

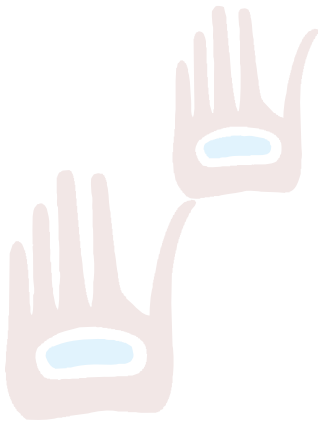


A quarterly publication brought to you by the Caring for First Nations Children Society

Caring Network News



Winter 2007



Update from the Caring for First Nations Children Society...

As usual, the society has been very busy with training, policy work, prevention roll out and organizing negotiations training for Executive Directors.

ABSW and Cultural Awareness Training

As many agencies are aware, we have had to run concurrent ABSW training this fall. This has been quite an accomplishment for society staff who are commended for their extra efforts this past fall. Grace Atkinson and Sharlene Wilson have done an extraordinary job of organizing the trainings. The discussion about training will be on the agenda for the January 2008 Partnership Meeting as there are a number of issues to discuss.

The Cultural Awareness contract expired at the end of November 2007 and has not been renewed. The MCFD is amalgamating cultural awareness training for Child and Youth Mental Health, Youth Justice and social work staff. It is anticipated an RFP will be put out in the New Year. The CFNCS Board of Directors will be reviewing this matter.

As well, the MCFD and CFNCS met to discuss how to provide an orientation for existing delegated staff to the new Out of Care Options. This will probably take place next fiscal. Stay tuned.....

Policy

The Operational Standards review is near completion. There will be a meeting with Marilyn Hedlund and Ray Bronson to review and sign these off in January 2008. It is also anticipated that the Practice Standards review will begin in March 2008. The recently funded "Out of Care Options" will be incorporated in the new standards, and the society is currently examining options for consultation.

Prevention Roll Out: the INAC, MCFD, and a few of the delegated agencies met to discuss options for the work that needs to be done in this area. In part, there is a suggestion for the development of a Steering Committee, a Working Group, and an Advisory Body to oversee the project. The Advisory Body will hopefully be filled by those agencies who originally agreed to participate in this project. This will be discussed at the January partnership meeting.

The Negotiations Training provided by Jamie Chicanot was well received by the 15 participants from various delegated agencies. Another session is being planned for the spring.

Wishing you all a happy 2008.....

contents

Update from the Caring for First Nations Children Society	1
CFNCS Training Report	2
First Nations Component of the Canadian Incidence Study of Reported Child Abuse and Neglect (FNCIS-2008)	3
Delgamuukw: Ten Years Later	4
Policy Update	5
Upcoming Conferences	6
Reports and Research of Interest	7
First Peoples Child and Family Review	8

Contact Us:

info@cfncs.com
3rd Floor
7728 Tetayut Road
Saanichton, BC V8M 2E4
(250) 652-9899



Training Report

Submitted by Grace Atkinson

ABSW: The instruction team was extremely busy delivering two sessions of Voluntary Services and Guardianship training this fall. Group 1 started September 10 in Richmond with Kim as the primary instructor and Group 2 started September 24

at VACFSS with Chris as the primary instructor. Cheryl, Laurie and two contracted instructors, Darlene Thoen and Jenny George floated between the two groups providing co-facilitation. Somehow 33 people received training and passed their delegation tests for C4.



Happy Halloween at Voluntary Services Training, Fall, 2007



Congratulations to everyone at the VACFSS Voluntary Services graduation on Nov 9, 2007

The graduation ceremonies for both were joyous events – I would like to thank Ayas Men Men and VACFSS for hosting these very important occasions for us. The decorations, cultural entertainment and graduation gifts were inspiring and relevant to the work the social workers will now embark on.

Both groups join for Child Protection training in January 2008.

Once again we could not do this work without additional resource people. I would like to thank Gerry Oleman, Jodie Blanchette, Jennifer Smith and Adeline Brown for their ongoing support during the Residential School module; Hugh Braker for continuing his work with Court Orientation; Mary Ellen Turpel-Lafond, Representative for Children and Youth for presenting on her role to Group 2; Anne Lowe and the other staff at the office of the Public Guardian and Trustee; Annabelle Fung and Marilyn Copeland from Dr. Hlady's Team; Melanie Mark and finally Diana Frances and her very talented group of Shooting Starts actors that help social workers prepare for conducting child protection interviews.

Board: There was no Board training held this fall. A pre-registration process will begin in January 2008 and a location for the second session chosen for delivery by March 31, 2008.

