child protection file, a case worker may indicate up to three forms of investigated maltreatment. The primary form of maltreatment is the one that the worker identified as being of greatest clinical concern. The data in figure 3.3 show that disparity existed for all forms of maltreatment and was greatest for cases of neglect. The First Nations retained report rate for neglect was 6.7 times greater than that for non-Aboriginal children. This finding complements the fact that children under 6 years of age have the highest rates of retained reports, as infants and very young children are particularly vulnerable to neglect given their developmental needs and complete dependence on caregivers (Scannapieco & Connell-Carrick, 2005). Neglect is the most commonly investigated form of maltreatment in Canada (Trocmé et al, 2010b) and has been linked with structural factors such as poverty, parental risk factors (e.g. substance abuse and mental health issues) and lack of social support (Smith & Fong, 2004). In the case of First Nations families, these risk factors must be understood in the context of ongoing effects of the intergenerational trauma and other impacts of colonialism. The assessment of neglect can be difficult and may be based on normative standards (Combs-Orme et al, 2013). However, a large body of literature shows that children who “experience early childhood neglect are more likely to experience negative health, cognitive, emotional and social developmental outcomes throughout their lives” (DePanfilis, 2006; Hildyard & Wolfe, 2002; National Scientific Council on the Developing Child, 2012; Perry, Pollard, Blakley, Baker, & Vigilante, 1995, as cited in Blumenthal, 2015). The disparity was the smallest for physical abuse cases, as the retained report rate for physical abuse was 1.9 times greater for First Nation children than for non-Aboriginal children.

Figure 3.3: Average rate per 1,000 for retained reports, by maltreatment type (2007-2010)

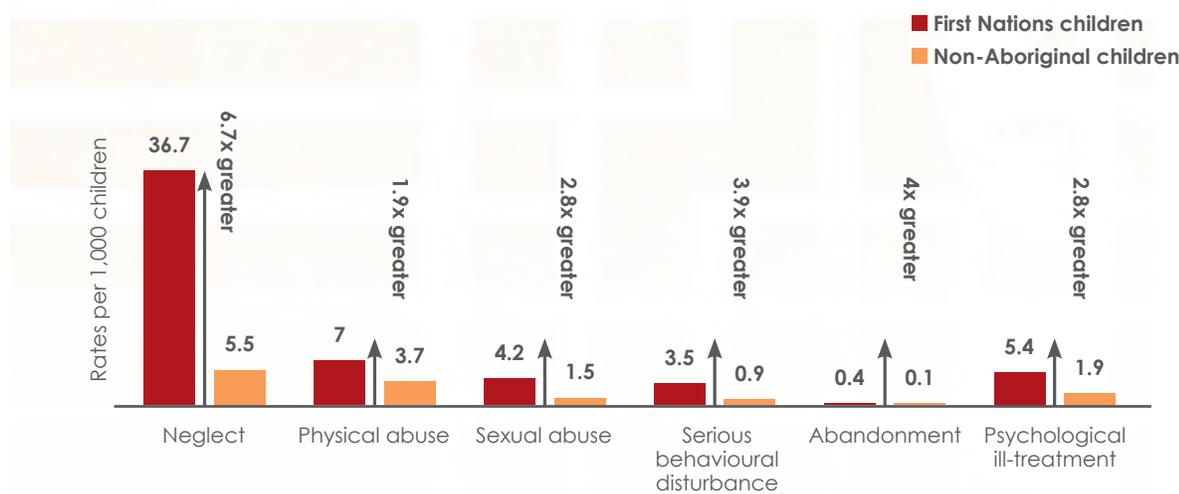
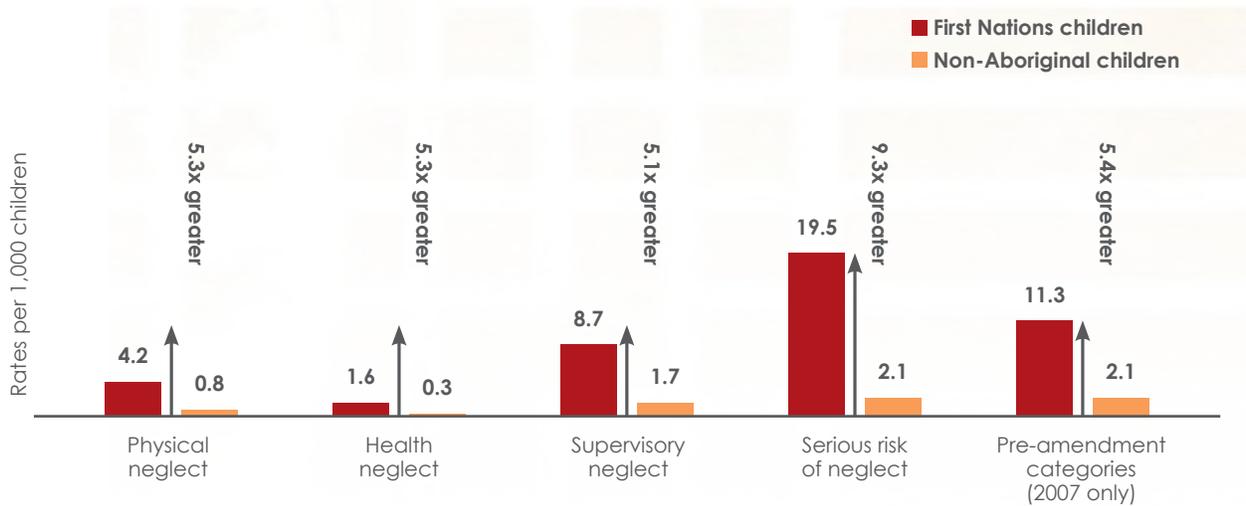


Figure 3.4 gives a more detailed portrait of retained reports in which neglect was the primary form of alleged maltreatment. It presents the average rate (2007-2010) of retained neglect cases per 1,000 First Nations or non-Aboriginal children in the population, categorized by the primary form of neglect identified at report retention. There are five categories: physical neglect, health neglect, supervisory neglect, serious risk of neglect and pre-amendment categories (such as mental, affective or physical development threatened; material condition deprivation; guardian lifestyle; or exploitation). Data in figure 3.4 show that while the disparity existed for all for forms of neglect, the disparity was especially high for First Nations children with a retained report for serious risk of neglect; the rate for First Nations children was 9.3 times greater than for non-Aboriginal children.

Figure 3.4: Average rate per 1,000 for retained reports, by neglect category (2007-2010)



3.2 RATES PER 1,000 - TRENDS OVER TIME

Section 3.1 presented the average indicator rates for the study period; in this section, we look across study years, examining trends in the rates per 1,000 for First Nations and non-Aboriginal children. Table 3.1 gives the annual rates, per 1,000 First Nations and non-Aboriginal children in the population, for child protection indicators describing children's experiences with the child protection system. For most indicators, there was fluctuation in rates between 2002 and 2010. However, neither a clear reduction, nor a clear increase in the First Nations rates relative to the non-Aboriginal rates during this time period can be observed. Rather, the overall pattern is one of sustained, and pronounced, disparity over time.



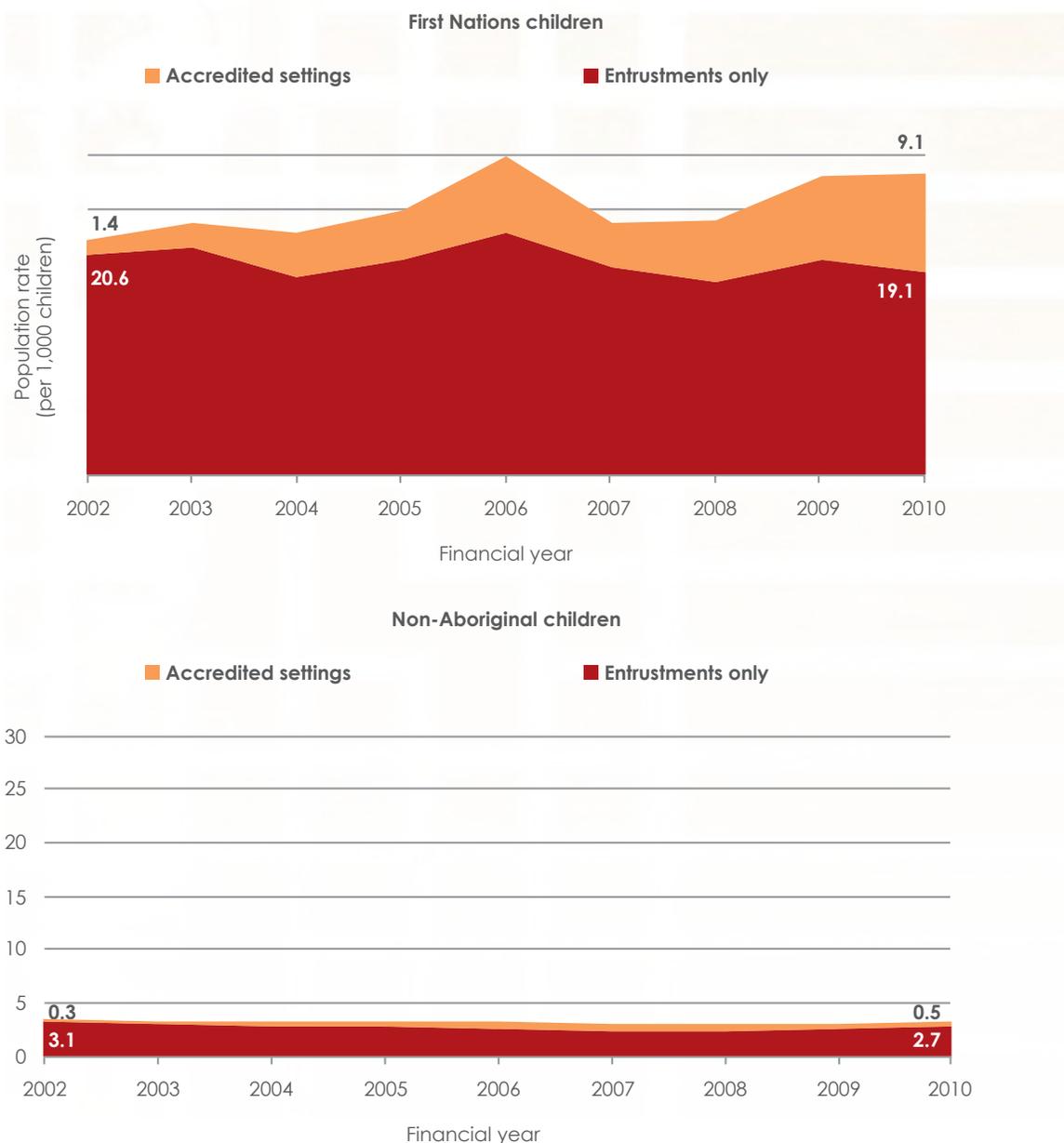
Table 3.1: Rates per 1,000 - Indicators over time

		2002	2003	2004	2005	2006	2007	2008	2009	2010	
Retained reports	First Nations children	49.9	59	52.4	52.4	66.5	53.9	52.3	59.3	64	
	Non-Aboriginal children	12.2	12.3	12.1	13.1	13.1	12.7	13.4	13.7	14.4	
	Disparity	4.1	4.8	4.3	4.0	5.1	4.2	3.9	4.3	4.4	
Substantiation (SDC)	First Nations children	25.6	24.1	23.9	27.5	34	25.9	25.7	28.6	32.9	
	Non-Aboriginal children	4.8	4.6	4.4	4.5	4.5	4.2	4.4	4.7	5.2	
	Disparity	5.3	5.2	5.4	6.1	7.6	6.2	5.8	6.1	6.3	
Final protective judicial measures	First Nations children	17.1	22.1	21.2	25.3	25.8	19.3	21.6	23.7	25.9	
	Non-Aboriginal children	3.6	3.6	3.5	3.7	3.5	3.5	3.6	3.8	4.1	
	Disparity	4.8	6.1	6.1	6.8	7.4	5.5	6.0	6.2	6.3	
Ongoing services	First Nations children	34.5	35.4	33.6	39	42.5	32.4	35.2	36.1	38.9	
	Non-Aboriginal children	5.7	5.7	5.4	5.6	5.5	5.2	5.3	5.5	5.7	
	Disparity	6.1	6.2	6.2	7.0	7.7	6.2	6.6	6.6	6.8	
Out-of-home care (all placements)	First Nations children	21.9	23.6	22.7	24.9	29.9	23.6	23.8	28	28.2	
	Non-Aboriginal children	3.4	3.3	3.1	3.2	3.2	3	2.9	3	3.2	
	Disparity	6.4	7.2	7.3	7.8	9.3	7.9	8.2	9.3	8.8	
Out-of-home care	Accredited settings	First Nations children	20.6	21.2	18.6	20.3	22.7	19.4	18	20.1	19.1
		Non-Aboriginal children	3.1	3	2.8	2.8	2.6	2.4	2.4	2.5	2.7
		Disparity	6.6	7.1	6.6	7.3	8.7	8.1	7.5	8.0	7.1
	Entrustments only	First Nations children	1.4	2.3	4.1	4.6	7.2	4.2	5.9	7.9	9.1
		Disparity	4.7	5.8	10.3	9.2	14.4	8.4	11.8	15.8	18.2
Recurrence (SDC) of maltreatment	First Nations children	3.8	3.5	3.3	4.5	3.4	5.6	5.5	7.6	5.6	
	Non-Aboriginal children	0.5	0.5	0.6	0.6	0.5	0.6	0.4	0.4	0.5	
	Disparity	7.6	7.0	5.5	7.5	6.8	9.3	13.8	19.0	11.2	
Y CJ involvement (ages 12-14)	First Nations children	12.7	11.7	10	7.7	9.4	6.5	5.9	9.5	6.9	
	Non-Aboriginal children	3.5	3.4	3	2.8	2.9	2.5	2.7	3	3.1	
	Disparity	3.6	3.4	3.3	2.8	3.2	2.6	2.2	3.2	2.2	



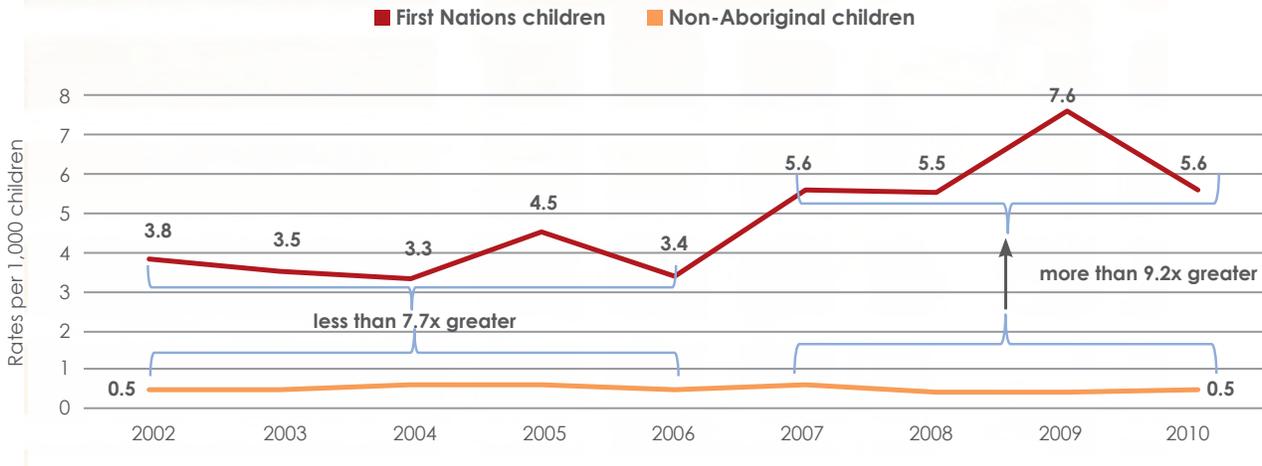
Two exceptions to this overall pattern are illustrated in figures 3.5 and 3.6. The first is a pronounced increase in the disparity in entrustments during the study period. As reported in table 3.1 and shown in figure 3.5, the rate of entrustments for non-Aboriginal children during this period remained fairly stable. In contrast, the rate for First Nations children rose steadily. In 2002, the rate of entrustments for First Nations children was 4.7 times that for non-Aboriginal children. By 2010, the First Nations rate was 18.2 times that for non-Aboriginal children. Meanwhile, there was no clear reduction or increase in the placement rates in accredited settings (foster and residential care) for First Nations children over these years. Compared to the slightly declining rates for non-Aboriginal children, the overall pattern is one of sustained disparities over time for this type of placement.

Figure 3.5: Out-of-home care rates per 1,000 children



The second exception concerns recurrence of substantiated (SDC) maltreatment, for which a less pronounced pattern of growth in disparity is depicted in figure 3.6. The disparity in maltreatment recurrence (SDC) rates grew from less than 7.7 times greater for First Nations children than for non-Aboriginal children in the first five years of the study period, to more than 9.2 times greater during the last four years.

Figure 3.6: Taux de récurrence pour 1 000 enfants



3.3 RATES PER 1000 FOR FIRST NATIONS LIVING IN AND OUTSIDE FIRST NATIONS COMMUNITIES

In this section, we examine child protection indicator rates for First Nations children more closely, presenting average rates (2002-2010) per 1,000 children in the population for two groups of First Nations children: those living in First Nations communities and those living outside First Nations communities. Note that the uncertainty in rates discussed earlier in this chapter is likely more pronounced for First Nations children living outside First Nations communities (see chapter 2 or Appendix B for details).

Figure 3.7 presents the average rates (2002-2010), per 1,000 children in the population, for the child protection indicators describing children's experiences with the child protection system. The population rates for First Nations children living in and outside First Nations communities were very similar across indicators, with the only disparity greater than 1.1 being for the recurrence indicator, for which the population rate for First Nations children living in First Nations communities was 1.4 times greater than for First Nations children living outside First Nations communities. Examination of trends over time showed no clear differences between the patterns for First Nations children living in and outside First Nations communities; therefore, these are not reported here.

