




Congress of Aboriginal Peoples
Congrès des peuples autochtones

Unveiling Truths:

INDIGENOUS CHILD WELFARE IN CANADA

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For the purpose of this paper, child welfare is defined as the public and private organizations that “provide services that supplement or substitute for parental care and supervision.”¹

A Brief History

Prior to the arrival of European settlers, Indigenous communities relied on diverse methods of caring for their children.² Broad similarities between communities included an “emphasis on extended families and a worldview which prized children as gifts from the creator.”³ Inuit families shared these perspectives while also relying on other adults to assist in childcare.⁴ With so many community members invested in the care of children, there were strong and nurturing environments created for Indigenous children.



Blackstock and Trocmé (2005) claim that prior to European contact, Indigenous “emotional, physical, cognitive and spiritual ways of knowing and being guided the resilient development of hundreds of generations of Aboriginal children who were healthy, proud, contributing members of society, living safely at home in their communities.”⁵ Unfortunately, the strength of these families and communities was overlooked as Europeans pursued their mission to ‘civilize’ Indigenous Peoples.

As part of the “civilizing mission,” settlers deemed Indigenous Peoples as “savage” and sought to guide the “progress” of colonization by replacing Indigenous education, culture, economy, and customs with their supposed “superior” systems and values.^{6,7} Naturally, “[c]hildren received particular attention under the policy of assimilation, as there has always been a special interest in shaping the next generation.”⁸

In the 1800s, the Government of Canada and Christian churches worked collectively to target children in its assimilation efforts through Residential Schools. One of the primary objectives of the Residential School system was to separate children from their parents “in order to remove them from the influences of their families, reserves and cultures.”^{9,10} Unsurprisingly, few parents voluntarily sent their children to the schools, which were often very distant from their homes.¹¹ In 1920, an amendment to the Indian Act made attendance mandatory for all children between the ages of 5-15 who were physically well enough to attend.¹²

Failure to comply could result in incarceration and fines that parents often could not afford to pay.¹³ In many cases, authorities, including the RCMP, would come to ‘round-up’ the children, which was a “horrendous, tragic affair” for numerous families.^{14,15}

At the schools, children were subjected to forced labour, segregation, humiliation, neglect, physical abuse, and sexual exploitation.^{16,17} Indigenous languages, cultures and customs were prohibited, and children were taught to be ashamed of their identity.¹⁸ The living conditions were overcrowded and often unsanitary, which led to countless deaths from diseases that could have been prevented.¹⁹ Duncan Campbell Scott (Deputy superintendent of Indian Affairs from 1913 to 1932) “estimated that 50% of the children who attended Residential Schools died as a result of poor conditions.”²⁰



These examples offer only a small glimpse of the harm done by the Residential School system and its long lasting impacts.

In the late 1940s, the Canadian Welfare Council (CWC) and the Canadian Association of Social Workers (CASW) proposed that instead of the Residential School system, provincial social services be used in order to achieve “the full assimilation of Indians into Canadian life.”^{21 22} Based on these recommendations, in 1951, the Government of Canada made changes to the Indian Act that extended provincial child welfare legislation to operate on reserves.²³ This change in the law resulted in mass removals of children from their families and communities, as social workers were “deprived of the information, skills and resources to address the poverty, disempowerment, multi-generational grief and loss of parenting knowledge” in Indigenous communities.²⁴

This practice is now recognized as the ‘Sixties Scoop’ and is connected to intergenerational impacts that are still experienced today.

By the late 1960s and early 1970s, 30 to 40 percent of children in care were Indigenous.^{25 26} Additionally, around the same time period, an alarming rate of one in three Indigenous children had been separated from their families.^{27 28} Over time, the over-representation of Indigenous children in the child welfare system escalated. By the 1980s, it is estimated that 60 percent of children in Manitoba and 70 percent in Saskatchewan in care were Indigenous.^{29 30} Today, this over-representation “has not only persisted but increased.”³¹