CAT: Five of the six sessions of CAT have been delivered with Week 1 being held in Prince George, Kamloops, Coquitlam and Duncan. One Week 2 was held in Coquitlam and one was cancelled. Anne Cochran and Annie Simmonds were contracted to co-facilitate these sessions with Cheryl.

continued page 3



First Nations Component of the Canadian Incidence Study of Reported Child Abuse and Neglect (FNCIS-2008)

Background

The Canadian Incidence Study of Reported Child Abuse and Neglect is the Public Health Agency of Canada's national child maltreatment surveillance system. It is designed to examine the incidence of reported child maltreatment and the characteristics of the children and families investigated by Canadian child welfare services. The first two national studies were conducted in 1998 and 2003; data collection for the next cycle will take place in 2008.

The CIS-2003 sample included eight Aboriginal child welfare agencies. The study found an estimated 103,297 substantiated child maltreatment cases in Canada; 12,111 (8.3%) of these involved First Nations children. Data from CIS-2003 indicate that while rates of physical, sexual and emotional abuse are lower for First Nations children than for their non-Aboriginal counterparts, rates of neglect are dramatically higher (17 per 1,000 First Nations children compared to 5 per 1,000 non-Aboriginal) and First Nations children have greater chances of being placed in out of home care as a result of child welfare investigations. A full report of FNCIS-2003 findings can be viewed at: www.fncfcs.com/docs/mesnmimk_wasatek.pdf

CIS-2008 will increase the number of Aboriginal child welfare agencies participating in the study from 8 to 20. The increased sample size will allow for closer examination of the different forms of neglect that contribute to Aboriginal overrepresentation in the child welfare system. It will also allow for preliminary comparisons of the populations served and investigations conducted by First Nations run child welfare agencies and mainstream agencies. A key priority for CIS-2008 will be to ensure Aboriginal ownership of, control over, access

to and possession of the knowledge produced by CIS-2008. A nationally representative, Aboriginal advisory committee will guide recruitment of First Nations service agencies, offer cultural/ethical guidance, help to prioritize secondary analyses and facilitate dissemination of results.

Demonstrated Policy Impact of CIS

As the first national study on child maltreatment to collect disaggregated data on First Nations, Inuit and Métis, the CIS has made a significant impact at the international, national and local levels. For example, the results of the CIS have informed the draft United Nations Committee on the Rights of the Child General Comment on the Rights of Indigenous Children and a national funding formula for First Nations child welfare agencies. It has also been used by First Nations child and family service agencies and provinces to retool services for First Nations children.

Contact Information

In the coming months, the FNCIS research team and advisory committee members will recruit First Nations Child Welfare agencies for participation in the 2008 study. For more information about participation or access to CIS data, please contact any of the following people:

Cindy Blackstock
(613) 230-5885 ext. 35
cblackst@fncfcs.com
First Nations Child and Family Caring Society of Canada

Vandna Sinha
(514) 398-4864
vandna.sinha@mcgill.ca
or

Elizabeth Fast
(514) 961-9757
elizabeth.fast@mcgill.ca
Centre for Research on Children and Families, McGill University

Training Report

continued from page 2

The evaluation of the CAT program has been completed and the final report submitted to the Ministry. The Society has been given notice that the CAT contract will be going out to an RFP (Request for Proposals) process.

Supervisory: Now that supervisory training is finally part of the regular contract, the first delivery of Module 1 – Fundamentals of Supervision was delivered in Prince George with 20 participants from nine agencies. Module 2 – Supportive (Clinical) Supervision will be delivered by March 31, 2008 –

date and location to be determined. Module 3 – Administrative Supervision will be written by March 31, 2008 with plans to deliver early in the 2008-2009 fiscal year.

Adoption: We are very excited about a recent initiative. The Society has been contracted to develop an on-line curriculum for delivery to non-Aboriginal adoptive parents interested in adopting Aboriginal children. Cheryl is working with Jeff Ward on creating a platform and a curriculum to be piloted by the end of fiscal. Stay tuned for updates.

Delgamuukw: Ten Years Later

The Delgamuukw case has been before the courts since the early 1980s, and was initiated by the Gitksan and Wet'suwet'en peoples with the aim of forcing the BC government to recognize Aboriginal title to their traditional territory, encompassing some 58,000 square kilometres in north-central British Columbia. The decision was handed down by the Supreme Court of Canada on December 11, 1997. This Court action was necessary for the Gitksan and Wet'suwet'en to challenge the provincial government's long-held view that Aboriginal rights in BC were extinguished after 1871 and that any legal action should be for compensation from the Government of Canada. The case is remarkable for the detailed and extensive oral evidence that was presented.