Figure 3.7: Average rate per 1,000 children living within or outside of First Nations communities, by indicator (2002-2010)

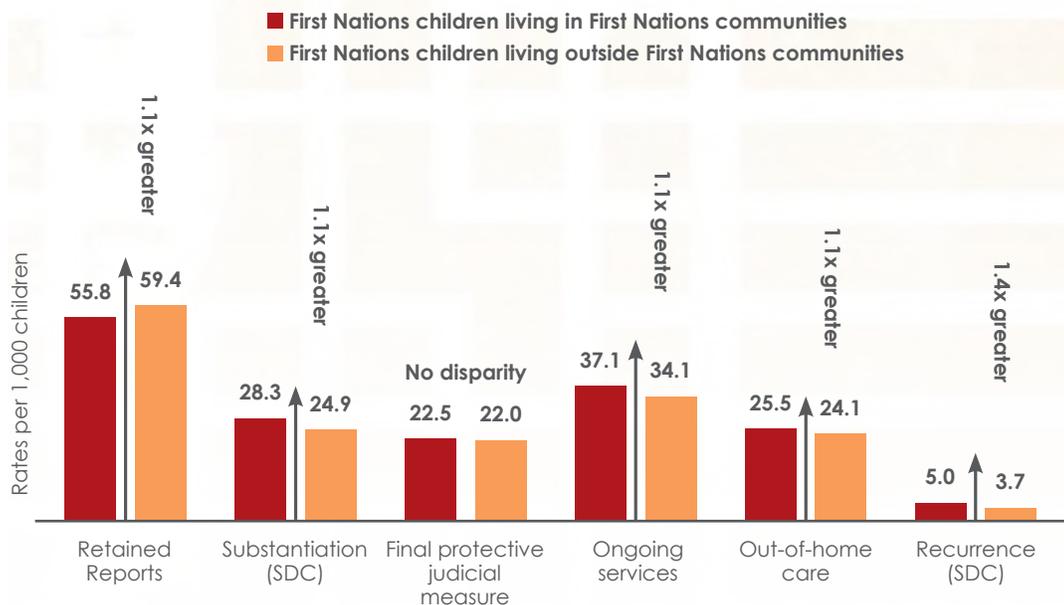


Figure 3.8 reports the average rate (2002-2010) of retained reports, per 1,000 First Nations children living in and outside First Nations communities in the population, by the age of the child at report retention. The population rate for First Nations living outside First Nations communities was minimally higher than for First Nations children living in First Nations communities for retained reports for children below 10 years old, and population rates are minimally higher for First Nations children living in First Nations communities aged 14 at report retention.

Figure 3.8: Average rate per 1,000 children living within or outside of First Nations communities for retained reports, by age at report (2002-2010)

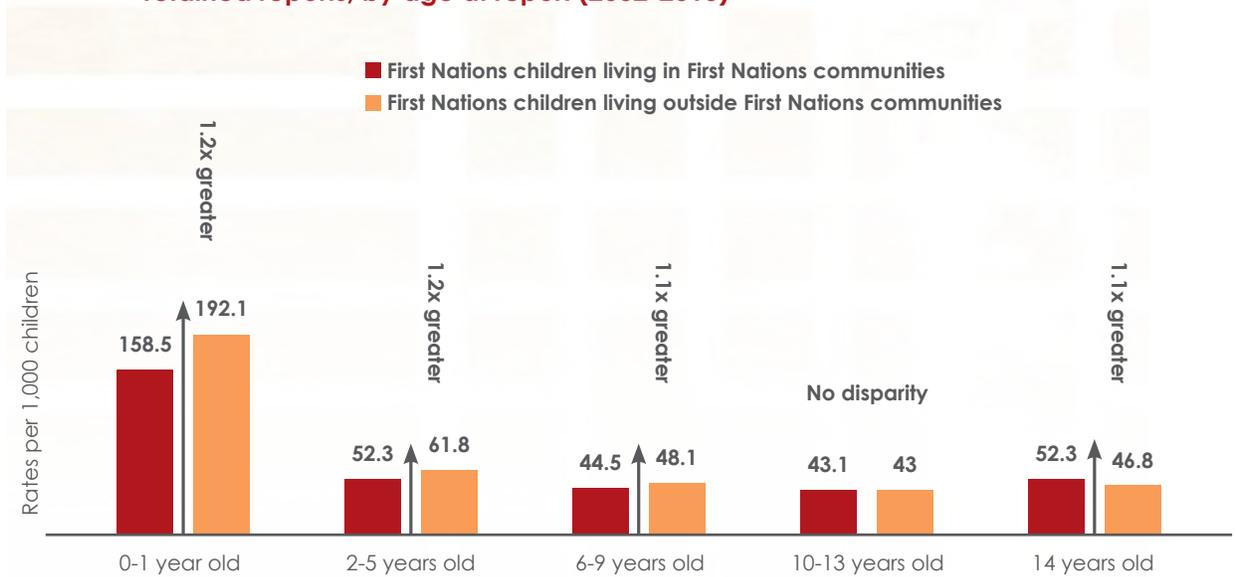


Figure 3.9 presents the average rate (2007-2010) of retained reports, per 1,000 First Nations children living in and outside First Nations communities in the population, by maltreatment type. Most of the population rates are similar, with minimal differences. The only two exceptions are that the population rate for First Nations living outside First Nations communities was slightly higher than for First Nations children living in First Nations communities for reports retained for physical abuse (1.5 times greater) and psychological ill-treatment (1.7 times greater). The rates for cases of abandonment are not shown here on account of the small number of cases.



Figure 3.9: Average rate per 1,000 children living within or outside of First Nations communities for retained reports, by maltreatment type (2007-2010)

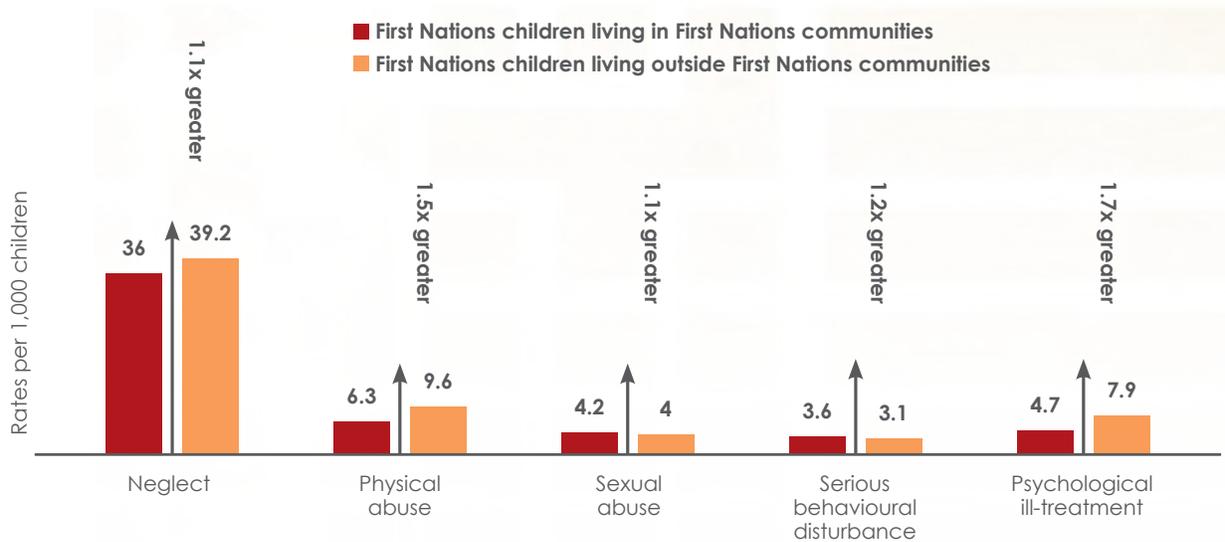
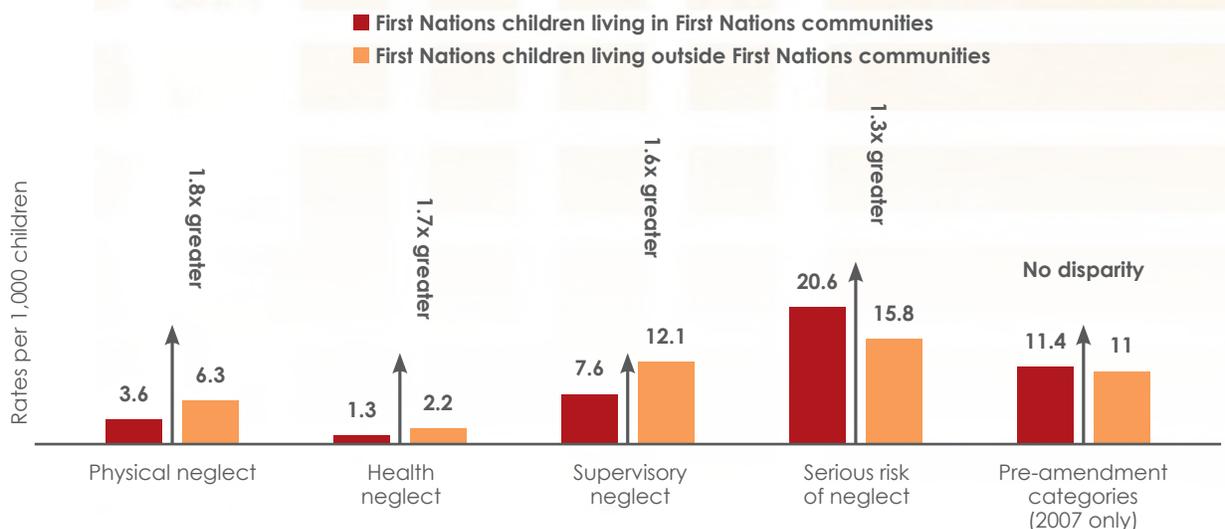


Figure 3.10 presents the average rate (2007-2010) of retained reports, per 1,000 First Nations children living in and outside First Nations communities in the population, by neglect category. While the overall rate of retained report for neglect was very similar between the two groups (1.1 times greater for First Nations children living outside First Nations communities), the data in this figures illustrate that the rate of investigation for First Nations children living outside First Nations communities was greater than for First Nations children living in First Nations communities for physical neglect (1.8 times greater), health neglect (1.7 times greater) and supervisory neglect (1.6 times greater), and that First Nations children living in First Nations communities' rate of investigation for serious risk of neglect was 1.3 times greater than the rate for First Nations children living outside First Nations communities.

Figure 3.10: Average rate per 1,000 children living within and outside of First Nations communities for retained reports, by neglect category (2007-2010)





4. Child Protection Indicators: Percentages of Cases



In this chapter, we describe the child protection experiences of First Nations and non-Aboriginal children using percentages of cases in which children experienced interventions described by child protection indicators. We present data for all children with a retained report (Service Cohort), those placed in out-of-home care in accredited settings (Placement Cohort) and those with case closure (Recurrence Cohort). For each of the child protection indicators examined, we present the percentage of children who experienced child protection services or interventions within the cohort population. These percentages represent the ratio of the number of children who experienced a specific service or intervention (such as substantiated maltreatment) to the number of children in the relevant cohort population (such as the Service Cohort), multiplied by 100.

The percentages presented in this chapter represent the progression of cases through the child protection intervention process. The population-based rates presented in Chapter 3 answer the question: how common is it for First Nations children to experience a specific child protection intervention/service? In contrast, the percentages presented here answer the question: once they enter the child protection system, how common is it for First Nations children to receive specific child protection intervention? In interpreting the data presented in this chapter, readers should take into account the uncertainty in estimating the percentages that comes from undercounting of First Nations children having limited child protection contact and those living outside First Nations communities (this undercounting increases percentage estimates; see chapter 2 or Appendix B for details). The precise impact of this uncertainty in measurement cannot be ascertained, and readers should exercise caution when interpreting small percentage differences.

In section 4.1, we report on the Service Cohort. We first present the percentages of retained reports leading to the intervention or service described by the child protection indicators for 2002 to 2010. We then present more detailed analyses, categorizing the same data by age group, maltreatment type and neglect category at the point of report retention. We describe the distribution of cases across age, maltreatment and neglect categories, and we present the percentage of children *within* each age, maltreatment or neglect category who received a specific child protection intervention/service. In section 4.2, we report on the Placement Cohort (accredited settings) following the same pattern as in the previous section. That is, we first present the percentages of placements leading to the services or interventions described by child protection indicator for 2002 to 2010. We then describe the distribution of cases across age and maltreatment categories





and present the percentage of children *within* each age or maltreatment category who experienced a specific child protection intervention/service. Finally, in section 4.3, we report on the Recurrence Cohort, following the same presentation pattern. We first present the percentages of case closures leading to the services or interventions described by the child protection indicator for 2002 to 2012. We then describe the distribution of cases across age, maltreatment and neglect categories and present the percentage of children *within* each age, maltreatment or neglect category who experienced a specific child protection intervention/service.

Overall, the data presented in the first section of this chapter illustrate that, in comparison with non-Aboriginal children with retained reports, a higher proportion of First Nations children entering the child protection system have their cases substantiated (SDC), receive final protective judicial measures, have their cases open for ongoing services and experience out-of-home care. This finding holds regardless of the form of maltreatment or neglect investigated, and it also holds across all age groups. More specific findings of note include:

- Almost half (48%) of the First Nations children with a retained report were 5 or under at the time of the report.
 - Analysis of the indicators by age groups shows that the disparity between First Nations and non-Aboriginal children receiving services or interventions was most pronounced for the children aged 2 to 5. The exception was entrustments (placement with a person important to the child who was not accredited to provide foster care), for which the disparity was highest for the children aged 14 at the time of the retained report.
- The primary form of investigated maltreatment in almost two-thirds (64%) of retained reports for First Nations children was neglect; each of the other forms of maltreatment accounted for less than 13% of retained reports for First Nations children.
 - Analysis of indicators by maltreatment type shows that the First Nations and non-Aboriginal disparity was most pronounced in cases of physical and/or sexual abuse. The exception was final protective judicial measures for which sexual abuse was the category in which there was the least disparity.
- About one third (34%) of all retained reports were related to allegations of serious risk of neglect, 15% involved supervisory neglect and an additional 15% involved other categories of neglect.
 - There was not much variation in the disparity in indicators across neglect categories. The greatest disparities were for substantiation (SDC) and entrustments in cases of supervisory neglect and placement in accredited settings (foster and/or residential care) for pre-amendment categories.





The data presented in the second section of this chapter illustrate that the majority of First Nations and non-Aboriginal children placed in out-of-home care in accredited settings experienced a maximum of one placement change and were reunified with their families by the end of the 36-month tracking period. The majority of the children reunified with their families spent 6 months or less in care before being reunited. However, the average number of placement changes was higher for First Nations children than for non-Aboriginal children; this finding held across age groups and maltreatment categories (except for psychological ill-treatment). First Nations children less than 14 years of age and those placed for neglect or physical abuse were returned to their families in greater proportions than non-Aboriginal children placed for the same concerns. The reverse was true for youth aged 14 to 17 at the time of placement and for those placed for reasons of sexual abuse, serious behavioural disturbance or abandonment. Finally, First Nations children spent less time in care before being reunited with their families, a situation holding across all forms of maltreatment and age groups. First Nations children aged 2 to 9, as well as those placed for reasons of sexual abuse, serious behavioural disturbance and psychological ill-treatment, spent, on average, about half the amount of time in care as non-Aboriginal children in the same categories.

Finally, data presented in the third section of this chapter illustrate that in comparison with non-Aboriginal children with child protection case closure, a higher proportion of First Nations children experienced recurrence of substantiated (SDC) maltreatment; the overall percentage of recurrence among First Nations children with case closure was twice that of non-Aboriginal children. A higher proportion of First Nations children experienced recurrence (SDC) across all age groups, maltreatment types and neglect categories. The disparity was highest for cases involving children aged 2 to 5 at closure, and for cases of physical abuse, abandonment and serious risk of neglect.

4.1 SERVICE COHORT (FROM 2002 TO 2010)

The Service Cohort includes 6,280 First Nations children and 144,754 non-Aboriginal children under the age of 15 for whom a report was retained for investigation between April 1, 2002, and March 31, 2011 (and for whom no other report was made in the preceding year).

Percentages of retained reports leading to the Service Cohort indicators

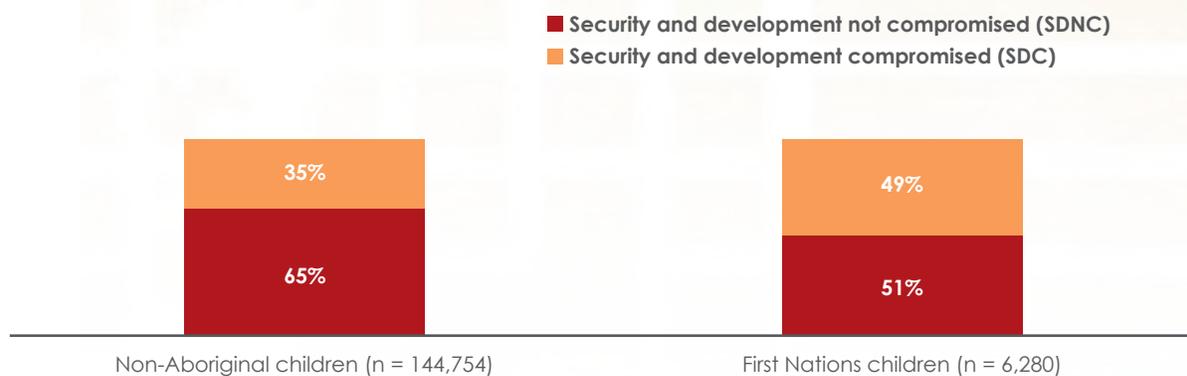
This section gives the percentages of retained reports leading to the services or interventions described by five child protection indicators of the Service Cohort: substantiation (SDC), final protective judicial measures, ongoing services, out-of-home care and youth criminal justice involvement (YCJ).



Substantiation (SDC)

The substantiation indicator shows cases in which the child's security and/or development were deemed compromised (SDC) during the first investigation conducted following the initial retained report. Figure 4.1 presents the outcomes of investigations assessing whether a child's security and/or development had been deemed compromised. It Half (49%; n=3,059) of First Nations children and about a third (35%; n=51,204) of non-Aboriginal children had a substantiated (SDC) report of maltreatment on the first investigation conducted following the initial retained report. The percentage of First Nations children in the Service Cohort whose security and/or development was deemed compromised was 1.4 times greater than that of non-Aboriginal children.

