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March 19, 2025

MS. MICHELLE SHALLOW, AFFIRMED,
DIRECT EXAMINATION BY MS. RILEY MOSS

RILEY MOSS:
So, Michelle, first I just wanted to go over your work history with Child Protection in the province. And if you could tell me when you worked as a front-line social worker?
MICHELLE SHALLOW:
I started work in 1989 as a front-line social worker and I was a front-line social worker until about 1996, maybe. Or maybe before that. I can't totally remember.
RILEY MOSS:
And when you stopped doing front line, what was your next job after that?
MICHELLE SHALLOW:
I was a clinical program supervisor for the people who worked in the front line.
RILEY MOSS:
Okay. So that was still a job where you were doing the practical front-line work but you had people under you?

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MICHELLE SHALLOW:
Yes.
RILEY MOSS:
And when you worked as a front-line social worker and supervisor, what part of the province were you working in?
MICHELLE SHALLOW:
I worked in the central region and I worked in the metro, CBS area.
RILEY MOSS:
Okay. And did you have supervisory experience in both areas?
MICHELLE SHALLOW:
No, just in the metro area. Metro and CBS.
RILEY MOSS:
Okay. And how long were you in a supervisory role?
MICHELLE SHALLOW:
I think it was about five years. Yeah.
RILEY MOSS:
Okay. And did you ever have front-line experience in the Labrador region?
MICHELLE SHALLOW:
I did not.

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RILEY MOSS:
Once you've, I guess, finished your position as clinical program supervisor what did you do within the Department then?
MICHELLE SHALLOW:
My next job was at the provincial level, provincial office level, and I became policy analyst, policy specialist.
RILEY MOSS:
Okay. And what did that job entail?
MICHELLE SHALLOW:
That job required that I do research policy and program development to support the programs that were in place under the then legislation, Child Welfare legislation.
RILEY MOSS:
And why did you make that move or what were your considerations when you moved from a CPS to the program analyst role?
MICHELLE SHALLOW:
I just saw it as a new opportunity to help support the program.
RILEY MOSS:
And so when you were in the policy and program

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development specialist role, that was your first role at the provincial level; is that correct?
MICHELLE SHALLOW:
Yes, that was in September of 2002.
RILEY MOSS:
Okay. And as the program development specialist, how long were you in that role?
MICHELLE SHALLOW:
About four years. Four or five years.
RILEY MOSS:
And would it have been at that time that the Deloitte report was produced and the clinical program review took place? Was that when you were in that role?
MICHELLE SHALLOW:
No.
RILEY MOSS:
Okay. You were in the role above that at that time?
MICHELLE SHALLOW:
I was divisional manager.
RILEY MOSS:
Okay. We'll talk about that in a second. Sorry about that. I skipped ahead.

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MICHELLE SHALLOW:
Yeah, okay.
RILEY MOSS:
So when you were the policy and program development specialist, did you have any particular, I guess, program development or policy development with respect to Labrador?
MICHELLE SHALLOW:
Well, the jobs were provincial in scope so I would have been responsible to provide, I guess, research policy and program development for the four or five, or however many regions there were at the time, and Labrador would be included in that. Because my job was to provide that information within the context of what would be required for the whole province and then give that advice to the then provincial director.
RILEY MOSS:
Okay. And so when you did your research how did you gather that information? Like how would it have come to you?
MICHELLE SHALLOW:
So, you know, any kind of policy or program development that we did would have been -- you

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know, we would identify a gap or a policy issue or, you know, a gap in the legislation or whatever, it could have been any of those things, and we would obviously look at what's happening across Canada. Maybe beyond that but certainly federally and within other provinces and territories.

And we were very well connected because there was what we call FPT (federal provincial territorial) groups in place for many areas of the work that we did. So, you know, we would look at best practices in that regard. But another big part would be to reach out to the regional people, depending on the structure at the time, but certainly somebody from every region and talk to their representative about what they saw the issues as on the ground and, you know, they would contribute to the overall direction and development of the issue that we were looking at.
RILEY MOSS:
Okay. Thank you. And then very briefly it looks like you worked with the Public Service

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Secretariat on Occupational Health & Safety things?
MICHELLE SHALLOW:
I did, yes.
RILEY MOSS:
That didn't have anything to do with your work in Child Protection, right?
MICHELLE SHALLOW:
No, it did not.
RILEY MOSS:
Okay. And then I see that in November of 2006 you became the divisional manager of Policy and Program Development?
MICHELLE SHALLOW:
I did.
RILEY MOSS:
Okay. And how was that role different from your role as a program development specialist?
MICHELLE SHALLOW:
Well, as the divisional manager, I would have been responsible to oversee the research and development and implementation of provincial policies, programs and standards for a number of different programs.