The SCC could not rule on a number of the factual and legal issues specific to the Gitksan and Wet'suwet'en, such as the extent of their territory, their claim for Aboriginal title, and their claim for self-government rights. These will have to be decided in a new trial, or negotiated through treaties. The Court, however, made some far-reaching decisions in regard to a number of very important issues of general law. These include the admissibility of Aboriginal oral history as evidence, the nature of Aboriginal title, the test for proving Aboriginal title, infringement of Aboriginal title, and extinguishment of Aboriginal title. Existing Aboriginal rights were affirmed in Section 35(1) of the *Constitution Act, 1982*. In Delgamuukw, the SCC says that "Aboriginal rights fall along a spectrum with respect to their degree of connection to the land" and that Aboriginal title is at one end of the spectrum. At the other end, are rights that involve practices, customs and traditions which are not tied to any specific tract of land, and in the middle are site-specific rights to engage in a



particular activity. Thus Aboriginal title is a form of Aboriginal rights, and is protected by the Constitution.

The nature of Aboriginal title is considered the most important aspect of the Delgamuukw decision. Previous Court rulings avoided trying to provide a detailed description of Aboriginal title, but in Delgamuukw the SCC put considerable effort and detail into this part of the decision. Aboriginal title is described as a right in land which belongs to a class of its own, and which has three distinctive dimensions.

First, Aboriginal title is inalienable to third parties, and "cannot be transferred, sold or surrendered to anyone other than the Crown." The Crown must also consult with and may have to compensate First Nations whose title is affected. Second, Aboriginal title "arises from the prior occupation of Canada by Aboriginal peoples," that is, prior to the assertion of British sovereignty. Aboriginal title does not depend for its establishment upon the Royal Proclamation of 1763 nor is it a grant from the Crown. It pre-existed the Crown's interest in the land. Third, Aboriginal title is held communally and cannot be held by individual persons. It is a collective right held by all members of a Nation, and any decisions made with respect to that land must be made by that community.

The First Nations Summit statement to the Ministries on January 31, 1998 asserted the following principle for a new relationship between First Nations and the Crown:

- Aboriginal title applies to all of BC, as confirmed by the Delgamuukw decision.
- Aboriginal rights on the land approximate the equivalency of jurisdiction.
- There will be NO EXTINGUISHMENT of Aboriginal title or rights.
- Government alienation of lands and resources must be suspended until informed consent of FNs is obtained.
- Province-wide, legally binding Interim Measures must be agreed upon until treaties are negotiated.
- The continuation of their relationship to their lands is the only acceptable limit to FNs' use of their lands and resources.
- Infringement on Aboriginal rights and title requires fair compensation (past, present, and future).
- Want fair agreements to remove uncertainty for neighbours and business community.
- Want good-faith negotiations about sharing and coexistence.

Today, an important aspect for child and family services is the recognition that "Aboriginal rights on the land approximate the equivalency of jurisdiction." The customs and traditions for raising children are protected by the *Constitution Act, 1982* and were re-affirmed by Delgamuukw. Delgamuukw has strengthened the bargaining position of First Nations in their attempts to gain more control over their lives. Who then are more important to the lives of First Nations than their children?

Policy Update

Submitted by Shawn Hoey

With little to no time to reflect on my new role or Monty moving on, the policy shop has been inundated with work. I hope that I am able to capture most of the current and on-going projects in this update.

Provincially, the creation of Regional Aboriginal Authorities continues to be fraught with controversies. This process highlights a number of the on-going issues for First Nations and urban Aboriginal communities. The issues of rights, authority, jurisdiction and consultation are the most contentious. As more groups speak out on the matter, the lines become more defined and the process more challenging. Despite this charged environment, MCFD is determined to have Authorities enabling legislation by the Spring.

Federally, the National Policy Review, Wen:de Report, and others, identifying some of the problems of the Directive

20-1 funding formula, has led to INAC's 'preventative services roll-out'. The so-called Alberta Model was the first of these initiatives. Currently underway in BC is a survey of all the First Nations agencies to determine the preventative programs they offer, an analysis of the off-reserve available options and a commitment to fund on-reserve preventative programs by April 2009. Although a step forward for on-reserve programs, this initiative continues to be tied to, rather than replacing Directive 20-1.