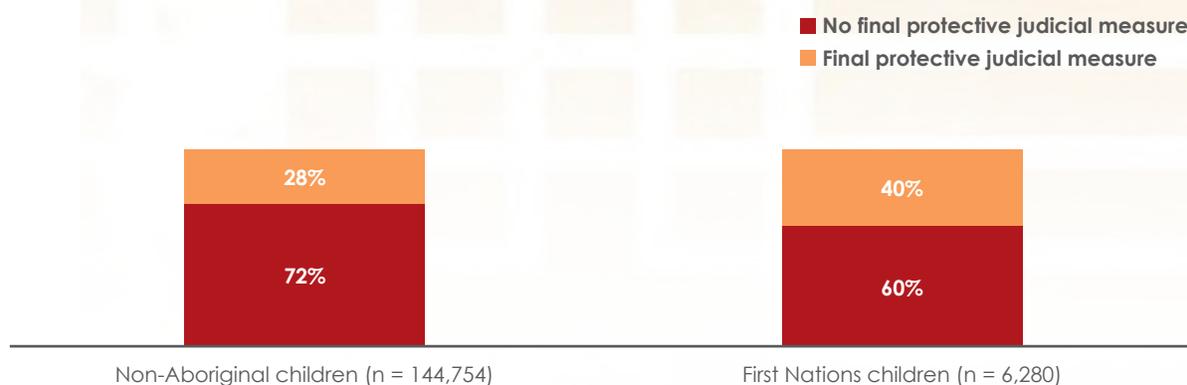
Figure 4.1: Distribution of retained reports by investigation outcome (2002-2010)



Final protective judicial measures

Figure 4.2 presents children who received final protective judicial measures under the Quebec YPA within 36 months of the initial report retention date. It shows that 40% of First Nations children and 28% of non-Aboriginal children received final protective judicial measures within three years of having a child protection report retained. The percentage of First Nations children in the Service Cohort who received final protective judicial measures was 1.4 times greater than that of non-Aboriginal children.

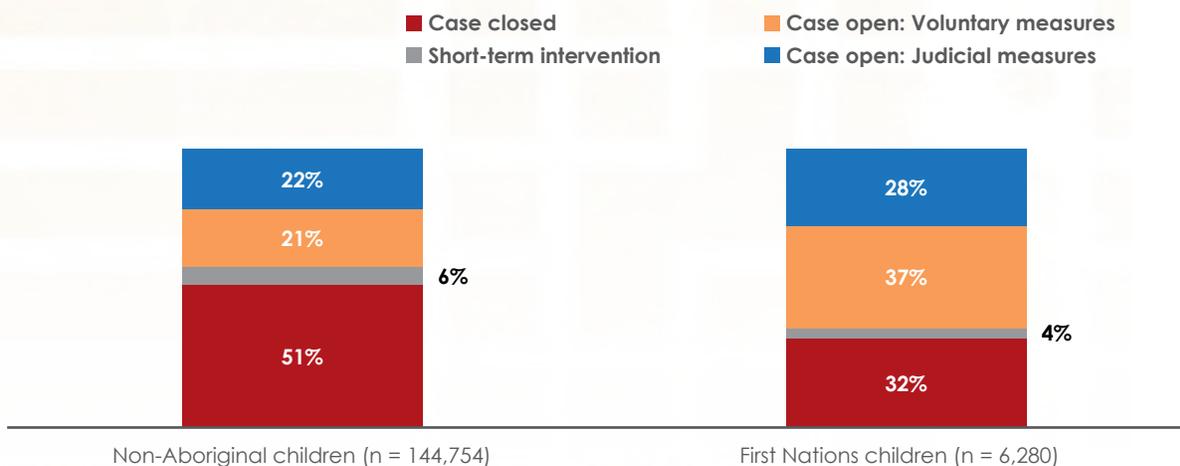
Figure 4.2: Distribution of retained reports by final protective judicial measures (2002-2010)



Ongoing services

Figure 4.3 presents the proportion of children who experienced ongoing child protection services through the implementation of voluntary or judicial protective measures following the first substantiation of maltreatment (SDC) within 36 months of the initial retained report. It distinguishes between cases: opened for ongoing services through voluntary measures, opened for ongoing services due to judicial protective measures, opened for short-term intervention, or closed without intervention/services. It illustrates that 65% of First Nations children and 43% of non-Aboriginal children received ongoing services. The percentage of First Nations children in the Service Cohort receiving ongoing services was 1.5 times greater than that of non-Aboriginal children. More specifically, 37% of First Nations children experienced voluntary measures and 28% judicial measures, while 21% of non-Aboriginal children experienced voluntary measures and 22% judicial measures. Thus, the percentage of First Nations children in the Service Cohort who received ongoing services under a voluntary agreement was 1.8 times greater than that for non-Aboriginal children, and those who received ongoing services under a judicial measure was 1.3 times higher. Only about a third (32%) of First Nations children had their cases closed without services after the investigations. (These cases were those in which the maltreatment allegations were unfounded or, if substantiated, the security and/or development were not deemed compromised). In comparison, half (51%) of non-Aboriginal children had cases closed without services; the percentage of non-Aboriginal children in the Service Cohort who had their cases closed without ongoing services was 1.6 times higher than for First Nations children.

Figure 4.3: Distribution of retained reports by case outcome (2002-2010)

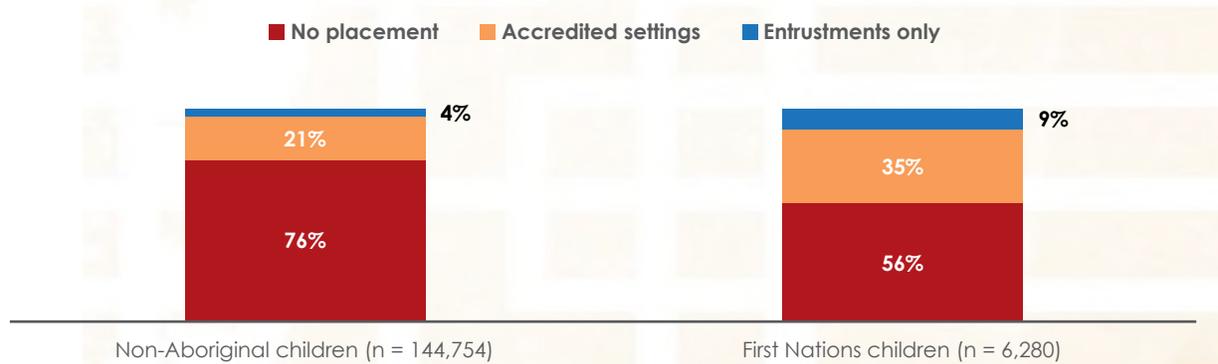


Out-of-home care

Figure 4.4 presents data on children who experienced any type of out-of-home care within 36 months of having a retained child protection report. It distinguishes between those who experienced no placement, those who experienced any placement in an accredited setting (regular and specific foster homes, intermediate resources, group homes and living units), and those who exclusively experienced entrustments (placement with a person who is important to the child not accredited to provide foster care) and were never placed in an accredited setting.

The majority of children with an initial retained report did not experience any placement in the 36 months following an initial retained report (56% for First Nations children, 76% for non-Aboriginal children). Nevertheless, 35% of First Nations children experienced out-of-home care in an accredited setting and 9% experienced entrustments only. For non-Aboriginal children, 21% experienced out-of-home care in accredited settings, and 4% experienced entrustments only. In terms of disparity, the percentage of First Nations children in the Service Cohort who experienced any placement was 1.9 times greater than that of non-Aboriginal children; 1.7 time higher for placement in accredited settings and 2.3 times higher for entrustments.

Figure 4.4: Distribution of retained reports by out-of-home care placement type (2002-2010)

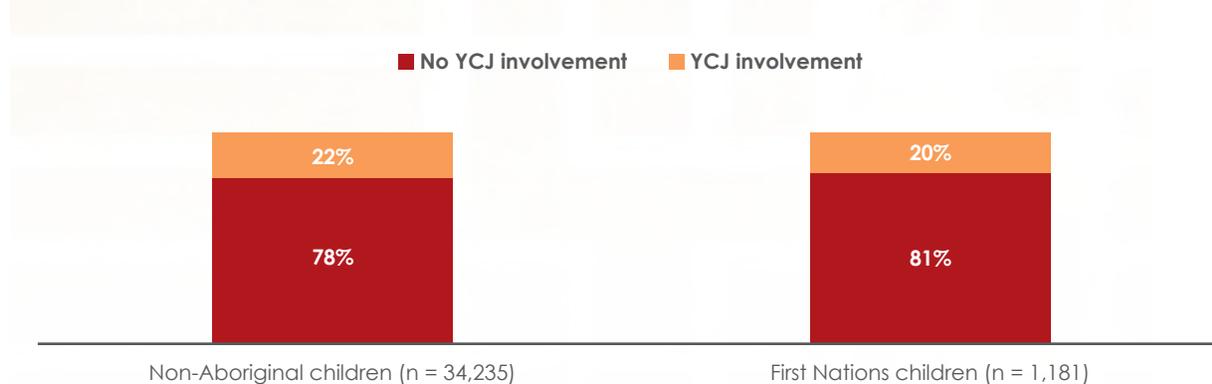


Youth criminal justice (YCJ) involvement

Figure 4.5 illustrates the percentage of youth (ages 12-14) who experienced YCJ involvement within 36 months of having a retained child protection report. One fifth of First Nations youth (20%) and 22% of non-Aboriginal youth with a retained child protection report were involved with youth criminal justice within 3 years following initial retention of a child protection report. In terms of disparity, the percentage of non-Aboriginal youth involved in YCJ was 1.1 times greater than that of First Nations children.



Figure 4.5: Distribution of retained reports by YCJ involvement (2002-2010)



Trajectories of retained reports by age group, maltreatment type and neglect category

In this section, we present the trajectories of children with retained reports according to three subgroups analyses: age group, maltreatment type and neglect category recorded at the initial retained report. We first present the distribution of retained reports across age, maltreatment and neglect categories, followed by further analyses describing the percentage of children *within* each age, maltreatment or neglect category who received a child protection intervention/service. The analyses by age group include the full Service Cohort (6,280 First Nations children and 144,754 non-Aboriginal children for fiscal years 2002 to 2010). Analyses by maltreatment type and neglect category only cover the years 2007 to 2010 in order to reflect the most recent maltreatment categories found in the YPA (see chapter 2 for more details). These analyses include 2,812 First Nations children and 65,559 non-Aboriginal children. The average rate of retained reports for 2007-2010 was 57.3 per 1,000 First Nations children and 13.5 per 1,000 non-Aboriginal children, both slightly higher than the 2002-2010 average.

Trajectories of retained reports by age group

Figure 4.6 presents the distribution of retained reports for First Nations and non-Aboriginal children by age group, for 2002 to 2010. Almost half (48%) of the First Nations children with a retained report were age 5 or younger at the time of the report. For non-Aboriginal children, 36% of children with a retained report were 5 or under at the time of the report. In contrast, 30% of First Nations and 37% of non-Aboriginal children with a retained report were aged 10 or older. It is essential to take into account the underlying difference in the population-based retention rate when interpreting the data presented in figure 4.6. On average, during each year between 2002 and 2010, there were 56.6 retained reports for each 1,000 First Nations children in the population, as opposed to 13.0 per every 1,000 non-Aboriginal children. Thus, even though the percentage of retained reports for First Nations children aged 14 was smaller than the proportion of non-Aboriginal cases in this category,



the population-based rate of First Nations children aged 14 with a retained report was still higher than the rate for non-Aboriginal children aged 14 (51 per 1,000 First Nations children versus 15.5 per 1,000 non-Aboriginal children).

Figure 4.6: Distribution of retained reports, by age at report (2002-2010)

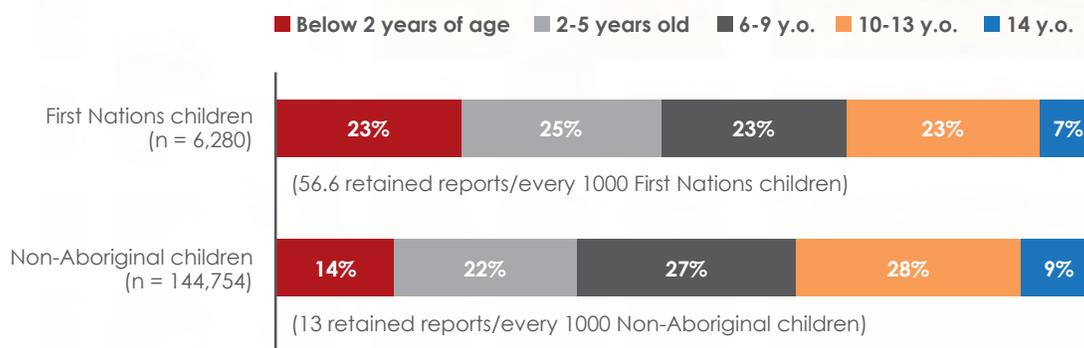


Table 4.1 gives the percentages of retained reports, *within each age group*, which led to substantiation (SDC), final protective judicial measures, ongoing services and out-of-home care. It also presents the percentage of retained reports which led to YCJ involvement for 12, 13 and 14 year old youth. Thus, for example, the 55.2% figure noted in the first row indicates the percentage of retained reports involving First Nations children less than 2 years of age in which the child's security and/or development was found to be compromised during the first investigation following an initial retained report. The proportion of retained reports followed by substantiation of maltreatment (SDC) was higher for First Nations children than for non-Aboriginal across age groups. The disparity was least pronounced for youth aged 14, and most pronounced for those aged 2 to 5. Similarly, the proportions of retained reports for First Nations children that were followed by final protective judicial measures, ongoing services and placements were higher than the proportions for non-Aboriginal children across all age groups. As with substantiation (SDC), the disparity in the proportions of First Nations and non-Aboriginal children experiencing final protective judicial measures, ongoing services and placements in accredited settings is least pronounced for children under the age of two. The patterns for entrustments and YCJ involvement were different. The disparity in rates of entrustments was least pronounced for children under two and most pronounced for those aged 14. With regards to YCJ involvement, while slightly more First Nations children aged 12 were involved with YCJ than their non-Aboriginal counterparts, the situation was reversed for those aged 13 and 14.



Table 4.1: Percentages of retained reports leading to the indicator, by age at initial report retention (2002-2010)

		Calibri (Body)	2 à 5 ans	6 à 9 ans	10 à 13 ans	14 ans	
Substantiation (SDC)	First Nations children	55.2%	45.6%	45.3%	49.0%	48.5%	
	Non-Aboriginal children	45.2%	29.9%	31.6%	35.5%	43.8%	
	Disparity	1.2	1.5	1.4	1.4	1.1	
Final protective judicial measures	First Nations children	50.4%	38.5%	33.1%	37.7%	36.2%	
	Non-Aboriginal children	41.7%	24.6%	23.3%	27.4%	31.4%	
	Disparity	1.2	1.6	1.4	1.4	1.2	
Ongoing services	First Nations children	73.7%	65.3%	60.0%	61.3%	54.9%	
	Non-Aboriginal children	54.0%	39.2%	38.6%	41.1%	45.7%	
	Disparity	1.4	1.7	1.6	1.5	1.2	
Out-of-home care (all placements)	First Nations children	54.5%	40.3%	35.1%	46.0%	52.4%	
	Non-Aboriginal children	34.0%	16.6%	16.2%	27.5%	41.4%	
	Disparity	1.6	2.4	2.2	1.7	1.3	
Out-of-home care	Accredited settings	First Nations children	41.4%	30.1%	27.6%	39.1%	46.5%
		Non-Aboriginal children	27.2%	12.6%	13.2%	24.9%	39.7%
		Disparity	1.5	2.4	2.1	1.6	1.2
	Entrustments only	First Nations children	13.0%	10.2%	7.5%	6.9%	5.9%
		Non-Aboriginal children	6.9%	4.0%	3.0%	2.6%	1.8%
		Disparity	1.9	2.6	2.5	2.7	3.3
		12	13	14			
YJC involvement (ages 12-14)	First Nations children	15.9%	17.3%	24.4%			
	Non-Aboriginal children	14.0%	22.0%	27.9%			
	Disparity	1.1	0.8	0.9			

Trajectories of retained reports by maltreatment type

Figure 4.7 presents the distribution of the retained reports for First Nations and non-Aboriginal children by maltreatment type. It shows that the primary form of investigated maltreatment in almost two-thirds (64%) of retained reports for First Nations children was neglect, with each of the other forms of maltreatment accounting for less than 13% of retained reports for First Nations children. In comparison, neglect (41%) and physical abuse (27%) were the most common forms of maltreatment alleged in retained report for non-Aboriginal children, and each of the other forms of maltreatment accounted for less than 15% of retained reports for these children. It is essential to take into account the underlying difference in the population-based retention rate when interpreting the data presented in figure 4.7. On average each year between 2007 and 2010, there were 57.3 retained reports for each 1,000 First Nations children in the population, as opposed to 13.5 per every 1,000 non-Aboriginal children. Thus, even though the percentage of retained reports for First Nations children in which physical abuse was the primary form of investigated maltreatment was smaller than the proportion of non-Aboriginal cases in this category, the population-based rate of First Nations children investigated for physical abuse was still higher than the rate for non-Aboriginal children (7 per 1,000 First Nations children versus 3.7 per 1,000 non-Aboriginal children).