Indigenous Child Welfare Today

Although Residential Schools and the Sixties Scoop are 'practices of the past', a similar objective to save "Indigenous children from the inherent deviance of their families and communities"³² remains today. Indigenous children and youth³³ are still being separated from their families at alarming rates. The objective of controlling and removing Indigenous identity is demonstrated by the over-representation of Indigenous children in the child welfare system and the mass incarceration of Indigenous youth.^{34 35 36} For instance, it is estimated that over half of the children in care across Canada are Indigenous even though Indigenous children account for less than 10 percent of the child population.³⁷ In Saskatchewan and Manitoba, these rates are even higher, where an estimated 85 percent and 90 percent of children in care are Indigenous.³⁸

The overrepresentation of Indigenous children in care is ultimately due to an inability of child welfare workers to "disentangle markers of being colonized from indicators of neglectful or harmful parenting."³⁹ Indigenous children are more likely to live in low socioeconomic conditions which can result in removal from their families.⁴⁰ Poverty is often confounded with neglect indicators, which is the most common grounds for the removal of Indigenous children.⁴¹ This is problematic, as neglect is one of the most ambiguous categories of removal in the child welfare system and "offers no languages about how to critically think about broad social inequalities (poverty and racialization for instance)."⁴² It lacks definitive indicators and the language used in social workers' assessments is often rooted in beliefs of neglect rather than objective evidence.⁴³ Indigenous children are being removed from their homes as a result of crowded and unsafe housing, food insecurity, and inadequate access to services.⁴⁴ In many cases, these are factors that parents and communities have little power or control to change due to insufficient resources.



Rather than addressing the root causes of poverty or supporting families, child welfare policies continue to justify removing children from their families using the "best interests of the child" ideology.⁴⁵ However, what determines "best interests" and "what constitutes good, moral, safe and nurturing domestic spaces" has been based on Eurocentric ideals and holds an ignorance about Indigenous histories and perspectives.⁴⁶

Child removal under the "best interests of the child" framework also tends to negate the value of a child's cultural identity.⁴⁷ For instance, less than half of Indigenous children in foster care aged 14 and under live with at least one adult with an Indigenous identity.⁴⁸ Additionally, significant rates of children are placed with families of a different Indigenous identity.⁴⁹

This lack of sensitivity towards distinctive Indigenous cultures deprives Indigenous children of access to their unique identity. Disregard and disruption of Indigenous cultures, identities and families can break down resilience and heighten vulnerability for Indigenous children in particular.⁵⁰ Understanding these outcomes, yet continuing to remove children at such drastic rates can be interpreted as a direct and conscious effort to devastate Indigenous families and communities.

Connections to Missing and Murdered Indigenous Women and Girls (MMIWG)

It is widely known that children in care are exposed to a range of adverse outcomes as a result of removal from one's family; such as possible isolation, frequent relocation, trauma, experiences of abuse, neglect, or poor mental health.^{51 52} Involvement in the child welfare system can also increase risk of homelessness,⁵³ incarceration,⁵⁴ gang involvement,⁵⁵ and involvement in the sex trade.^{56 57} All of which are circumstances that increase susceptibility to experience violence, or ultimately be missing or murdered.

An alarming 70.5 percent of Indigenous youth experiencing homelessness report involvement with child protection services.⁵⁸ In the same study, Gaetz et al. (2016) also found that 59.6 percent of homeless youth reported experiencing violent victimization, which included high rates of sexual assault, particularly for young women and transgender/gender non-binary youth.⁵⁹

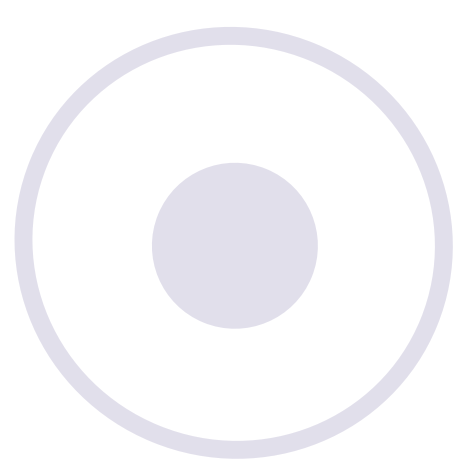
There is also an elevated risk of incarceration for street-involved youth and children in care facilities.⁶⁰ ⁶¹ Past traumas and histories may make Indigenous girls "act out in aggressive or destructive manners" in care facilities, which they can be charged for and consequently enter the criminal justice system.⁶² Moving from the child welfare system to the criminal justice system occurs at such alarming rates, it is known as the "child-welfare-to-prison pipeline."⁶³ While involvement in the criminal justice system is associated with a host of social and health-related harms,⁶⁴ it is most relevant to MMIWG because it is a key recruiting ground for both gangs and entry to the sex trade.