In an effort to address another deficiency of Directive 20-1, INAC is now willing to fund some out of care and other options. The following options will be covered through maintenance per diems:

- CFCSA s. 8 – kith and kin;
- CFCSA 35(2)(d) – interim supervision in the custody of another;
- CFCSA 41(1)(b) – temporary supervision in the custody of another;
- CFCSA 54.1 – transfer of custody;
- CFCSA 12.2 – youth agreements;
- post adoptions support; and
- respite.

Consequently, the standards and ABSW training will need to be revisited to incorporate the changes.

That being said, accolades to the operational standards review committee/working group for their efforts. A final draft has been forwarded to MCFD for review prior to the Director signing off on the document. We hope there will be new operational standards by the end of this fiscal year just in time for the practice standards review.

BC's First Nations and Aboriginal leadership continue to make child and family services a priority. There is an All Chiefs Child in the Centre Conference in the planning for January as well as recognition for the need to speak with one voice in terms of early childhood development. This highly anticipated event could have a far-reaching effect in terms of First Nations and Aboriginal child and family services delivery in the province.

Finally, the Society continues to participate on the Canadian Incidence of Reported Child Abuse and Neglect Study research team. Present efforts have focused on developing a sampling strategy to ensure that agencies delegated to provide the full range of child welfare services across the country are identified.

Look forward to seeing you all in 2008.

Become a Member of CFNCS!

Corporate and Individual memberships are available and entitle the member to benefits such as:

- reduced registration fees for conferences
- quarterly newsletter
- access to the resource centre
- access to message posting

Membership Fees

Annual Individual Membership Fee is \$20
Annual Corporate Membership Fee is \$200

Please make all cheques payable to:
Caring for First Nations Children Society
3rd Floor, 7728 Tetayut Road
Saanichton BC, Canada V8M 2E4

To join online please go to:
www.cfncs.com/membership.htm



Upcoming Conferences

Early Years Conference 2008

All children have the right to opportunities for realizing their full potential. Some children by nature of individual, family, or community circumstances are more vulnerable and will need extra support in achieving this. In order for these supports to be most effective, we must look through the eyes of the child. We must integrate our knowledge of the principles of child and family development with research and innovative practice. Special attention will be given to children in care and children with disabilities.

Presented by Interprofessional Continuing Education – University of British Columbia.

When: January 31 - February 2, 2008

Where: Vancouver, BC

Information available: www.interprofessional.ubc.ca/

The National Forum for Excellence and Innovation in Aboriginal Finance and Management

AFOA's National Conference is the only forum for the exchange of knowledge and information on Aboriginal finance and management in the country. It is an important venue where Aboriginal financial professionals, Band administrators and other managers, Chiefs, Tribal Council members, Government representatives and consultants working with Aboriginal communities can get together to explore emerging strategies and tools to enhance finance and management in Aboriginal communities and organizations.

When: February 12 - 14, 2008

Where: Vancouver, BC

If you wish register, call AFOA at 1-866-722-2362.

Joining Together: Changes and Challenges in Child Maltreatment

The purpose of the conference is to highlight innovations, advances and challenges in the identification, investigation and management of child maltreatment. The conference will showcase forensic investigation strategies, practice interventions and current research. A multi-disciplinary approach will be modeled and advocated.

Presented by Canadian Society for the Investigation of Child Abuse

When: May 12 - 14, 2008

Where: Calgary, AB

Information available: www.csicainfo.com/index.cfm?pageid=51

Social Work National Conference 2008: Human Rights in a Diverse Community

Join us in the world's most diverse city for this first-of-

its-kind national social work conference bringing together clinicians, educators and researchers from across the country. This dynamic conference aims to stimulate dialogue and inspire new insights into issues of human rights and access to services.

Co-sponsored by: Canadian Association of Social Workers and Canadian Association of Schools of Social Work.

Hosted by: Ontario Association of Social Workers

When: May 22-25, 2008

Where: Toronto, ON

www.socialworknationalconference2008.org/

2nd Biannual Conference on Brain Development and Learning: Making Sense of the Science

An interdisciplinary conference devoted to improving children's lives by making cutting-edge research in neuroscience, child psychology, and medicine understandable and applicable to those who work with children on a daily basis.

Presented by: University of British Columbia and BC Children's Hospital.

When: July 12-15, 2008

Where: Vancouver, BC

www.interprofessional.ubc.ca/bdl.html

34th Annual NACAC Conference

From July 30 to August 2, the North American Council on Adoptable Children will hold its 33rd annual conference in Ottawa, Ontario. The conference is open to everyone interested in the welfare of children and families, including adoptive, foster, and birth parents, kinship care providers, child welfare professionals, and other child advocates.