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As a policy analyst you kind of had a specific area or a couple of areas. As a manager, I would have overseen all the people who were doing the particular work that was contemplated under the Act. Yeah. Like the different program areas.
RILEY MOSS:
Right. And so when you were in your role as the program development specialist, did you move amongst different areas or did you have a focus; do you recall?
MICHELLE SHALLOW:
Not really. I mean, I did support the -- there was the committee called the Minister's Advisory Committee and they produced a couple of reports back, I think, in the early 2000s. So I did provide support to that committee. And I think I had, maybe, the Family Services Program and, maybe, the Youth Services Program. But that was 20 years ago so it's really hard for me to remember specifically.
RILEY MOSS:
Sure. And so then when you were the divisional manager you were overseeing several different program development specialists?

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MICHELLE SHALLOW:
Yes.
RILEY MOSS:
Do you remember about how many?
MICHELLE SHALLOW:
I don't really. I mean, maybe a dozen people. But I'm guessing. I really am guessing. Yeah.
RILEY MOSS:
Right. And so it was while you were divisional manager that the clinical program review took place; is that right? The Clinical Services Review?
MICHELLE SHALLOW:
Yes. Yeah, I had gone, I had left the Department to go to the development opportunity in January, and then I returned in April of '08 and became the project manager for the clinical review. And, I guess, concurrently the divisional manager as well.
RILEY MOSS:
Okay. So they were sort of two different roles? Is it because of your divisional --
MICHELLE SHALLOW:
Honestly, I don't know. I mean, probably the

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latter of what you said. It was just part of my role. But the project needed a project manager per se.
RILEY MOSS:
Within the Department?
MICHELLE SHALLOW:
Yes, yeah.
RILEY MOSS:
And is there anything in particular, I guess, that you can recall about why that Clinical Services Review took place?
MICHELLE SHALLOW:
I'm just trying to remember what precipitated the review. I can't. I mean, I haven't looked at the review in a very long time so I know that... And again, from memory, I'll say, you know, that it had been ten years out from all of the Child Welfare programs being folded into Health and Community Services board and then the integrated health system.

So I think the Deloitte Review happened, maybe, in '06 or '07. The Turner Review and the results from that had an impact. Maybe there

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were other things that I'm not remembering. Truly not remembering. Sorry. And then there was, you know, a lot of concern about the program overall. And so the then department decided to do a Clinical Services Review of all the program areas that were covered under the legislation.
RILEY MOSS:
Okay. And in your role, I guess, were all those areas under one divisional manager or would they have been spread over a couple; do you remember? I say "a couple" but more than one is really all I mean.
MICHELLE SHALLOW:
You know, I don't really remember. Like the structure changed a lot over time and in my mind it is kind of, like, muddled. I mean, I don't think there was another manager but I don't totally remember.
RILEY MOSS:
Okay. That's fine. Can you remember at the time the review was requested what the, sort of, attitudes in the Department were? Like was there concern or was it just routine?

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MICHELLE SHALLOW:
Well, the Clinical Service Review wasn't routine. I don't think anything like that had ever been done, not in my working time. And, you know, it was 20 years ago. And I'll be honest, like when it all was initiated, I mean, the report date was '08 but it started, you know, before that, obviously.