Young Indigenous girls who are incarcerated and involved in the child welfare system are targets for gang recruitment, as they are drawn to the idea of a family substitute, or gaining control, power and respect.^{65 66}

Additionally, Indigenous youth involved in the criminal justice system may join a gang for safety reasons.⁶⁷ In addition to gangs, Indigenous girls are often recruited into the sex trade while involved in the criminal justice system.⁶⁸ Both recruitment methods prey on the vulnerabilities of these girls and ultimately exposes them to violence.

Indigenous girls running away, trying to escape unhealthy situations or abuse in their foster or group homes may also be recruited into the sex trade.⁶⁹ Even in seemingly safe places, (e.g., schools and group homes), recruiters may draw young girls into sex work with assurances of gifts, income, and security.^{70 71} Once involved in the sex trade, Indigenous women and girls are often highly susceptible to experiencing violence.^{72 73}

Not only are children in care subject to vulnerability, but many youth also age out of care without the skills or support required to survive on their own.⁷⁴ On the whole, as a result of inadequate family and child supports, the risk of exploitation, abuse, violence and premature death is alarmingly high for Indigenous girls in the child welfare system.^{75 76}



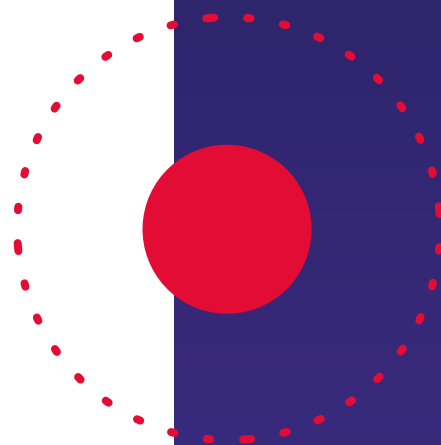
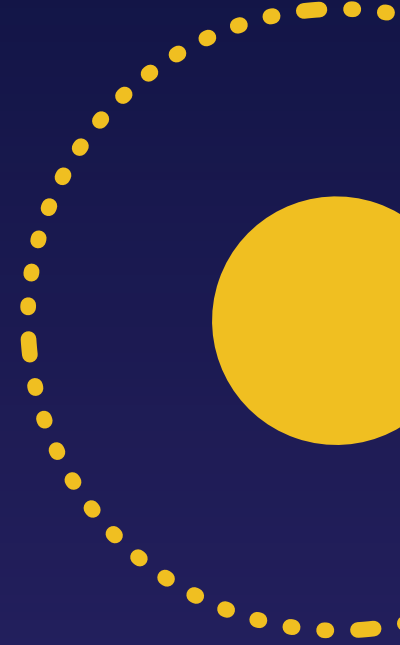
Recommendations

It is important to note that while systemic racism in the child welfare system may be present, this does not undermine or disregard positive initiatives or allies that have historically and currently exist. The first step to build on these positive relationships is for Canadians to educate themselves on the colonial past and learn about how it influences the child welfare system. To move forward in reconciliation, it is essential to understand how colonialism has worked to erase Indigenous Peoples and how it perpetuates racism and violence.⁷⁷

A critical change required in the child welfare system is to provide adequate supports for families and ensure that communities are safe and healthy. Working to keep Indigenous children in their communities is important. Neglect as grounds for removal should also be reviewed and historic influences such as the impacts of Residential Schools need to be taken into account in legislation and practice.

For other recommendations to protect Indigenous women and girls, see the Truth and Reconciliation Commission Calls to Action and the MMIWG National Inquiry Calls for Justice.