Figure 4.7: Distribution of retained reports, by maltreatment type (2007-2010)

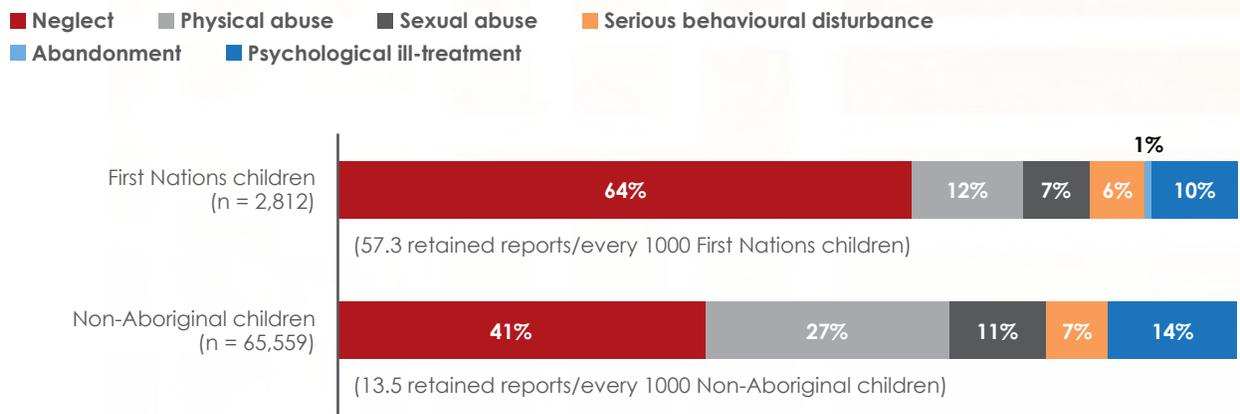


Table 4.2 presents the percentages of retained reports *within each maltreatment category* which led to substantiation (SDC), final protective judicial measures, ongoing services and out-of-home care. It also presents the percentage of retained reports for youth (12-14), *within each maltreatment category*, which led to YCJ involvement. Results for cases of abandonment are not shown, as the number abandonment cases retained between 2007 and 2010 for First Nations children is too small to report. The proportion of retained reports followed by substantiation of maltreatment (SDC) was higher for First Nations children than for non-Aboriginal across maltreatment categories. The disparity was least pronounced for serious behavioural disturbance and most pronounced for sexual abuse cases. Similarly, the proportion of retained reports followed by final protective judicial measures, ongoing services and placements was higher for First Nations than non-Aboriginal children across maltreatment categories. The disparity for final protective judicial measures was least pronounced for retained reports involving investigation of sexual abuse and most pronounced for physical abuse cases. As with substantiation (SDC), serious behavioural disturbance cases are those with the least disparity with regards to ongoing services and placement in accredited settings. However, cases of physical and sexual abuse showed the greatest disparity for ongoing services, and physical abuse cases had the greatest disparity with regards to placement in accredited settings. With regards to entrustments, cases of physical abuse showed the greatest disparity, and those of neglect the least. Finally, the pattern for YCJ involvement was again very different than that for the other indicators; First Nations children were less involved with YCJ than their non-Aboriginal counterparts (the exception being cases of physical abuse where equal proportions of First Nations and non-Aboriginal youth were YCJ involved).



Table 4.2: Percentages of retained reports leading to the indicator, by maltreatment type at initial report retention (2007-2010)

		Neglect	Physical abuse	Sexual abuse	Serious behavioural disturbance	Psych. ill-treatment	
Substantiation (SDC)	First Nations children	52.0%	40.3%	35.0%	51.4%	51.7%	
	Non-Aboriginal children	38.5%	28.8%	22.5%	45.2%	34.7%	
	Disparity	1.4	1.4	1.6	1.1	1.5	
Final protective judicial measures	First Nations children	41.5%	38.6%	18.4%	41.0%	41.2%	
	Non-Aboriginal children	33.6%	20.9%	17.3%	35.2%	27.5%	
	Disparity	1.2	1.8	1.1	1.2	1.5	
Ongoing services	First Nations children	65.5%	56.8%	43.7%	64.2%	59.6%	
	Non-Aboriginal children	47.2%	32.7%	26.2%	51.6%	39.2%	
	Disparity	1.4	1.7	1.7	1.2	1.5	
Out-of-home care (all placements)	First Nations children	47.4%	47.5%	23.3%	57.2%	35.2%	
	Non-Aboriginal children	27.3%	16.4%	10.6%	44.7%	17.1%	
	Disparity	1.7	2.9	2.2	1.3	2.1	
Out-of-home care	Accredited settings	First Nations children	34.5%	35.7%	15.5%	53.2%	24.0%
		Non-Aboriginal children	21.6%	13.6%	8.7%	43.3%	13.6%
		Disparity	1.6	2.6	1.8	1.2	1.8
	Entrustments only	First Nations children	12.9%	11.9%	7.8%	4.0%	11.2%
		Non-Aboriginal children	5.7%	2.8%	1.9%	1.3%	3.5%
		Disparity	2.3	4.3	4.1	3.1	3.2
YCJ involvement (ages 12-14)	First Nations children	12.1%	15.0%	4.9%	34.7%	10.7%*	
	Non-Aboriginal children	18.6%	14.3%	8.7%	41.0%	12.8%	
	Disparity	0.7	1.0	0.6	0.8	0.8	

* Denominator below 30 cases



Trajectories of retained reports by neglect category

Figure 4.8 provides further detail on those retained cases in which neglect was the primary form of investigated maltreatment. For First Nations children, 64% of all retained reports were investigation of neglect. About one third (34%) of all retained reports were related to allegations of serious risk of neglect, 15% involved supervisory neglect and an additional 15% involved other categories of neglect. For non-Aboriginal children, 41% of all retained reports involved an allegation of neglect; in 16% of all retained reports serious risk of neglect was the primary form of investigated maltreatment, 13% involved allegations of supervisory neglect and the primary concern was another category of neglect in 13% of retained reports. It is essential to take into account the underlying difference in the population-based retention rate when interpreting the data presented in figure 4.8. On average each year between 2007 and 2010, there were 57.3 retained reports for each 1,000 First Nations children in the population, as opposed to 13.5 per every 1,000 non-Aboriginal children. Thus, even though the percentage of retained reports for First Nations children in which health neglect was the primary form was equal to the proportion of non-Aboriginal cases in this category, the population-based rate of First Nations children investigated for health neglect was still higher than the rate for non-Aboriginal children (1.6 per 1,000 First Nations children versus 0.3 per 1,000 non-Aboriginal children).

Figure 4.8: Distribution of retained reports, by neglect category (2007-2010)

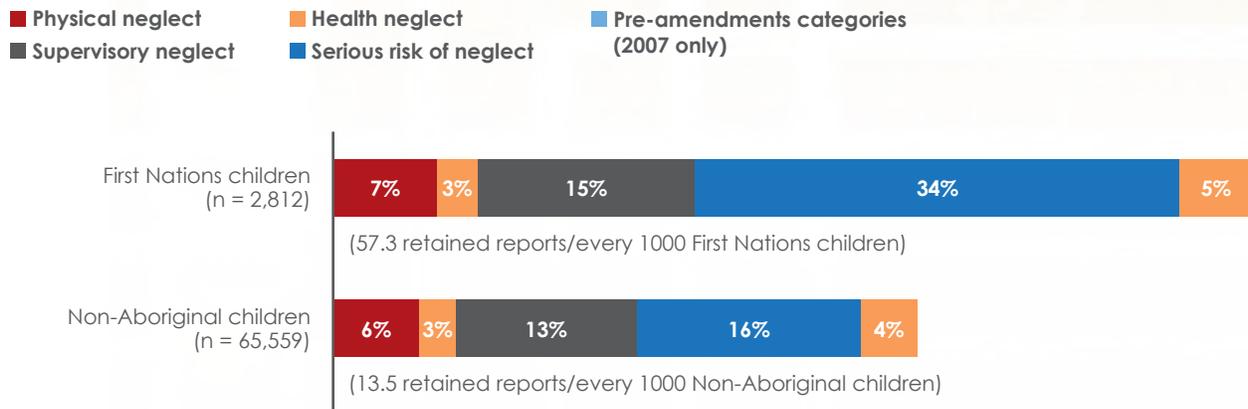


Table 4.3 gives the percentages of retained reports *within each neglect category* that led to substantiation (SDC), final protective judicial measures, ongoing services and out-of-home care. The YCJ involvement indicator is not shown, as the number of retained reports for some categories is too small to present. The proportion of cases involving First Nations children meeting the indicator criteria is almost always higher than the proportion of non-Aboriginal children within every neglect category. The only exception to this pattern is found in the final protective judicial measures indicator. The percentage of retained reports, for First Nations children followed by final protective judicial measures is higher than the percentage for non-Aboriginal children in every neglect



category except under the 'pre-amendment categories' (27.3% of First Nations cases with final protective judicial measures vs. 29.8% of non-Aboriginal cases). There is not much variation in disparity across neglect categories for each indicator. It is worth noting that the disparity is greatest for cases of supervisory neglect for substantiation (SDC) and entrustments, and greatest for pre-amendment categories for placement in accredited settings.

Table 4.3: Percentages of retained reports leading to the indicator, by neglect category at initial report retention (2007-2010)

		Physical neglect	Health neglect	Supervisory neglect	Serious risk of neglect	Pre-amendments categories (2007 only)	All neglect cases	
Substantiation (SDC)	First Nations children	46.8%	42.1%	46.0%	58.1%	41.7%	52.0%	
	Non-Aboriginal children	38.2%	38.7%	33.6%	44.0%	32.8%	38.5%	
	Disparity	1.2	1.1	1.4	1.3	1.3	1.4	
Final protective judicial measures	First Nations children	39.5%	32.9%	35.4%	47.4%	27.3%	41.5%	
	Non-Aboriginal children	33.4%	27.8%	28.7%	39.6%	29.8%	33.6%	
	Disparity	1.2	1.2	1.2	1.2	0.9	1.2	
Ongoing services	First Nations children	61.0%	60.5%	55.9%	72.2%	58.3%	65.5%	
	Non-Aboriginal children	47.8%	43.0%	43.0%	52.0%	43.5%	47.2%	
	Disparity	1.3	1.4	1.3	1.4	1.3	1.4	
Out-of-home care (all placements)	First Nations children	42.9%	30.3%	40.3%	53.7%	41.7%	47.4%	
	Non-Aboriginal children	24.7%	20.1%	24.5%	32.8%	23.5%	27.3%	
	Disparity	1.7	1.5	1.6	1.6	1.8	1.7	
Out-of-home care	Accredited settings	First Nations children	34.6%	26.3%	28.5%	37.5%	36.0%	34.5%
		Non-Aboriginal children	20.0%	17.0%	20.8%	24.4%	18.4%	21.6%
		Disparity	1.7	1.5	1.4	1.5	2.0	1.6
	Entrustments only	First Nations children	8.3%	3.9%	11.8%	16.2%	5.8%	12.9%
		Non-Aboriginal children	4.8%	3.1%	3.8%	8.3%	5.1%	5.7%
		Disparity	1.7	1.3	3.1	2.0	1.1	2.3





4.2 PLACEMENT COHORT (ACCREDITED SETTINGS; 2002-2010)

The Placement Cohort includes 2,296 First Nations children and 45,704 non-Aboriginal children under the age of 18 placed in out-of-home care in an accredited setting for 3 days or more between April 1, 2002, and March 31, 2011 (and for whom no other placement in accredited setting was recorded in the past year). Note that the Placement Cohort (accredited settings) differs from the Service Cohort's 'out-of-home care in accredited settings' indicator presented above in several significant ways and that these are, therefore, not directly comparable. While the indicator in the Service Cohort captures placements in accredited settings of any length, including those initiated and managed by delegated First Nations agencies (FNCFSA), the Placement Cohort does not include placement lasting less than 3 days or placements initiated and managed by First Nations agencies.

Percentages of placements leading to the Placement Cohort indicators

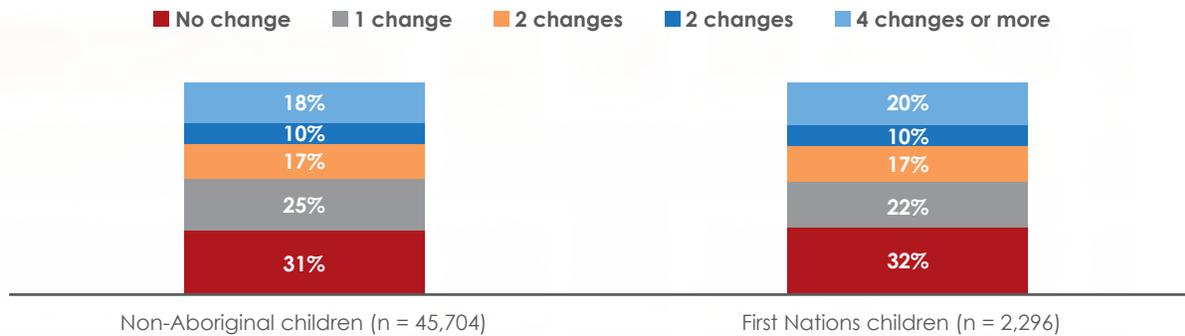
This section reports on the percentages of placements leading to the services or interventions described by three child protection indicators of the Placement Cohort: placement change, placement status after 36 months and cumulative days in care.

Placement change

The placement change indicator regroups children according to how many placement changes, lasting more than 3 days they experienced within the 36-month period following initial placement. Note that returns to out-of-home care following a family reunification attempt and/or entrustment are counted as a change, but that complementary placements, reunification with family and moves to entrustments are excluded from this calculation. Figure 4.9 illustrates that placement changes are experienced in about the same proportions for children in both groups. Irrespective of First Nations status, most children experienced either no moves or just one move (56% for non-Aboriginal children and 54% for First Nations children).



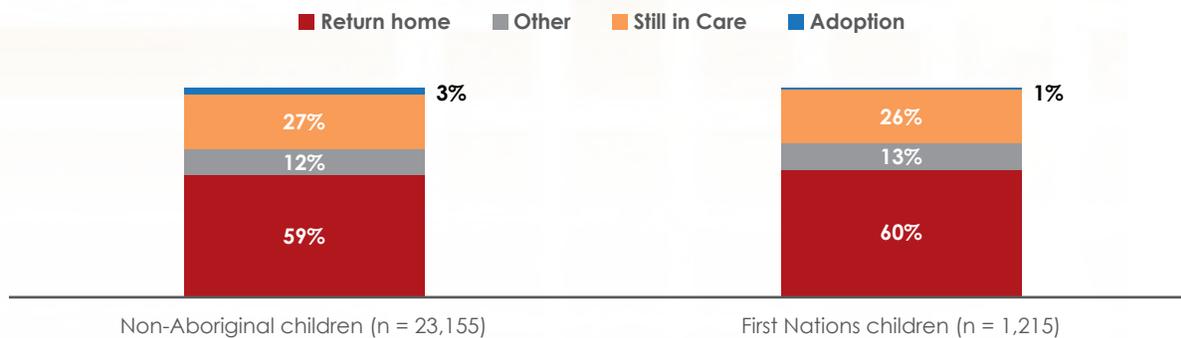
Figure 4.9: Distribution of placements by number of placement change (2002-2010)



Placement status after 36 months

The placement status after 36 months indicator specifies how children were cared for 36 months after the initial out-of-home care placement start date. Figure 4.10 illustrates the placement status after 36 months for all placements, for fiscal years 2006 to 2010, according to whether the children were still in care, returned home, were adopted or were cared for in other ways. The majority of both First Nations and non-Aboriginal children returned home (59% for non-Aboriginal and 60% for First Nations children), yet 27% of non-Aboriginal and 26% First Nations children were still in care 36 months after their placement start date. A very small proportion of children were adopted. The time-tracking period was too short to capture the full length of many adoption processes, and this value was likely undercounted. Nevertheless, the percentage of non-Aboriginal children adopted was 3 times greater than the percentage for First Nations children.

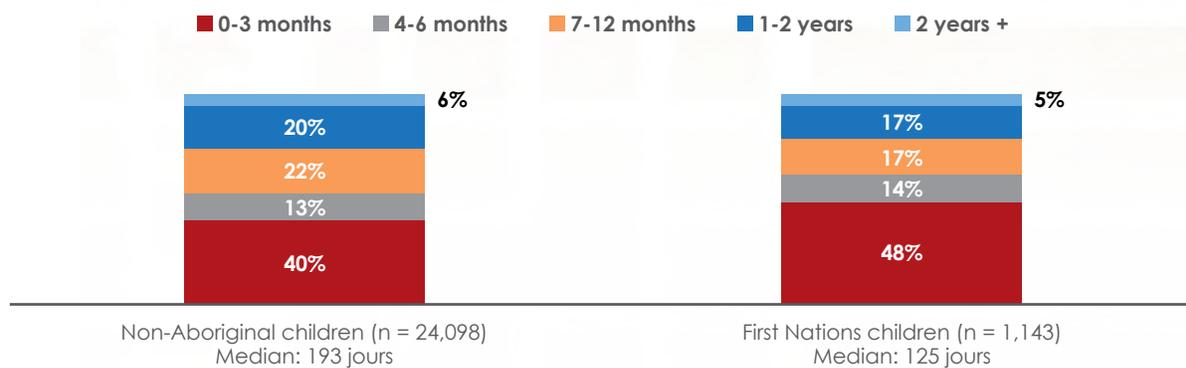
Figure 4.10: Distribution of placements by status after 36 months (2006-2010)



Cumulative days in care

Figure 4.11 shows the distribution of time spent in care (cumulative days in care) for children returned home by duration of placement (3 months or less, 4 to 6 months, 7 to 12 months, 1 to 2 years, and 2 years or more), as well as the median number of cumulative days in care in each group of children observed. The majority of children who returned home did so within 6 months (53% for non-Aboriginal children and 62% for First Nations children), and the median length in care was lower for First Nations children (125 days) than for non-Aboriginal children (193 days). In terms of disparity, the percentage of First Nations children reunified with their families who spent 6 months of less in placement was 1.2 times greater than the percentage of non-Aboriginal children in this situation.

Figure 4.11: Distribution of time in care for children returned home (2002-2010)



Trajectories of placement by maltreatment type and age at start of placement

In this section, we present the trajectories of children placed in accredited settings according to two subgroup analyses: age group and maltreatment type recorded at the start of placement. We first present the distribution of retained reports across age and maltreatment categories, followed by further analyses describing the percentage of children *within* each age or maltreatment category who received a specific child protection intervention/service. The analyses by age and maltreatment groups include the full Placement Cohort (2,296 First Nations children and 45,704 non-Aboriginal children for fiscal years 2002 to 2010).

Trajectories of placement by age group

Figure 4.12 presents the distribution of the placements cohort cases (placements in accredited settings) for First Nations and non-Aboriginal children by age group at placement entry from 2002 to 2010. For First Nations children, about one third (34%) of all new placements involved teens aged between 14 and 17 years of age and 28% children 5 or under. For non-Aboriginal children, teens aged 14 to 17 accounted for almost half of all new placements (46%), and 19% of new placements were for children aged 5 or under at the start of the placement.