When: July 31 – August 2, 2008

Where: Ottawa, Ontario

Information available:

www.nacac.org/conference/conference.html

7th North American Conference on Shaken Baby Syndrome

The conference contains topics and research applicable to medical, law enforcement, social work and legal professions, family members and victim advocates. This program is designed to foster dialogue and networking among professionals and families.

Presented by National Center on Shaken Baby Syndrome

Call for abstracts by October 31, 2007

When: October 5 - 8, 2008

Where: Vancouver, BC

Information: www.dontshake.org/

Reports and Research of Interest

National Council of Welfare Report: First Nations, Métis and Inuit Children Youth: Time to Act (Fall 2007)

This report, developed by the NCW in cooperation with Aboriginal individuals and organizations, provides a portrait of Aboriginal peoples from the perspective of the communities and the social connections upon which children and youth depend. It combines statistics with the voices of influential Aboriginal people the Council interviewed, to give true meaning to the numbers.

Go to: www.ncwcnbes.net/en/home.html to download the Report

Center on the Developing Child – Harvard University: A Science–Based Framework for Early Childhood Policy

A ground-breaking framework for using evidence to improve outcomes in learning, behavior, and health for vulnerable children, co-authored by the members of the National Forum on Early Childhood Program Evaluation and the National Scientific Council on the Developing Child. Combining knowledge from neuroscience, behavioral and developmental science, economics, and 40 years of early childhood program evaluation, the authors provide an informed, nonpartisan, pragmatic framework to guide policymakers toward science-based policies that improve the lives of young children and benefit society as a whole.

www.developingchild.harvard.edu/content/downloads/Policy_Framework.pdf

“Promising practice for maintaining identities in First Nations adoption”

Jeannine Carrier, First Peoples Child & Family Review, Vol 3, number 1, 2007, pp 46–64. Online Journal: www.fncfcs.com/pubs/vol3num1toc.html

Abstract: The purpose of this article is to explore the importance of identity in First Nations adoption. It is adapted from a PhD study completed by the author in 2005. The objectives of this study were 1) to describe how connectedness relates to health of First Nations adoptees; and 2) to explore legislative, policy and program implications in the adoption of First Nations children. The findings suggest that, for First Nations adoptees, there is causal relationship between connection to birth family, community and ancestral knowledge, adoption and health. The major finding is that loss of identity may contribute to impaired physical, spiritual, mental and emotional health for First Nations adoptees. This article provides suggestions on how identity can be preserved in First Nations adoption through programs, policies and practice.

First Peoples Child and Family Review

An Online Journal on
Innovation and Best Practices

Table of Contents, Volume 3, Number 3, 2007



4	Foreword <i>Dr. Jeannine Carriere, University of Victoria, BC</i>
5	Editorial – The Insidious Poverty Epidemic: Considerations for Aboriginal Children, Families, Communities and other Indigenous Nations <i>Marlyn Bennett and Cindy Blackstock</i>
8	Indigenous Peoples and Child Welfare: The Path to Reconciliation <i>Mr. Justice René Dussault</i>
12	Kinosao Sipi Minisowin Agency: Creating a Community Response for Special Needs Children <i>Charlene Ducharme, Doreen Muskego, Alfred Muswagon, Clarence Paupanekis, Mike Muswagon, Walter Spence and Jacqueline Ramdatt</i>
21	The Impact of Poverty on First Nations Mothers Attending a Parenting Program <i>Barbara Harris, Mary Russell, and Annemarie Gockel</i>
31	Aboriginal Youth Talk about Structural Determinants as the Causes of their Homelessness <i>Cyndy Baskin</i>
43	Detoxifying the Child and Family Welfare System for Australian Indigenous Peoples: Self-Determination, Rights and Culture as Tools for Resilience <i>Muriel Bamblett and Peter Lewis</i>
57	Domestic Sex Trafficking of Aboriginal Girls in Canada: Issues and Implications <i>Anupriya Sethi</i>
72	The Politics of Policy Development to End Obesity among First Nations Children and Youth in the Educational Environment <i>Shelley Spurr</i>
84	Les Mauvais Traitements Envers les Enfants Autochtones Signalés à la Protection de la Jeunesse du Québec: Comparaison Interculturelle <i>Marc Tourigny, Pascale Domond, Nico Trocmé, Bruno Sioui, and Karine Baril</i>
103	Incidence of Maltreatment of Aboriginal Children in Quebec Reported to Youth Protection: Intercultural Comparison <i>Marc Tourigny, Pascale Domond, Nico Trocmé, Bruno Sioui, and Karine Baril</i>