The murders and disappearances of Indigenous women and girls can no longer be ignored. It is time that all Canadians stood with Indigenous Peoples and worked to dismantle the structures that contribute to MMIWG.



Appendix

- ¹ Albert and Herbert, "Child Welfare."
- ² Sinha et al., "Remember the Children."
- ³ Sinha et al., "Remember the Children," 5.
- ⁴ Rae, "Inuit Child Welfare."
- ⁵ Blackstock and Trocmé, "Community-Based Child Welfare," 14.
- ⁶ Bennett, Blackstock and De La Ronde, "Aboriginal Child Welfare," 13.
- ⁷ Armitage, "Aboriginal Assimilation."
- ⁸ Armitage, "Aboriginal Assimilation," iii.
- ⁹ Bennett, Blackstock and De La Ronde, "Aboriginal Child Welfare," 15.
- ¹⁰ Blackstock and Trocmé, "Community-Based Child Welfare."
- ¹¹ Blackstock and Trocmé, "Community-Based Child Welfare."
- ¹² Blackstock and Trocmé, "Community-Based Child Welfare."
- ¹³ Blackstock and Trocmé, "Community-Based Child Welfare."
- ¹⁴ Bennett, Blackstock and De La Ronde, "Aboriginal Child Welfare," 16.
- ¹⁵ See the Policing paper for more information.
- ¹⁶ Bennett, Blackstock and De La Ronde, "Aboriginal Child Welfare."
- ¹⁷ Sinha et al., "Remember the Children."
- ¹⁸ Bennett, Blackstock and De La Ronde, "Aboriginal Child Welfare."
- ¹⁹ Blackstock and Trocmé, "Community-Based Child Welfare."
- ²⁰ Sinha et al., "Remember the Children," 6.
- ²¹ Canadian Association of Social Workers, "Joint Submission," (1947): 2, quoted in Canadian Association of Social Workers, "Statement of Apology," 4.
- ²² Armitage, "Aboriginal Assimilation."
- ²³ Sinha et al., "Remember the Children."
- ²⁴ Blackstock and Trocmé, "Community-Based Child Welfare," 16.
- ²⁵ Bennett, Blackstock and De La Ronde, "Aboriginal Child Welfare."
- ²⁶ Sinclair and Grekul, "Aboriginal Youth Gangs."
- ²⁷ Bennett, Blackstock and De La Ronde, "Aboriginal Child Welfare."
- ²⁸ Sinclair and Grekul, "Aboriginal Youth Gangs."
- ²⁹ Bennett, Blackstock and De La Ronde, "Aboriginal Child Welfare."
- ³⁰ These numbers are likely much higher due to a gap in reporting on non-status and Métis children in care. (Bennett, Blackstock, and De La Ronde, "Aboriginal Child Welfare.")
- ³¹ Tait, Henry and Loewen Walker, "Child Welfare," 42.
- ³² de Leeuw, Greenwood and Cameron, "Deviant Constructions," 288.
- ³³ Each province and territory have varying ages defining what constitutes a child. For the scope of this paper, references to children includes any person under the age of 19.
- ³⁴ See the Justice paper for more information.
- ³⁵ Bennett, Blackstock and De La Ronde, "Aboriginal Child Welfare."
- ³⁶ Ware, Ruzsa and Dias, "Prison Industrial Complex."
- ³⁷ Ontario Human Rights Commission (OHRC), "Interrupted Childhoods."
- ³⁸ First Nations Family Advocate Office and Assembly of Manitoba Chiefs, "Lifting Up Children."
- ³⁹ de Leeuw, "State of Care," 69.
- ⁴⁰ Trocmé, Knoke and Blackstock, "Overrepresentation."
- ⁴¹ Sinha et al., "Remember the Children."
- ⁴² de Leeuw, "State of Care," 66.
- ⁴³ de Leeuw, "State of Care."
- ⁴⁴ Sinha et al., "Remember the Children."
- ⁴⁵ Kline, "Best Interests of the Child."
- ⁴⁶ de Leeuw, "State of care," 60.
- ⁴⁷ Kline, "Best Interests of the Child."
- ⁴⁸ Turner, "Living arrangements."
- ⁴⁹ Turner, "Living arrangements."
- ⁵⁰ Bennett, Blackstock and De La Ronde, "Aboriginal Child Welfare."
- ⁵¹ Kovarikova, "Aging-Out of Care."
- ⁵² Serge et al., "Child Welfare System and Homelessness."
- ⁵³ Gaetz et al., "Without a Home."
- ⁵⁴ OHRC, "Interrupted Childhoods."
- ⁵⁵ Sinclair and Grekul, "Aboriginal Youth Gangs."
- ⁵⁶ Sikka, "Trafficking."
- ⁵⁷ Kingsley and Mark, "Sacred Lives."
- ⁵⁸ Gaetz et al., "Without a Home."
- ⁵⁹ Gaetz et al., "Without a Home."
- ⁶⁰ Barker et al., "Street-involved Youth."
- ⁶¹ Sikka, "Trafficking."
- ⁶² Sikka, "Trafficking," 208.
- ⁶³ OHRC, "Interrupted Childhoods," 28.
- ⁶⁴ Barker et al., "Street-involved Youth."
- ⁶⁵ Sinclair and Grekul, "Aboriginal Youth Gangs."
- ⁶⁶ Sikka, "Trafficking."
- ⁶⁷ Sinclair and Grekul, "Aboriginal Youth Gangs."
- ⁶⁸ Sikka, "Trafficking."
- ⁶⁹ Kingsley and Mark, "Sacred Lives."
- ⁷⁰ Roudometkina and Wakeford, "Trafficking."
- ⁷¹ Bennett, "Marginalized Indigenous Girls."
- ⁷² National Inquiry into Missing and Murdered Indigenous Women and Girls, "Power and Place."
- ⁷³ See the Sexual Exploitation/Trafficking paper for more information.
- ⁷⁴ Kovarikova, "Aging-Out of Care."
- ⁷⁵ Kovarikova, "Aging-Out of Care."
- ⁷⁶ National Inquiry into Missing and Murdered Indigenous Women and Girls, "Power and Place."
- ⁷⁷ Pon, Gosine and Phillips, "Racism in Child Welfare."