Figure 4.12: Distribution of placements, by age at start of placement (2002-2010)

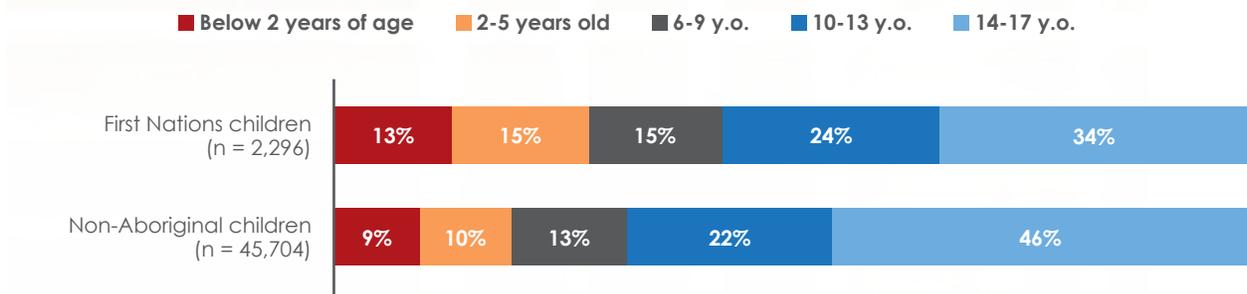


Table 4.4 reports, *within each age group*, the average number of placement change, the percentage of cases in which children were returned home or remained in care, and the median length of time spent in out-of-home care for children who returned home. Across age groups, First Nations children experienced, on average, a slightly higher number of placement changes than their non-Aboriginal counterparts. Contrary to the indicators in the Service Cohort presented above, First Nations children were more likely to experience the more positive experience of being returned home within 36 months of initial placement, compared to non-Aboriginal children. The exception was for children aged 14 to 17 for which non-Aboriginal children were more likely to experience a family reunification than the First Nations children. The disparity was greatest for children below 2 years of age; the percentage of First Nations children below 2 returned home was 1.4 times greater than the percentage for their non-Aboriginal counterparts. Across age groups, a lower proportion of First Nations children than non-Aboriginal children remained in care after 36 months; the exception was for children under 2 in which the proportions were equal for First Nations and non-Aboriginal children. Finally, First Nations children spent less time in care. In terms of disparity, children ages 2 to 9 spent about half the time in care before being reunified with their families in comparison with non-Aboriginal children in the same age groups.



Table 4.4: Indicators of the placement cohort, by age at placement

		Below 2 years of age	2-5 years old	6-9 years old	10-13 years old	14 years old
		Average number of placement changes (2002-2010)				
Placement change	First Nations children	1.83	1.68	1.69	2.67	2.12
	Non-Aboriginal children	1.62	1.58	1.55	2.35	1.99
	Disparity	1.1	1.1	1.1	1.1	1.1
		Percentages of children by selected placement status after 36 months (2006-2010)				
Family reunification	First Nations children	52.5%	59.3%	53.6%	63.8%	64.4%
	Non-Aboriginal children	37.8%	47.2%	49.7%	55.2%	69.8%
	Disparity	1.4	1.3	1.1	1.2	0.9
Still in care	First Nations children	34.2%	35.4%	39.7%	30.6%	9.3%
	Non-Aboriginal children	35.4%	45.0%	44.7%	40.5%	9.8%
	Disparity	1.0	0.8	0.9	0.8	0.9
		Median length (in days) in care for children returned home (2002-2010)				
Cumulative days in care	First Nations children	97	96	111	168	123
	Non-Aboriginal children	131	180	211	249	181
	Disparity	0.7	0.5	0.5	0.7	0.7

Trajectories of placement by maltreatment type

Figure 4.13 presents the distribution of the Placement Cohort cases (placements in accredited settings) for First Nation and non-Aboriginal children by maltreatment type from 2002 to 2010. The majority of First Nation children were placed for reasons of neglect (59%), about a quarter were placed for concerns about serious behavioural disturbance (26%), and other forms of maltreatment accounted for 7% or less of all placements for First Nations children. While neglect (44%) remained the most common form of maltreatment leading to placement for non-Aboriginal children, serious behavioural disturbances accounted for about a third (36%) of all placements, and other forms of maltreatment for 12% or less of all placements for non-Aboriginal children.

Figure 4.13: Distribution of placements, by maltreatment type (2002-2010)

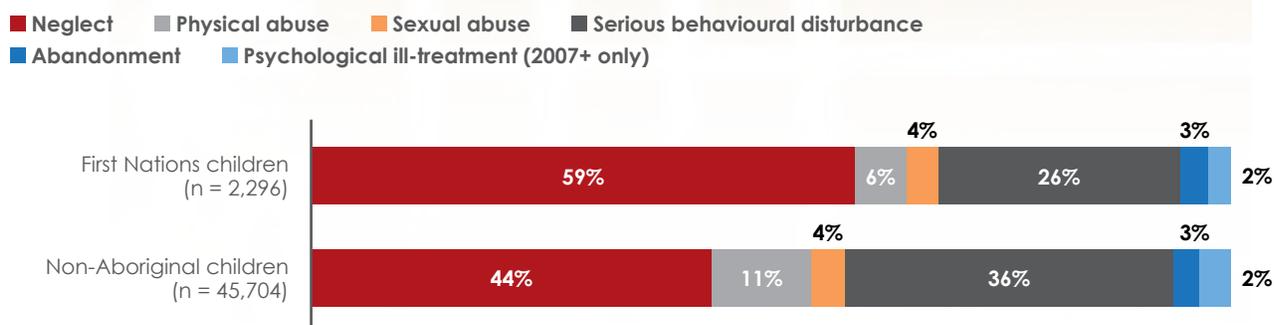


Table 4.5 reports, *within each maltreatment category*, the average number of placement changes, the percentage of cases in which children were returned home or still in care, and the median length of time spent in out-of-home care for children returned home by maltreatment type, for both groups of children. Across all maltreatment categories except psychological ill-treatment, First Nations children experienced (on average) a higher number of placement changes; the disparity was greatest for cases of sexual abuse. First Nations children placed for neglect and physical abuse were returned to their families in greater proportion than non-Aboriginal children, while the reverse was true for children placed for reasons of sexual abuse, serious behavioural disturbance or abandonment. First Nations children spent less time in care before being reunited with their family, with First Nations children placed for reasons of sexual abuse, serious behavioural disturbance and psychological ill-treatment spending, on average, about half the time in care before being reunified with their families in comparison with non-Aboriginal children in the same categories.

Table 4.5: Indicators of the placement cohort, by maltreatment type

		Neglect	Physical abuse	Sexual abuse	Serious behavioural disturbance	Abandon.	Psychological ill-treatment (2007 + only)
		Average number of placement changes (2002-2010)					
Placement change	First Nations children	1.84	2.24	2.44	2.62	1.74	1.85
	Non-Aboriginal children	1.74	1.89	1.89	2.24	1.54	1.85
	Disparity	1.1	1.2	1.3	1.2	1.1	1.0
		Percentages of children by selected placement status after 36 months (2006-2010)					
Family reunification	First Nations children	59.8%	68.5%	50%*	65.3%	26.5%*	55.8%*
	Non-Aboriginal children	49.8%	59.4%	53.3%	72.9%	34.2%	55.2%
	Disparity	1.2	1.2	0.9	0.9	0.8	1.0
Still in care	First Nations children	31.8%	19.1%	27.3%*	11.9%	35.3%*	28.8%*
	Non-Aboriginal children	35.7%	29.9%	32.1%	12.0%	33.3%	31.4%
	Disparity	0.9	0.6	0.9	1.0	1.1	0.9
		Median length (in days) in care for children returned home (2002-2010)					
Cumulative days in care	First Nations children	134	103	95**	125	113**	104**
	Non-Aboriginal children	203	125	207	196	237	205
	Disparity	0.7	0.8	0.5	0.6	0.5	0.5

*Denominator below 55 cases

**Median based on 35 or less cases



4.3 RECURRENCE COHORT (2002-2012)

The Recurrence Cohort includes 4,247 First Nations children and 82,187 non-Aboriginal children under the age of 17 who had their child protection case closed between April 1, 2002, and March 31, 2013.

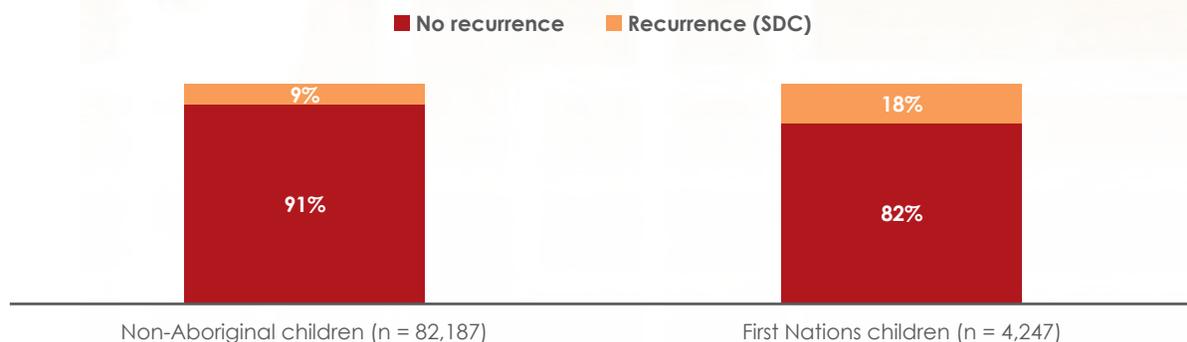
Percentages of case closures leading to the Recurrence Cohort indicator

This section reports on the percentages of case closures leading to the single child protection indicator of the Recurrence Cohort: recurrence (SDC) of maltreatment.

Recurrence of maltreatment (SDC)

The recurrence indicator identifies children whose security and/or development were deemed compromised within a year after having their previous child protection case closed. Figure 4.14 shows that 9% of non-Aboriginal children and 18% of First Nations children experienced recurrence (SDC) of maltreatment or serious risk of maltreatment within a year following case closure. In terms of disparity, the percentage of First Nations children experiencing this indicator was 2 times greater than the percentage for non-Aboriginal children.

Figure 4.14: Distribution of case closures by recurrence (SDC) status (2002-2012)



Trajectories of closed cases by age group, maltreatment type, and neglect category

In this section, we present the trajectories of children who experienced case closure within 36 months of initial report retention, according to three subgroup analyses: age group, maltreatment type and neglect category recorded at case closure. We first present the distribution of case closures across age, maltreatment and neglect categories, followed by further analyses



describing the percentage of children *within* each age, maltreatment or neglect category who experienced the interventions described by child protection indicators. The analyses by age groups include the full Recurrence Cohort (4,247 First Nations children and 82,187 non-Aboriginal children for fiscal years 2002 to 2012). Analyses by maltreatment type and neglect category only cover the years 2007 to 2012 in order to reflect the most recent maltreatment categories found in the YPA (see chapter 2 for more details). These analyses include 2,664 First Nations children and 45,908 non-Aboriginal children.

Trajectories of closed cases by age

Figure 4.15 presents the distribution of the case closures for First Nations and non-Aboriginal children by age group at case closure, from 2002 to 2012. For First Nations children, case closure was almost equally divided among four age groups (2-5, 6-9, 10-13 and 14-16 years), with each accounting for roughly a quarter (21% to 26%) of all case closures. Case closure for children less than two years of age accounted for only 6% of all case closures. The pattern was relatively similar for non-Aboriginal children, with only 6% of case closures being for children under the age of 2, but the distribution among the four other age group differed, as children aged 14 to 16 represented 30% of all case closure, and only 19% were for children aged 2 to 5.

Figure 4.15: Distribution of case closures, by age at closure (2002-2012)

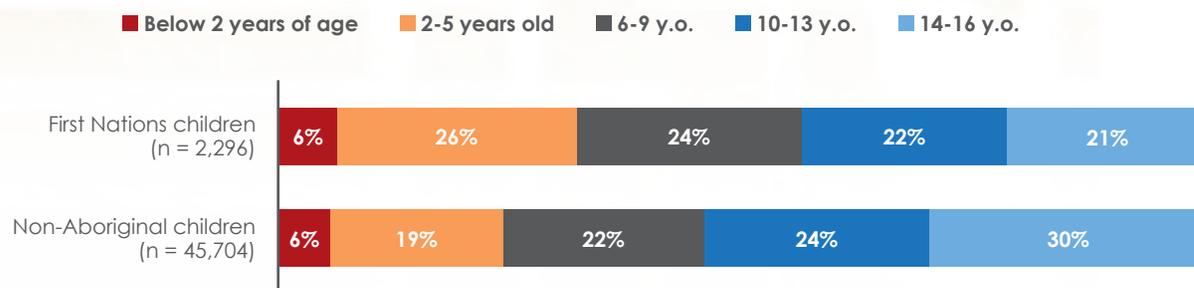


Table 4.6 reports the percentages of case closures, *within each age group*, leading to recurrence of maltreatment (SDC) within a year after case closure. The proportion of case closures followed by recurrence of maltreatment (SDC) was higher for First Nations children than for non-Aboriginal across age groups. The disparity was least pronounced for youth aged 14, and most pronounced for those aged 2 to 5.

Table 4.6: Percentages of case closure leading to recurrence (SDC), by age at case closure (2002-2012)

	Below 2 years of age	2-5 years old	6-9 years old	10-13 years old	14 years old
First Nations children	22.1%	19.8%	18.1%	19.3%	13.3%
Non-Aboriginal children	10.8%	8.6%	9.0%	10.0%	9.3%
Disparity	2.0	2.3	2.0	1.9	1.4



Trajectories of closed cases by maltreatment type

Figure 4.16 presents the distribution of the cases closures for First Nations and non-Aboriginal children by the primary form of maltreatment for which children were receiving services prior to case closure, from 2007 to 2012. For First Nations children, neglect cases represented the biggest proportion of case closures (71%), and each of the other forms of maltreatment accounted for 11% or less of all case closures. For non-Aboriginal children, neglect was also the most common form of maltreatment related to case closures (50%), and each other forms of maltreatment accounted for 16% or less of all case closures.

Figure 4.16: Distribution of case closures, by maltreatment type (2007-2012)

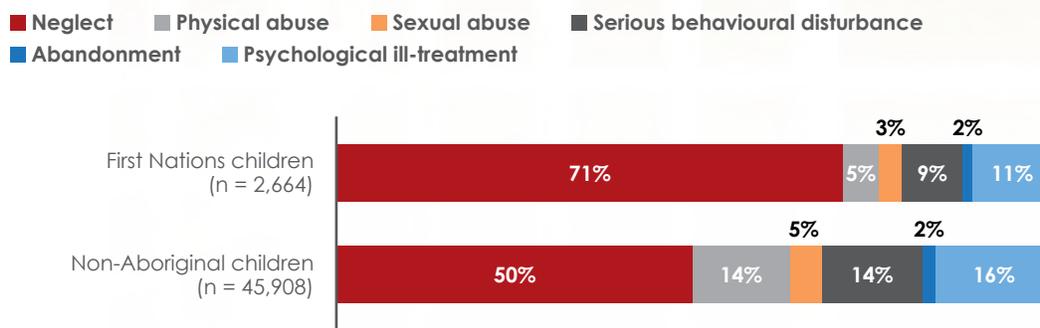


Table 4.7 reports the percentages of case closures, within each maltreatment category, leading to recurrence of maltreatment (SDC) within a year following the case closure. First Nations children experienced recurrence of maltreatment (SDC) in greater proportion than non-Aboriginal children for all forms of maltreatment. The disparity was least pronounced for serious behavioural disturbance cases, and most pronounced for cases of abandonment and physical abuse.

Table 4.7: Percentages of case closure leading to recurrence (SDC), by maltreatment type at case closure (2007-2012)

	Neglect	Physical abuse	Sexual abuse	Serious behavioural disturbance	Abandonment	Psych. ill-treatment
First Nations children	20.6%	20.5%	7.0%	14.2%	10.3%	15.5%
Non-Aboriginal children	9.9%	7.1%	5.4%	11.5%	2.8%	8.4%
Disparity	2.1	2.9	1.3	1.2	3.7	1.8



Trajectories of closed cases by neglect category

Figure 4.17 illustrates the breakdown of case closures for First Nations and non-Aboriginal children by neglect category from 2007 to 2012. For First Nations children, 71% of all case closures occurred in cases involving concerns of neglect. More precisely, 42% of all case closures were for cases involving serious risks of neglect, 12% were for supervisory neglect and 17% were divided among the other categories of neglect. For non-Aboriginal children, 50% of all case closures were in cases involving concerns of neglect. Further broken down, 20% of all case closures were for cases of serious risk of neglect, 14% were for supervisory neglect and 16% was divided among the other categories of neglect.

Figure 4.17: Distribution of case closures, by neglect category (2007-2012)

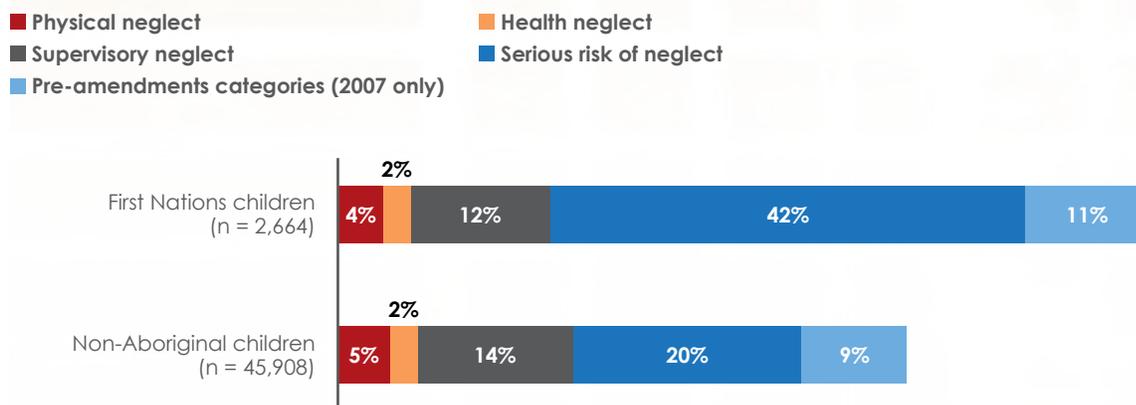


Table 4.8 reports the percentages of case closures, *within each neglect category*, leading to recurrence of maltreatment (SDC) within a year following the case closure. First Nations children experienced recurrence of maltreatment (SDC) in greater proportion than non-Aboriginal children for all categories of neglect. The disparity was least pronounced for physical and supervisory neglect cases, and most pronounced for cases of serious risk of neglect.

Table 4.8: Percentages of case closures leading to recurrence (SDC), by neglect category at case closure (2004-2012)

	Physical neglect	Health neglect	Supervisory neglect	Serious risk of neglect	Pre-amendments categories (2007 only)	All neglect cases
First Nations children	16.8%	22.2%	13.2%	23.4%	19.5%	20.6%
Non-Aboriginal children	12.5%	11.1%	10.6%	8.7%	9.8%	9.9%
Disparity	1.3	2.0	1.2	2.7	2.0	2.1



5. Conclusion

This report presents findings from the third component of the *Analysis project on the trajectories of First Nations youth subject to the Youth Protection Act*. It describes the service trajectories, including a wide range of investigation and post-investigation child protection interventions, for First Nations children living in or outside Quebec First Nations communities. The analyses presented in this report draw on secondary data compiled in the GFISC dataset to track First Nations and non-Aboriginal children for up to 3 years following investigation, case closure and out-of-home placement. This third component was fulfilled by the work of the sub-committee on data, a collaborative partnership involving representatives from the FNQLHSSC, MHSS, ACJQ, and McGill CRCF, as well as the Université de Montréal CRC in social services for vulnerable children. The sub-committee's work, guided by the First Nations of Quebec and Labrador Research Protocol (AFNQL, 2014) and the OCAP® principles (FNIGC, 2014), served as a forum for partners to exchange information and knowledge, and to advice and guidance in the analysis and interpretation of the data.

There are six key findings from this component:

- **First Nations children were overrepresented at every stage of the child protection process examined.** Overrepresentation starts with investigation;²⁴ the population rate (per 1000 children in the population) was 4.4 times greater for First Nations children than for non-Aboriginal children. The disparity increased further into the child protection process, with the highest disparities found for out-of-home care (7.9 times greater) and recurrence (SDC; 9.4 times greater).
- **First Nations overrepresentation is primarily driven by investigations of neglect.** Investigations for neglect represented almost two-thirds (64%) of all investigations for First Nations children. The population rate of neglect investigations for First Nations children was 6.7 times higher than the rate for non-Aboriginal children, a disparity that was higher than for any other type of maltreatment.
- **Child protection disparities are similar for First Nations children living in and outside First Nations communities.** The overall pattern of disparity holds when population rates were calculated specifically for First Nations children living in and outside First Nations communities. The biggest differences between the two groups were in recurrence rates and in the investigated forms of maltreatment. First Nations children living outside First Nations communities had higher rates of investigations for physical abuse, psychological ill-treatment, physical neglect, health neglect and supervisory neglect. In contrast, children living in First Nations communities had higher rates of investigation for serious risk of neglect and of recurrence.

²⁴ This report did not examine rate of reports received by child protection agencies and cannot, therefore, conclude whether there was an overrepresentation at the point of first contact with child protection agencies.





- **Disparities in entrustments increased while disparities in out-of-home care in accredited settings were sustained over time.** Analyses of yearly population rates for the out-of-home care indicator show a pronounced increase in the disparity in entrustments (placement in out-of-home care with a person important to the child not accredited to provide foster care) during this period, the rate for First Nations children rose from 4.7 times to 18.2 times greater than that for non-Aboriginal children. Meanwhile, disparities related to placement in accredited settings (foster and/or residential care) were sustained over time.
- **Disparities in recurrence increased; all other child protection disparities were sustained over time.** Analyses of yearly population rates show that there was neither a clear reduction, nor a clear increase in disparity for most indicators. An exception was a pattern of growth in disparity in the First Nations and non-Aboriginal rates of recurrence of maltreatment (SDC).
- **Most First Nations children placed in out-of-home care were reunified with their families.** While the rate for out-of-home care for First Nations children was 7.4 times greater than for non-Aboriginal children, a higher proportion of First Nations children placed (13 or under at placement) were reunified with their families within the 3-year tracking period, and the cumulative time in care before reunification was shorter for First Nations children than for non-Aboriginal children across all age groups.

The analyses presented here are unique in that they offer a longitudinal perspective extending beyond the investigation stage of child protection documented in other studies. While the overrepresentation of First Nations children in the child protection system in Canada has been documented for several decades (Johnston, 1983; Sinha et al, 2011, 2013; Trocmé, Knoke & Blackstock, 2003; Trocmé et al., 2006), the ability to start addressing overrepresentation has been limited by a lack of longitudinal case-level data. The rich portrait of the Quebec First Nations' child protection experiences presented in this report was enabled by the existence of the GFISC dataset, one of the most comprehensive and largest longitudinal child protection datasets in Canada. The longitudinal follow-up component of this analysis confirms that the overrepresentation of First Nations children is consistent over time and across the child protection service continuum, a major step towards a new understanding of and an enhanced capacity to address the overrepresentation of First Nations children in child protection in Canada.





The findings presented in this report are especially important in the current national context, which is shaped by the Truth and Reconciliation Commission's Calls to Action (2015) and the recent Canadian Human Rights Tribunal (CHRT, 2016) decision concerning racial discrimination against First Nations children in the case of *First Nations Child and Family Caring Society et al. v. Attorney General of Canada (for the Minister of Indian and Northern Affairs Canada)*. Both have drawn attention to the need for additional research on First Nations children's overrepresentation in child protection services. The TRC has called the federal, provincial, territorial and Aboriginal governments to commit to reducing the number of Aboriginal (First Nations, Inuit and Métis) children in care by monitoring and assessing neglect investigations (Call 1.i), and by preparing and publishing annual reports on the number of Aboriginal children in out-of-home care and the reasons for their apprehension (Call 2). The CHRT ruling emphasized the need to cease discriminatory practices in INAC's funding of First Nations Child and Family Services Program. The analyses presented here represent an initial step towards fulfilling the TRC calls for monitoring neglect investigations and for reporting on out-of-home placements. They also provide some insight into specific disparities in child protection interventions that must be addressed. However, the findings reported here also pose many unanswered questions regarding the experience and overrepresentation of First Nations children and families with the child protection system. The collaborative framework in place for component 3 has put Quebec in a favorable position to look at how to respond to these calls for action and to the newly raised questions.

RECOMMENDATIONS

In order to build on the foundation laid by this report and continue progress towards understanding the service trajectories of First Nations children, it is recommended to:

- 1. Pursue and enhance, in association with Quebec First Nations, the collaborative work between partners involved with the protection and well-being of First Nations children.** The collaboration achieved around all three components of this project, in particular by the sub-committee on data around component 3, illustrates the potential for intersectoral partnerships to support efforts to ensure the well-being of First Nations children. Components 1 and 2 were overseen by the CAC (chaired by the FNQLHSSC and with participants from the MHSS, INAC, ACJQ and AQESSS), which was a forum to discuss the child protection issues facing First Nations children and families in Quebec and undertake collaborative initiatives to address these issues. The CAC also oversaw the initiation of Component 3, but has since dissolved through attrition, largely due to the restructuring of the Quebec health and social services network during the implementation of *An Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies*, which led to the elimination of the ACJQ and AQESSS in 2015. Currently, Quebec First Nations are pursuing the objective of renewing the





partnerships between First Nations and government institutions in accordance with a model of governance adapted to the needs and realities of Quebec First Nations as part of an initiative to establish a new governance model for health and social services (FNQLHSSC, 2015a). As such, the FNQLHSSC will have to consult its stakeholders and leadership to determine the appropriate means for future intersectoral collaboration around child protection issues facing First Nations children and families.

2. Annually update/replicate the indicators presented in this report for both First Nations and non-Aboriginal children and expand the indicators to better respond to the TRC's Calls to Action and better address questions arising from this report.

Indicators presented in this report can be used and built upon to more directly respond to the TRC's Calls to Action (2015) regarding the monitoring and assessment of neglect cases and out-of-home care. The GFISC data analyzed for this report is uniquely suited for this purpose, because it integrates both PIJ and SIRT data, enabling tracking of the trajectories of children in care that would not be possible using other provincial data sources, such as the MHSS's *Banque de données communes* (BDC), which includes only PIJ data. Priorities for future research using these indicators should include the following:

- a. *Investigations and trajectories of neglect cases:* The TRC's first call to action (1.i monitoring and assessing neglect investigations) and this study's findings both point to the need for future research to better understand the overrepresentation of First Nations children being investigated, with due attention given to investigations for neglect, most particularly serious risk of neglect and supervisory neglect.
- b. *Out-of-home care:* The TRC's second call to action (annual reports on the numbers of Aboriginal children in care) and this study's findings point to the need to ensure that a clear count of how many First Nations children are in care, including data on the type of care and the reason(s) for children being removed from their homes, is available. Other research priorities include, but are not restricted to, a better understanding of the sequencing of placements according to the type of care and the regime (voluntary or judicial); the increase in entrustments over time; the experience of families whose children are placed in entrustment; the interplay between cumulative time spent in out-of-home care, family reunification and reunification breakdowns; First Nations children's identity development in the context of off-community out-of-home care; and adoption and tutorship of First Nations children.
- c. *Recurrence:* Given the high proportion of First Nations children who experience recurrence of maltreatment (18%), and the high disparity in recurrence in comparison with non-Aboriginal children, additional research is needed to better understand the characteristics of children experiencing recurrence of maltreatment and the circumstances under which they do so.



3. Support the development of First Nations capacity to collect and use data on First Nations children in the child protection system. This includes, but is not limited to, monitoring neglect cases and placements in out-of-home care. It should also include local agency-level research priorities.

One of the primary objectives of an initiative by Quebec First Nations to establish a new governance model for health and social services (FNQLHSSC, 2015a) is to “[r]einforce the local and regional decision-making capacity of First Nations communities and organizations with respect to the governance of health and social services in terms of existing programs, sectors and initiatives” (p.2). The TRC (2015) has identified data on neglect cases and out-of-home placement as being critical to reducing the overrepresentation of First Nations children in the child protection system. In addition, First Nations communities and child protection agencies should be supported in identifying local research priorities and in developing their capacity to act upon the needs identified. Accordingly, First Nations in Quebec must have the ability to collect, access and meaningfully use data about First Nations children and families involved in the child protection system. Steps towards achieving this goal include:

- a. *Improving the quality, range, harmonization and accessibility of data in order to monitor neglect cases and placement in out-of-home care, and address other local priorities*

Placement data: A major barrier to addressing TRC’s Calls to Action regarding placement is that there is a lack of systematic information on First Nations children apprehended by delegated First Nations agencies, most of which do not use the provincial payment system (SIRTF) to record placement trajectories based on provincial out-of-home care payment rates. In making decisions regarding the use of provincial data information systems, First Nations agencies have to balance complex considerations, including the benefits of data comparability/harmonization, the burdens of federal and provincial reporting requirements, and the impact of potential limitations on ownership of, control over, access to and possession of data (OCAP®). It will be important for First Nations communities and agencies to develop their own solutions in this context, with due attention given to OCAP® principles, as well as local human and material resources issues. Issues related to access to federal, provincial and local data should also be considered.

In addition to data tracking the trajectories of children in out-of-home care, there is a critical need for qualitative data that helps understand the experience of families whose children are placed in entrustment. The data analyzed in this report provides only limited knowledge about placement in the care of a person important to the child. There is also a paucity of information about how out-of-home care provided by a person important to a child is experienced by the child and his/her family. Given the increasing importance of entrustments within First Nations settings, additional knowledge is needed to ensure that children, as well as their families and caregivers, receive adequate support and services.





Neglect data: In collaboration with First Nations agencies and communities, the documentation and analysis of first line services available to First Nations children in First Nations communities and the provincial network could facilitate the monitoring and assessment of neglect investigations. A better appraisal of the continuum of services in place for First Nations children living in and outside the First Nations communities, with due consideration regarding the level of coordination among services in communities and the provincial network, with a special focus on early childhood services for children aged 0 to 6, is needed. While communities have to develop their first line social services action plans and community health plan every five years and are supposed to review them annually, it is not possible to know now whether all communities are taking into consideration the child protection and first line services data available in order to target real need in their population, and whether these communities are adjusting the continuum of services to accommodate these needs.

- b. *Creating a support structure for research on First Nations children living in and outside First Nations communities who are involved with the child protection system.* First Nations must define and oversee development of a framework for First Nations child protection research that complements and extends beyond the collaborative analysis of the clinical-administrative data such as the GFISC dataset.

In the process, the question of documenting and monitoring the situation for First Nations children living outside First Nations communities must be addressed. The possibility of adapting existing frameworks (e.g. Tribal councils - Mamit Innuat or the Council of the Atikamekw Nation - or Friendship Centres) to create a support structure for these First Nations children should be considered.

IMPLICATIONS FOR PRACTICE AND POLICY

The analyses presented in this report identify a disturbing level of overrepresentation, which aligns with previous research in Quebec and Canada. They demonstrate the persistence in Quebec of an historical pattern of child removal and state involvement with First Nations families. As the TRC (2015) has recently identified in its Calls to Action, all levels of government — federal, provincial and Aboriginal — must keep working together to further examine and respond to this overrepresentation. A part of this collaborative work towards reducing the overrepresentation could be the **production of research**; an equally important component should be the **translation of knowledge**, so that the child protection and rehabilitation service agencies, such as the CISSS and CIUSSS and delegated First Nations agencies (FNCFSA), can access and make use of research findings.





The findings presented in this report highlight specific **areas of practice** that should be focused on in order to address the overrepresentation of First Nations children in the child protection system:

1. **Services, interventions and continuum of care in place for children experiencing recurrence.**

Close to a fifth (18%) of First Nations children who had their child protection case closed experienced recurrence (compared to 9% for non-Aboriginal children). The population rate disparity between First Nations and non-Aboriginal children (9.4 times greater) was greater for this indicator than for any of the others examined in this report and it also appears to be increasing over time.

2. **Services and interventions for children experiencing neglect.** Investigations for neglect drive the First Nations overrepresentation in child protection, a form of maltreatment that can have profound and lasting impacts on a child's development. As neglect is closely linked with poverty and other socio-economic and structural factors, in addition to a wide range of parental risk factors, program development and other actions aimed at addressing and reducing instances of neglect need to address the underlying conditions in First Nations communities.

3. **Clarifying the interplay of time in care, family reunification and reunification breakdown in the context of a profound overrepresentation of First Nations children in out-of-home care.** The findings presented here show that placements are slightly shorter for First Nations children and that family reunification happens more frequently for First Nations children (except for those aged 14 to 17 at the placement start date). However, preliminary analysis of data for all children in the province (Esposito, Chabot, Trocmé, Delaye, & Robichaud, in preparation) show that reunification breakdown occurs for over a third of children reunified with their families after placement. The frequency of reunification breakdowns for First Nations children is currently unknown and must be appraised before conclusive statements about the situations of First Nations children exiting care are made. Better understanding of the dynamics of exit from and re-entry into out-of-home care may support the development and implementation of interventions that are tailored to prevent long-term placement of First Nations children outside their home communities and promote stable family reunification.





Additional practice implications that do not stem directly from the findings presented here, but that the subcommittee recognizes as important include: 1) the development of an inventory of best practices about interventions for preventing the placement of First Nations children, and 2) the promotion and implementation of the *Life plans for Aboriginal children reference framework* upon its release (currently expected in the fall of 2016). This reference framework will offer information for professionals involved with the permanency planning process for Aboriginal children under the *Youth Protection Act*. It will feature clinical guidelines for this process that are adapted to the specificities of Aboriginal settings. All the CISSS and CIUSSS offering child protection and rehabilitation services for children and their families will have to integrate the orientations presented in the reference framework into their practices.

Finally, **the translation of research findings presented in this report to support meaningful policy and practice initiatives will occur in a context in which there is growing recognition of the importance of First Nations autonomy.** The TRC (2015) has called for affirmation of the right of Aboriginal governments to establish and maintain their own child welfare agencies (Call 4.i). The scope and scale of formal child protection responsibilities handled by First Nations communities is growing nationally (Sinha and Kozlowski, 2013). Quebec First Nations have been involved since 2012 in an initiative aimed at improving the offer of and access to health and social services by implementing a governance model adapted to First Nations' needs and realities (FNLQHSSC, 2015b). In the scope of child protection services in Quebec, section 37.5 of the YPA, which came into force in 2001, represents a key mechanism for establishing autonomy. Although no formal agreements under this section have yet been made, a few of them are under development and should soon be concluded. The sub-committee on data recognizes that steps to implement the recommendations made in this report must be taken in co-operation with Quebec First Nations in a manner supporting efforts to achieve autonomy in health and social services and, more specifically, in child protection.



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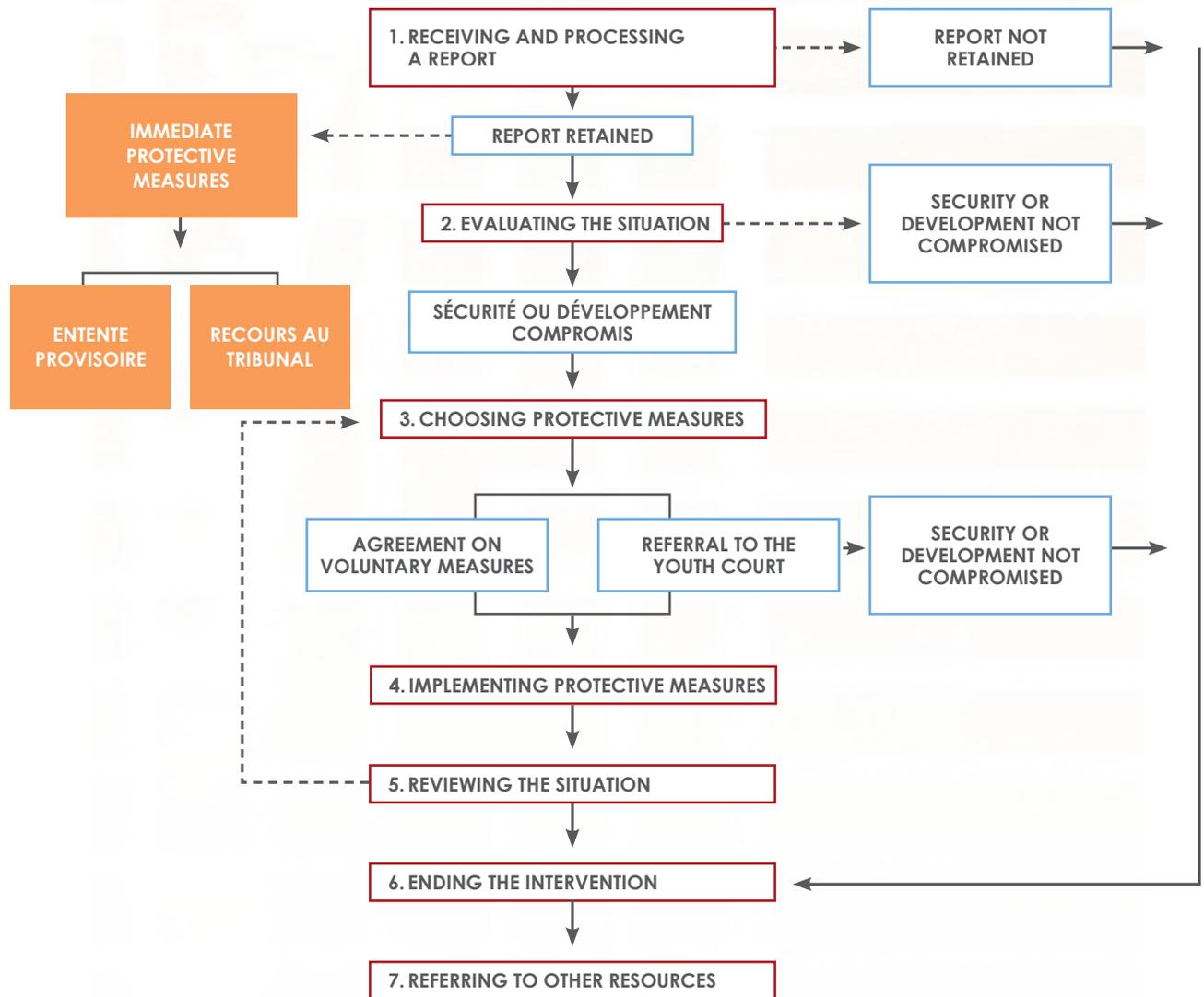
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Appendix A: Detailed flow chart of the child protection intervention process in Quebec²⁵



25 Adapted from: Ministère de la Santé et des Services sociaux, 2007, p. 8





Appendix B: Extended methodology



B.1 RESEARCH MOTIVATION

The third component of the *Analysis project on the trajectories of First Nations youth subject to the Youth Protection Act* has two main objectives.