Bibliography

Albert, Jim, and Margot Herbert, "Child Welfare". In *The Canadian Encyclopedia*. Historica Canada. Article published February 07, 2006; Last Edited December 16, 2013.

Armitage, Andrew. *Comparing the Policy of Aboriginal Assimilation: Australia, Canada, and New Zealand*. Vancouver: University of British Columbia Press, 1995.

Barker, Brittany, Gerald Taiaiake Alfred, Kim Fleming, Paul Nguyen, Eva Wood, Thomas Kerr and Kora DeBeck. "Aboriginal Street-involved Youth Experience Elevated Risk of Incarceration." *Public Health* 129, no.12 (2015):1662-68.

Bennett, Marlyn. "On the Edge Between Two Worlds: Community Narratives on the Vulnerability of Marginalized Indigenous Girls." Winnipeg: Office of the Children's Advocate, 2016.

Bennett, Marlyn, Cindy Blackstock and Richard De La Ronde. "A Literature Review and Annotated Bibliography on Aspects of Aboriginal Child Welfare in Canada (2nd Edition)." Canada: The First Nations Research Site of the Centre for Excellence for Child Welfare and The First Nations Child & Family Caring Society of Canada, 2005.

Blackstock, Cindy and Nico Trocmé. "Community-Based Child Welfare for Aboriginal Children: Supporting Resilience through Structural Change." *Social Policy Journal of New Zealand* 24, no.3 (2005): 12-33.

Canadian Association of Social Workers. "Statement of Apology and Commitment to Reconciliation." Ottawa, 2019.

de Leeuw, Sarah. "State of Care: The Ontologies of Child Welfare in British Columbia." *Cultural Geographies* 21, no.1 (2014): 59-78.

de Leeuw, Sarah, Margo Greenwood and Emilie Cameron. "Deviant Constructions: How Governments Preserve Colonial Narratives of Addictions and Poor Mental Health to Intervene into the Lives of Indigenous Children and Families in Canada." *International Journal of Mental Health and Addiction* (2010) 8: 282-95.