The primary objective is to document and understand differences between the child protection service trajectories of First Nations children and non-Aboriginal children in Quebec.

A secondary objective is to identify any early evidence of changes in these service trajectories resulting from the introduction of the 2007 amendments to the YPA (Bill 125). This objective is exploratory, given that the full impact of the legislative amendments may not have been observable by the end of this study.

The analyses presented in this report describe children's trajectories by tracking them across a series of key steps in the child protection process in Quebec. For a detailed representation of the child protection intervention process in Quebec, see Appendix A.

B.2 DATA SOURCES

Child protection data

This report presents secondary analyses of child protection data from the GFISC project (Esposito et al., 2015), a province-wide knowledge mobilization initiative aiming to improve understanding of the dynamics of child protection services in Quebec. GFISC draws data from:

- **Projet intégration jeunesse (PIJ)** - the primary information system used by child protection agencies to manage the case files. PIJ holds information about the characteristics/situations of children served, the services they receive, the intervention process they are involved in, the care facilities they are using and the court-ordered and voluntary measures they are subjected to.
- **Système d'information sur les ressources intermédiaires et de type familial (SIRTF)** - a payment system designed to manage all aspects of subsidized out-of-home care in accredited settings (including child protection related foster and residential care placements).

The GFISC project collects anonymous, longitudinal, clinical-administrative child protection data from sixteen mandated agencies providing child protection services across the province of Quebec (these agencies were the sixteen CJ that existed until 2015, now replaced by the





CISSS and CIUSSS providing child protection and rehabilitation services for children and their families). The dataset compiled by GFISC also includes more limited data from the sixteen delegated First Nations agencies (FNCFSA) providing (at least partial) services to First Nations children in 20 communities. Some of these First Nations agencies also provide services to band members living outside First Nations communities. The GFISC dataset does not include data from the three agencies providing child protection services in Nunavik and Eeyou Istchee/Cree territory of James Bay (socio-sanitary regions 17 and 18), which represent less than 1% of the Quebec child population (Institut de la statistique du Québec [ISQ], 2016), as these agencies did not use PIJ. This exclusion aligns with the research design of this project, which targets children from non-agreement First Nations communities and the Naskapi nation, but not Cree or Inuit children. The GFISC dataset is updated annually with data for the fiscal year (April 1-March 31); this report presents child protection data from April 1, 2002, to March 31, 2014.

The GFISC dataset allows for a detailed description of the child protection trajectories of First Nations and non-Aboriginal children in Quebec. However, **there are several limitations to the data** that must be taken into account when interpreting the findings presented in this report. The GFISC dataset:

- **Double counts children who had contact with more than one mandated child protection agencies.** PIJ and SIRTJ track children within, but not across, child protection jurisdictions. A child who received child protection services from one child protection agency, and then moved and was served by a second child protection agency is treated as two separate children.
- **Undercounts First Nations children, especially those with limited child protection contact and those who lived outside First Nations communities.** Children's ethno-racial background is identified by child protection workers based on the information shared/collected through interactions with the child, family and others with knowledge of the child and family. When a child's ethno-racial background is not known to the worker, the child is, by default, coded as being non-Aboriginal. Greater interaction with the child protection system increases the chances that a First Nations child is identified. First Nations children living outside First Nations communities may be more prone to misidentification. If neither they nor their families voluntarily divulge this information to the child protection worker, and/or if the worker does not ask specifically about ethno-racial background, it may never be known to the child protection worker. First Nations children living in First Nations communities are less likely to be misidentified, given their place of residence and INAC's financial responsibility.²⁶

²⁶ INAC is financially responsible for child protection services for registered First Nations children living in First Nations communities (on-reserve). Bipartite and tripartite agreements with First Nations bands/tribal councils, mandated child protection agencies and/or INAC specify the organization of service delivery and financial responsibilities.





May undercount retained reports from three delegated First Nations agencies (FNCFSA). These agencies receive and process child protection reports about children in four First Nations communities and First Nations children living outside the First Nations communities, in one socio-sanitary region. These agencies provide case-related information to local mandated child protection agencies for entry into the PIJ system. A sensitivity test to assess the impact of data recording practices show small differences in rates per 1,000 when data for 3 out of these 4 communities was removed. For example, the average rate of retained reports between 2002 and 2009 was 54.9 per 1,000 First Nations children living in First Nations communities when considering all communities. It rose, however, to 57.4 per 1,000 children when the children from these 3 communities were removed. The increase in rates per 1,000 when the 3 communities are removed is consistent with the possibility of under-recording of cases in the data or differences in retention of maltreatment reports.

Child population data

This project uses population data from two sources in order to calculate population-based rates of child protection services. The populations of non-Aboriginal and First Nations children (0-17), and the breakdown of the First Nations child population in and outside First Nations communities, shown in table B1, were computed using data from the ISQ (2002-2010; ISQ, 2015, 2016) and the INAC Indian Registry (2002-2009; AANDC Quebec Regional Office, 2011).

The ISQ population estimates use census data from Statistics Canada as a starting point. This data is corrected for known census undercounts and incompletely enumerated Indian reserves and settlements. It is also adjusted for demographic events (birth, death and migratory movements) recorded in the province. Provincial estimates for July 1, of each year from 2002 to 2010,²⁷ for children aged 0 to 17 (inclusively) were gathered from the ISQ website (ISQ, 2015). In order to arrive at a non-Aboriginal child population count that mirrors as close as possible the non-Aboriginal population in the child protection data, ISQ data for children (0-17) living in regional county municipality (RCM) Kativik and Eeyou Istchee²⁸ (ISQ, 2016) and the First Nations children population estimates gathered from the INAC Indian Registry were removed.

At the end of each calendar year, the Indian Registry records information about individuals registered as Indians under the *Indian Act* who live in a First Nations communities (on reserve) and outside First Nations communities (off reserve; AANDC Quebec Regional Office, 2011). INAC data was selected to mirror the population represented in the child protection data as closely as possible in terms of age at the end of the calendar year (0-17), place of residence (in and outside First Nations communities) and registered nations (all Quebec-based non-agreement nations and the Naskapi nation).

²⁷ These are considered "definitive estimates," by the ISQ, meaning that no revisions to these estimates are expected. First, these estimates take into consideration the 2001, 2006 and 2011 census data. The estimates were thoroughly revised following Statistics Canada revisions of the 2001-2012 data in 2013.

²⁸ The population estimates of these two RCM represent children from socio-sanitary region 17 and 18 not included in child protection data.



Two minor methodological notes concerning the Indian Registry data should be noted:

- **Child population data for Akwesasne could not be included.** Akwesasne is a Mohawk community located across Quebec, Ontario and the United States. It is a member of the FNQLHSSC and child protection data for children registered in Akwesasne is included in the analyses. However, the child population of Akwesasne could not be included in the Indian Registry data used in this report, as it is not possible, within the Indian Registry, to distinguish those living in Quebec from those living in Ontario.
- **Indian Registry data for 2010 were not accessible and population numbers for 2010 were estimated.** They were defined as the average population from 2007 to 2009, a period during which the number of registered First Nations children remained relatively stable.

A third, more important, limitation of the Indian Registry data should also be noted:

- **Non-registered First Nations children are excluded from the First Nations child population data used in this report.** The Indian Registry population data used in this report underestimates the First Nations children population by excluding all First Nations children who are not registered. The resulting undercounting of First Nations children may be particularly pronounced for infants under 1 year of age, as registration is not required to access services and/or benefits during the first year of life. An alternative data source, the NHS, does include counts of non-registered children; however, this data source does not provide a reliable count of the First Nations population given that some communities do not allow the census to be taken and that there is a high non-participation rate in the census in others.

Table B1: Child population totals (0-17 years old), 2002-2010

Population/year		2002	2003	2004	2005	2006	2007	2008	2009	2010
Non-Agreement First Nations and Naskapis*	On reserve	11,570	11,577	11,598	11,679	11,715	11,721	11,778	11,702	11,734
	Off reserve	3,321	3,365	3,379	3,453	3,495	3,550	3,530	3,485	3,522
	Total	14,891	14,942	14,977	15,132	15,210	15,271	15,308	15,187	15,256
RCM – Kativik**		4,475	4,527	4,628	4,686	4,676	4,758	4,723	4,760	4,825
RCM - Eeyou Istchee**		5,124	5,224	5,350	5,504	5,584	5,726	5,808	5,955	6,079
Total pop. Aboriginal		24,490	24,693	24,955	25,322	25,470	25,755	25,839	25,902	26,160
Total pop. Province of Quebec***		1,571,111	1,560,531	1,553,791	1,550,513	1,548,831	1,544,225	1,536,418	1,529,787	1,523,722
Total pop. Non-Aboriginal			1,535,838	1,528,836	1,525,191	1,523,361	1,518,470	1,510,579	1,503,885	1,497,562

* Source: AANDC, Quebec Regional Office (2011)

** Source: ISQ (2016)

*** Source: ISQ (2015)



B.3 COHORT DESIGN AND CHILD PROTECTION INDICATORS

This report presents analyses of data for the population of children (0-17) who were reported to and investigated by child protection services in the province of Quebec between April 1, 2002, and March 31, 2014. The reported analyses **tracked three cohorts²⁹ of children**. Children in the:

- **Service Cohort** had their report retained by a child protection agency (children under age 15),
- **Placement Cohort** experienced placement in out-of-home care in an accredited setting (children under age 18),
- **Recurrence Cohort** experienced case closure (children under age 17).

Within each cohort, cases are categorized based on the fiscal year that a child experienced the cohort defining service/intervention. Cohorts are not mutually exclusive; children can be found in one or more of the cohorts as long as they meet individual cohort criteria.

Table B2: Child protection population totals

	SERVICE COHORT (2002–2010)	PLACEMENT COHORT (2002–2010)	RECURRENCE COHORT (2002–2012)
Total child protection population	151,034	48,000	86,434
Non-Aboriginal child protection population	144,754	45,704	82,187
First Nation child protection population	6,280	2,296	4,247
First Nation children living in First Nation communities, child protection population	4,805	1,697	3,290
First Nation children living outside First Nations communities, child protection population	1,475	599	957

Service Cohort (children with a retained report)

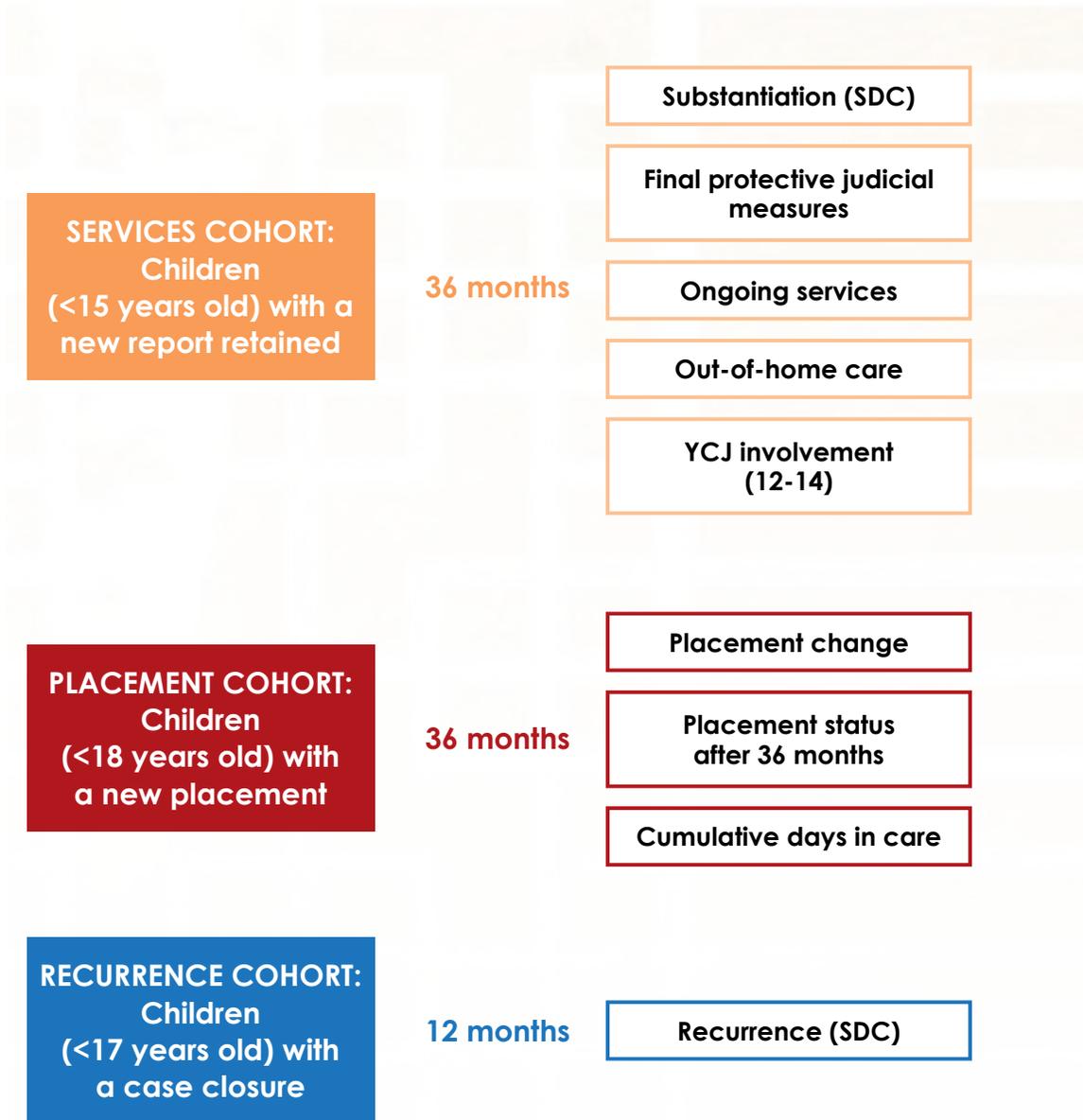
The Service Cohort includes children for whom a report of alleged maltreatment was retained for further evaluation and for whom no other report was made to this mandated child protection agency in the year preceding (6,280 First Nations children and 144,754 non-Aboriginal children). These children are tracked 36 months forward from the report retention date. In order to ensure that all children included could be tracked for the full 36-month period, the cohort is limited to those children who were under age 15 when their reports were retained in the fiscal years 2002 (the start of GFISC data) to 2010. Thus, for example, a child whose report was retained in 2010, just before his 15th birthday, was followed until he became ineligible for child protection services in 2013 at the age of 18.

²⁹ A cohort is defined as a group of individuals with similar characteristics and experiences



Data analyzed for the Service Cohort includes the variable used to define the cohort, retained reports, and five child protection services indicators described below and illustrated in figure 2.1. Each indicator is categorized dichotomously, meaning that the child in the cohort either experienced, or did not experience, the child protection service/intervention.

Figure B1: Cohorts and indicators





Retained reports

The retained reports variable includes all children for whom a report of alleged maltreatment was retained for further evaluation given the parameters of the Service Cohort. Because this measure of contact with child protection agencies is of substantive interest, rates per 1,000 for this variable are reported.

Substantiation (SDC)

The substantiation (SDC) indicator counts all children for whom the allegations of maltreatment were substantiated and the child's security and/or development were deemed compromised (SDC) on the first evaluation conducted following the initial retained report. All other case outcomes are collapsed into a single "security and development not compromised" (SDNC) category.

Final protective judicial measures

The final protective judicial measures indicator counts all children for whom one or more final protective judicial measures under the YPA were issued within 36 months of the initial retained report. It may exclude a small number of cases in which a judge closed the case after emergency, immediate, provisional and/or interim measures.

Ongoing services

The ongoing services indicator counts all children receiving ongoing child protection services through the implementation of voluntary or judicial protective measures following the first substantiation of maltreatment (SDC) within 36 months of the initial retained report. The ongoing service decision may be related to the first initial retained report if it was substantiated; however, if the first retained report was not substantiated, the ongoing service decision represented in this indicator followed another report, made within the 36-month tracking period, which was deemed substantiated. Other possible case outcomes, including receiving short-term intervention, are indicated as case closure.

Out-of-home care

The out-of-home care indicator counts all children who were entrusted and/or placed in accredited settings (foster and residential care) within 36 months of the initial retained report. The out-of-home care indicator is further subdivided into two measures:

- **Out-of-home care in accredited settings** counts all children with a retained report who were placed in foster care (regular and specific foster homes) and/or residential care (intermediate resources, group homes and living units) within 36 months of the initial retained report. It includes an unknown number of children in the care of specific foster homes (a person important to the child accredited to provide foster care).