First Nations Family Advocate Office and Assembly of Manitoba Chiefs. "Lifting Up Children: Manitoba First Nations Open Forum on Child Welfare Report." Winnipeg, 2016.

Gaetz, Stephen, Bill O'Grady, Sean Kidd and Kaitlin Schwan. "Without a Home: The National Youth Homelessness Survey." Toronto: Canadian Observatory on Homelessness Press, 2016.

Kingsley, Cherry and Melanie Mark, "Sacred Lives: Canadian Aboriginal Children and Youth Speak Out About Sexual Exploitation." Vancouver: National Aboriginal Consultation Project, Save the Children Canada, 2000.

Kline, Marlee. "Child Welfare Law, 'Best Interests of the Child' Ideology, and First Nations." *Osgoode Hall Law Journal* 30, no. 2 (1992): 375-425.

Kovarikova, Jane. "Exploring Youth Outcomes After Aging-Out of Care." Toronto: Provincial Advocate for Children & Youth, 2017.

National Inquiry into Missing and Murdered Indigenous Women and Girls. "Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls." Vancouver, 2019.

Ontario Human Rights Commission. "Interrupted Childhoods: Over-representation of Indigenous and Black Children in Ontario Child Welfare." Toronto, P-668, 2018.

Pon, Gordon, Kevin Gosine and Doret Phillips. "Immediate Response: Addressing Anti-Native and Anti-Black Racism in Child Welfare." *International Journal of Child, Youth and Family Studies* 3 & 4, (2011): 385-409.

Rae, Lisa. "Inuit Child Welfare and Family Support: Policies, Programs and Strategies." Ottawa: National Aboriginal Health Organization, 2011.

Roudometkina, Arina and Kim Wakeford. "Trafficking of Indigenous Women and Girls in Canada." Canada: Native Women's Association of Canada, Submission to the Standing Committee on Justice and Human Rights, 2018.

Serge, Luba, Margarert Eberle, Michael Goldberg, Susan Sullivan and Peter Dudding. "Pilot Study: The Child Welfare System and Homelessness among Canadian Youth." Ottawa: National Homelessness Initiative, 2002.

Sikka, Anette. "Trafficking of Aboriginal Women and Girls in Canada." *Aboriginal Policy Research Consortium International (APRCi)* 57, (2010): 201-31.

Sinclair, Raven and Jana Grekul. "Aboriginal Youth Gangs in Canada: (De)constructing an Epidemic," *First Peoples Child & Family Review* 7, no.1 (2012): 8-28.

Sinha, Vandna, Nico Trocmé, Barbara Fallon, Bruce MacLaurin, Elizabeth Fast, Shelley Thomas Prokop, et al. "Kiskisik Awasisak: Remember the Children. Understanding the Overrepresentation of First Nations Children in the Child Welfare System." Ontario: Assembly of First Nations Report, 2011.

Tait, Caroline, Robert Henry and Rachel Loewen Walker. "Child Welfare: A Social Determinant of Health for Canadian First Nations and Métis Children." *Pimatisiwin: A Journal of Aboriginal and Indigenous Community Health* 11, no. 1 (2013): 39-53.

Trocmé, Nico, Della Knoke and Cindy Blackstock. "Pathways to the Overrepresentation of Aboriginal Children in Canada's Child Welfare System." *Social Service Review* 78, no.4 (2004): 577-99.

Turner, Annie. "Living Arrangements of Aboriginal Children Aged 14 and Under." Canada: Statistics Canada, Catalogue no. 75-006-X, 2016.

Ware, Syrus, Joan Ruzsa and Giselle Dias. "It Can't Be Fixed Because It's Not Broken: Racism and Disability in the Prison Industrial Complex," in *Disability Incarcerated: Imprisonment and Disability in the United States and Canada*, edited by Ben-Moshe, L., Chapman, C. and Carey, A.C., 163-84. New York: Palgrave MacMillan, 2014.



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