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- **Entrustments** counts each child with a retained report who was placed with a person important to that child not accredited to provide foster care within 36 months of the initial retained report. Counts only those children did not experience any other form of out-of-home care (foster and/or residential care). This indicator does not count the total number of children who were ever entrusted. Rather, it identifies those children who only experienced entrustments.

Youth criminal justice involvement

The youth criminal justice (YCJ) involvement indicator counts all youth (aged 12 to 15 years less a day at the retained report date), who received YCJ services within 36 months of having a retained child protection report. Youth aged 12 and above who receive services under the YPA can also receive services under the *Youth Criminal Justice Act (YCJA)* if they: 1) admit guilt in court and a judge assigns a form of alternative measure such as community service hours, or 2) refuse alternative measures and are found guilty before a judge in court.

Placement Cohort (accredited settings)

The Placement Cohort includes all children placed by one of the sixteen mandated child protection agencies, under age 18 at the time of placement, who experienced an out-of-home placement in an accredited setting (regular and specific foster homes, intermediate resources, group homes and/or living units) lasting more than 3 days, and who had not experienced out-of-home placement in an accredited setting during the prior year (2,296 First Nations children and 45,704 non-Aboriginal children). These children were tracked 36 months forward from their placement date. To ensure that all children could be tracked for the full 36-month period, this cohort includes children under the age of 18 who were placed during the fiscal years 2002 to 2010.

This cohort was constructed using data recorded in the SIRTF information system, which has limitations that extend beyond those of the PIJ data used in analysis of the Service and Recurrence Cohorts. The Placement Cohort data excludes:

- **Children whose only experience with out-of-home care is via entrustments** (that is, placement with a person important to them not accredited to provide foster care).³⁰ Placement Cohort data includes information about placements in accredited settings. This includes regular (non-kin) foster homes, residential care (intermediate resources, group homes and living units), as well as placements with a “specific foster family” – a person important to the child accredited to provide foster care. It does not include “entrustments,” defined as placement with a person important to the child not accredited to provide foster care. It is not possible to distinguish specific foster homes from foster homes.
- **Children in out-of-home care placements within First Nations communities initiated/managed by delegated First Nations agencies (FNCFSA).** During the Placement Cohort entry time period covered by the analyses (2002 to 2010), none of the delegated First Nations agencies were using the SIRTF system from which this data is drawn. In order to have a rough estimate of the proportion of placements of First Nations children that were excluded from the Placement Cohort,

³⁰ A child who moved from an entrustment to another form of care (foster or residential care), would be captured in the Placement Cohort at the time of entry into placement in an accredited setting.



we compared the rate per 1,000 for the out-of-home care in accredited settings indicator of the Service Cohort (20.0) to the rate per 1,000 of the Placement Cohort for First Nations children under 15 years of age (15.8). We estimate that about a fifth (4.2/20) of placements involving First Nations children were not included in the Placement Cohort. The excluded placements include those lasting less than 3 days (for both First Nation and non-Aboriginal children) and placements managed by First Nation agencies.

- **Data on out-of-home placements initiated/managed by one mandated child protection agency during the 2012-2013 and 2013-2014 fiscal years.** Accordingly, Placement Cohort data for these years may slightly undercount placements and placement changes, and may also misrepresent the placement status after 36 months for the children in this agency.

Data analyzed for the Placement Cohort includes the three indicators described below and is illustrated in figure B1.

Note that the Placement Cohort (accredited settings) differs from the Service Cohort's 'out-of-home care in accredited settings' indicator in several significant ways. These indicators are therefore not directly comparable. The differences are summarized in table B3 below.

Table B3: Out-of-home care comparison

	Out-of-home care in accredited settings indicator (services cohort)	Placement cohort (accredited settings)
What does it measure?	If child was placed within 36 months after report retention date	If a child entered placement in an accredited setting managed by one of the sixteen mandated agencies
Age	Under 15 years of age at report retention date	Under 18 years of age at placement entry
Type of placement included	All placements in accredited settings, no time limitation on length of placements and including placements initiated and managed exclusively by delegated First Nations agencies	Placements in accredited settings managed by one of the sixteen mandated agencies and lasting more than 3 days
Data system used	PIJ and/or SIRTf – includes placements only found in one data system	PIJ and SIRTf combined
Cohort entry conditions	No previous report in the 12 months preceding report retention date	No placement in accredited settings (managed by one of the sixteen mandated agencies) in the past 12 months
Excluded placements	No placements in accredited settings should be excluded	Placements initiated and managed exclusively by delegated First Nations agencies Placements lasting less than 3 days





Placement change

The placement change indicator counts all new out-of-home care placements (in an accredited setting and lasting more than 3 days) occurring within 36 months of the initial placement. It includes returns to out-of-home care following family reunification attempts or entrustments. This indicator does not include changes associated with complementary placements (i.e., sleep away, summer camp stays, respite care or hospitalization), family reunification or placement change to entrustment. Thus, for example, a child who first experienced an out-of-home care placement in an accredited setting lasting more than 3 days, returned home, and then went into out-of-home care a second time for more than 3 days in an accredited setting would be represented as having 1 placement change.

Placement status after 36 months

The situation after 36 months indicator specifies how children were cared for 36 months after the initial placement start date. The four categories identified are: still in care, returned home, adopted and other. This indicator likely undercounts adoptions, as the full adoption process may take more than 36 months from the start of out-of-home care. Additionally, the quality of data prior to 2006 for this indicator is limited and will therefore not be presented here.

Cumulative days in care

The cumulative days in care indicator counts cumulative days in out-of-home care in accredited settings from the initial placement start date until a child is reunified with his/her family (for up to 36 months).

Recurrence cohort

The Recurrence Cohort includes all children who received child protection services (implementation of voluntary or judicial protective measures or short-term intervention), had their child protection case closed, and were under 17 years of age at case closure (4,247 First Nations children and 82,187 non-Aboriginal children). They were tracked from the case closure date for a period of 12 months. This cohort was observed for fiscal years 2002 to 2012 to ensure that all children included could be tracked for the full 12-month period. Data analyzed for the Recurrence Cohort includes one indicator described below and illustrated in figure B1.

Recurrence (SDC) of maltreatment

The recurrence (SDC) indicator counts all children whose security and/or development were deemed compromised) within 12 months of case closure.





B.4 RATES AND PERCENTAGES

We present two different types of descriptive statistics: rates per 1,000 children and percentage of cases. Rates per 1,000 children represent the occurrence of child protection services in the relevant child population. In this report, for example, they indicate how many First Nations children out of 1,000 experienced an intervention represented by an indicator, such as ongoing services. Percentages (%) of cases are used to represent the occurrence of the indicators in the relevant child protection population. In this report, for example, percentages are used to illustrate how many First Nations children, out of 100 First Nations children in the Service Cohort, experienced a service/intervention represented by an indicator, such as substantiated maltreatment.

Rates and percentages for First Nations children presented in this report are estimates that reflect an undetermined degree of uncertainty in both the child protection and child population data.

The limitations to both sources of data affecting the rates and percentages are reiterated below, highlighting how they may affect the calculation of these estimates.

The **child protection (GFISC) dataset** undercounts First Nations children, especially those having limited child protection contact and those living outside First Nations communities. This undercounting is most likely to occur with the Service Cohort, as inclusion in this cohort requires only that a report of concerns about a child's safety and security be retained for investigation and that anecdotal evidence from the three delegated First Nations agencies receiving reports suggests some inconsistencies in the range of recorded cases. It is also likely more pronounced for children living outside, rather than in, First Nations communities, because place of residence does not provide any cues on potential First Nations identity. Moreover, there is no administrative/financial requirements to identify them (as opposed to registered First Nations living in First Nations communities, who fall under the financial responsibility of INAC). It is not possible to determine how many First Nations children are unidentified given that either the First Nations identity for these children is unknown to the child protection worker completing the administrative file, or that the identity, while known to the worker, is simply not noted in the electronic administrative file, given there is no obligation to do so.

The **child population** data also undercount First Nations children, since non-registered First Nations children are excluded. This undercounting is likely more severe for First Nations children living outside First Nations communities. According to the 2011 NHS data for children under 15 who identified solely as First Nations (North American Indian) in the province of Quebec, about 61% of First Nations children living outside First Nations communities are not registered, in contrast with only about 5% of First Nations children living in First Nations communities (Statistics Canada, 2011). However, NHS data does not provide a reliable count of the First Nations population, given that some communities do not allow the census to be taken and that there is a high non-participation rate in the census in others.



The calculation of **percentages of cases** is based on child protection data. The limitations of this data likely result in the overestimation of the percentage of First Nations children who experienced the child protection services/events examined in this report. The overestimation is hypothesized to be greatest for the Service Cohort indicators, because the Service Cohort includes children who had only minimal contact with child protection services. Consequently, they may not have been correctly identified as First Nations (the default is to identify children as non-Aboriginal). In contrast, children in the Placement and Recurrence Cohorts had more intensive interaction with child protection services; therefore, there was a greater likelihood of being correctly identified as First Nations. Consider the following hypothetical scenario summarized in table 2.2. Suppose that 100 First Nations children had retained reports, but only 60 of these children were identified as First Nations. Further suppose that maltreatment was substantiated for 45 of the 60 correctly identified First Nations children. According to the information available in the dataset, we would estimate that 75% of First Nation children entering the child protection system experience substantiated maltreatment. However, this calculation does not take into account the 40 First Nations children not correctly identified. Suppose that five (12.5%) out of the 40 unidentified First Nations children had their cases substantiated. Had the First Nations identity of all the 100 children been identified correctly, we would report that 50% (instead of 75%) of the First Nations children in the child protection system experienced substantiated maltreatment.

Table B4: Hypothetical scenario

	Identified First Nation children	Unidentified First Nation children	All First Nation children
Unsubstantiated	15 (25%)	35 (87,5%)	50 (50%)
Substantiated	45 (75%)	5 (12,5%)	50 (50%)
Total number of cases retained	60 (100%)	40 (100%)	100 (100%)

The likely impact of data limitations on **population rates** is more difficult to determine. This is because both child protection and child population data are needed to calculate rates per 1,000 children. For the hypothetical scenario summarized in Table B4, the rate of substantiated cases in a child population would be calculated by dividing the number of substantiated cases by the child population, and then multiplying by 1000 [(1000*# of substantiated cases)/child population]. As discussed above, the number of substantiated cases for First Nations children (numerator) may be underestimated. The denominator — in this case the First Nations child population — is also known to be underestimated, as it does not include non-registered First Nations. The cumulative impact of these two types of underestimation cannot be determined and, accordingly, it is not possible to know whether the resultant rates are under- or overestimated.





B.5 SUBGROUP ANALYSIS

First Nations children living in or outside First Nation communities

The child protection population is divided into two primary subgroups for the purposes of comparative analysis: children identified as non-Aboriginal and children identified as First Nations. The First Nations group is further subdivided into children living in or outside First Nation communities.

As mentioned above in the child protection data limitations, when a child's ethno-racial background is not known to the worker, the child is, by default, coded as being non-Aboriginal. All Aboriginal children — First Nations, Inuit and Métis — living outside an Aboriginal community (First Nations community or Inuit village in Quebec) may be more prone to misidentification.

The First Nation children living in First Nations communities category in PIJ is used to indicate INAC financial responsibility for services to registered First Nations children living in First Nations communities (on reserve). Accordingly, the category 'First Nations children living in First Nations communities' includes registered First Nations children living on in a First Nations communities (whether their own community or another). The First Nations children living outside the First Nations communities category includes First Nations children who do not live in a First Nation community, whether they are registered or not.

Three subgroups of Aboriginal children had to be excluded from the analysis presented in this report and their numbers, by cohort, are presented in table B5 below.

- 1. Agreement Aboriginal children, with the exception of Naskapi children:** Most Inuit and Cree children receiving child protection services in the province of Quebec were not included, as the GFISC child protection dataset does not include data from region 17 (Nunavik) or 18 (Eeyou Istchee), which are home to the Inuit and Cree nations respectively. The children identified as Inuit and Cree in the GFISC dataset represent children residing outside those regions and/or children for whom child protection services outside the region are requested/necessary. Given that this project focused on First Nations children from non-agreement and Naskapi communities, these children were excluded from the GFISC data.
- 2. Children residing in Quebec but registered in a First Nations band based in another Canadian province:** These children had to be excluded as they are not represented in the available First Nations children population data.
- 3. First Nations children whose residence in or outside First Nations communities could not be determined:** This group of children was excluded to maintain consistency in analysis when distinctions are made between First Nations children living in or outside First Nations communities.



Table B5: Child protection population totals, with excluded cases

	SERVICE COHORT (2002–2010)	PLACEMENT COHORT (2002–2010)	RECURRENCE COHORT (2002–2012)
Complete child protection population	151,379	48,132	86,634
Complete non-Aboriginal child protection population	144,754	45,704	82,187
Complete Aboriginal child protection population	6,625	2,428	4,447
Excluded Aboriginal children	345	132	200
Excluded Aboriginal children as a % of the total Aboriginal child protection population	5.2%	5.4%	4.5%
Agreement Aboriginal children except Naskapi children	178	73	98
First Nation children registered in another province	18	9	8
First Nation children whose place of residence unidentified	149	50	94
Child protection population used in this report	151,034	48,000	86,434
First Nations population used in this report	6,280	2,296	4,247

Age subgroups

Each cohort was subdivided based on the age at entry into each cohort (age at initial report retained for the Service Cohort; age at initial placement for the Placement Cohort and age at case closure for the Recurrence Cohort). For each cohort there are 5 age subgroups: under 2 years; 2 to 5 years (all children between the ages of 2 and 6 years less a day at entry into the cohort), 6 to 9 years, 10 to 13 years and 14 to 17 years.

Maltreatment type subgroups

Each cohort was also subdivided into subgroups based on the primary form of maltreatment last recorded in the child's file at cohort entry (primary form of maltreatment alleged at initial report retained for the Service Cohort; primary form of maltreatment last indicated to the file prior to placement for the Placement Cohort, and primary form of maltreatment for which children were receiving services prior to case closure for the Recurrence Cohort). In a child protection file, the worker may indicate up to three forms of maltreatment; the primary form is the one which the worker identified as being of greatest clinical concern.

In this report, the 6 primary maltreatment types identified under sections 38 and 38.1 of the YPA are considered: Neglect (including serious risk of being neglected); Physical Abuse (including serious risk of being physically abused); Sexual Abuse (including serious risk of being sexually abused); Serious Behavioural Disturbances; Abandonment; and Psychological Ill-Treatment.³¹

This report analyzes neglect cases in more detail, dividing it according to five neglect related categories:

- Physical neglect: Failing to meet the child's basic physical needs with respect to food, clothing,

³¹ Consult Appendix C for definitions of maltreatment type as defined under the YPA.





hygiene or lodging, taking into account the caregivers' resources.

- Health neglect: Failing to give the child the care required for the child's physical or mental health, or not allowing the child to receive such care.
- Supervisory neglect: Failing to provide the child with the appropriate supervision or support, or failing to take the necessary steps to provide the child with schooling.
- Serious risk of neglect: A situation in which there is a serious risk that a child's parents or the person having custody of the child are not providing for the child's basic needs.
- Pre-amendment categories: All neglect categories which were eliminated by a 2007 amendment of the YPA (only valid for 2007).





Appendix C

Forms of maltreatment as defined by the YPA



Abandonment: Refers to a situation in which a child's parents are deceased or fail to provide for the child's care, maintenance or education and those responsibilities are not assumed by another person in accordance with the child's needs (YPA, s. 38a). Also refers to situation in which parents do not carry out their obligations to provide their child with care, maintenance and education or do not exercise stable supervision over him while he has been entrusted to the care of an institution or foster family for one year (YPA, s. 38.1c).

Neglect: Refers to a situation in which the child's parents or the person having custody of the child do not meet the child's basic needs, failing to meet the child's basic physical needs with respect to food, clothing, hygiene or lodging, taking into account their resources (YPA, s. 38b1i); failing to give the child the care required for the child's physical or mental health, or not allowing the child to receive such care (YPA, s. 38b1ii); or failing to provide the child with the appropriate supervision or support, or failing to take the necessary steps to provide the child with schooling (YPA, s. 38b1iii). It also refers to a situation in which there is a serious risk that a child's parents or the person having custody of the child are not providing for the child's basic needs in the manner referred to in the previous paragraph (YPA, s. 38b2).

Psychological ill-treatment: Refers to a situation in which a child is seriously or repeatedly subjected to behaviour on the part of the child's parents or another person that could cause harm to the child, and the child's parents fail to take the necessary steps to put an end to the situation. Such behaviour includes in particular indifference, denigration, emotional rejection, isolation, threats, exploitation, particularly if the child is forced to do work disproportionate to the child's capacity, and exposure to conjugal or domestic violence (YPA, s. 38c).

Sexual abuse: Refers to a situation in which the child is subjected to gestures of a sexual nature by the child's parents or another person, with or without physical contact, and the child's parents fail to take the necessary steps to put an end to the situation (YPA, s. 38d1). It also refers to a situation in which the child runs a serious risk of being subjected to gestures of a sexual nature by the child's parents or another person, with or without physical contact, and the child's parents fail to take the necessary steps to put an end to the situation (YPA, s. 38d2).





Physical abuse: A situation in which the child is the victim of bodily injury or is subjected to unreasonable methods of upbringing by his parents or another person, and the child's parents fail to take the necessary steps to put an end to the situation (YPA, s. 38e1). It also refers to a situation in which the child runs a serious risk of becoming the victim of bodily injury or being subjected to unreasonable methods of upbringing by his parents or another person, and the child's parents fail to take the necessary steps to put an end to the situation (YPA, s. 38e2).

Serious behavioural disturbance: Refers to a situation in which a child behaves in such a way as to repeatedly or seriously undermine the child's or others' physical or psychological integrity, and the child's parents fail to take the necessary steps to put an end to the situation or, if the child is 14 or over, the child objects to such steps (YPA, s. 38f). Also refers to situation when a child leaves his own home, a foster family, a facility maintained by an institution operating a rehabilitation centre or a hospital centre without authorization while his situation is not under the responsibility of the director of youth protection (YPA, s 38.1a) and when a child is of school age and does not attend school, or is frequently absent without reason (YPA, s. 38.1b).





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