I mean, obviously to do a clinical audit there had to be some concern. I don't remember, like, the climate. I know that there were issues around... Actually, I can't even really specify because I really don't remember, you know. We did a clinical audit and it was went across all program areas and that had never been done before. So that, in itself, would be something significant to happen because it hadn't happened, not in my working tenure, I'll say. Yeah.
RILEY MOSS:
Would you recall if, when that clinical services review was done, obviously it was province wide, but would you recall if there was any specific emphasis or specific focus on Labrador or on

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Indigenous issues?
MICHELLE SHALLOW:
I mean, I think it was provincial in scope. We did, like, a file audit. I don't even remember how many files, hundreds for sure, and I think it was a random sample. It would have to have been a qualitative audit. And I would imagine it was representative of each region in the province. You know, the sample number.
RILEY MOSS:
Yes, right.
MICHELLE SHALLOW:
But, again, I haven't looked at the report in many, many years so I'm not totally sure. But I would imagine that, you know, every region was represented in a representative way where the results could have been generalized to the region or to the province.
RILEY MOSS:
Right. And the review was carry out by external reviewers, right?
MICHELLE SHALLOW:
It was, yeah. Yeah.

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RILEY MOSS:
From out of province?
MICHELLE SHALLOW:
They were from Ontario, yeah.
RILEY MOSS:
Do you remember any of the big recommendations that came out of that review or, I guess, even being in the Department if there was a change following it?
MICHELLE SHALLOW:
I don't remember specific recommendations. I think there were, like, ten maybe. But I know that, you know, the report was presented to government in December of '08, which is a date that's on the final report. And then after 20 years of being part of the health board system, in April of '09 government announced a brand new department dedicated solely to child protection. And, I think, April of '09, whenever the budget was announced that year. So that would have been pretty significant.
RILEY MOSS:
So would you remember if there was any specific changes around training and professional

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development as a result of that clinical review?
MICHELLE SHALLOW:
I honestly don't. I haven't looked at the report.
RILEY MOSS:
No, no, fair enough.
MICHELLE SHALLOW:
And I don't remember -- can we just stop for a minute?
Note to Reader: Ms. Shallow was not provided a copy of the Clinical Review Report prior to her Direct Examination.

(Off the Record)

RILEY MOSS:
So I was asking you and, like, fair if you can't, like that's totally okay. But I was asking you if you remember any changes or, I guess, changes in attitudes towards training and professional development as a result of that Clinical Services Review?
MICHELLE SHALLOW:
Well, I think I said already, I think there were

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probably around eight to ten recommendations and I know training and development was certainly one of those recommendations, around training our staff in core competencies in order to be able to work within the Child Welfare various programs.
RILEY MOSS:
And so in your role as divisional manager would you have been involved in training staff or in the programming that staff received for professional development and training?
MICHELLE SHALLOW:
Yes. Yes. I mean, we would have been involved. Like I would have had staff who were dedicated to, like I said, the programs under the legislation. So Protective Intervention, the In Care Program, the In Services Program. I'm forgetting something. But anyway, we would have contributed. Me and the divisional staff at the time, would have, you know, contributed to the development of the training.

And, again, the structures changed a fair bit, so I believe there may have been a new training unit developed. I don't remember when but there

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definitely was. Yeah. Yeah.
RILEY MOSS:
While you were division --
MICHELLE SHALLOW:
I don't remember when.
RILEY MOSS:
Okay. Could have been later?
MICHELLE SHALLOW:
It could have been, yeah. Yeah.
RILEY MOSS:
Okay. And, I guess, those professional development and training opportunities, do you remember a shift while you were in that role? Like do you remember a shift from less to more or... If you don't remember...
MICHELLE SHALLOW:
Well, I'm going to say no, because I don't remember exactly how it all unfolded. I really don't. But I know that once the new department got created then, you know, obviously a whole new structure was developed and, you know, many of us who were working at the time were in different jobs. I honestly don't even recall what job I went to. I think I might have been a director of

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adoptions for a while and then into provincial director. But I know just from knowing the structure over time that a training unit was developed and that, you know, there was a focus on, you know, developing training to support staff in many different areas.
RILEY MOSS:
And again, that training would have been province wide?
MICHELLE SHALLOW:
Yes. Yes.
RILEY MOSS:
And the same programs would have been delivered to all the regions?
MICHELLE SHALLOW:
Yes, they would. Yeah. Like anything we did was provincial in scope. It would have included whatever the structure was at the time. It included whether we were with a health board or with an integrated health and community services system or with a line department of government, anything we did would have been provincial in scope to the island portion of the province and Labrador.

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RILEY MOSS:
Okay. Do you remember whether, as a result of this Clinical Services Review or at any other I guess point following it, if there were improvements developed with respect to how social workers kept documentation?
MICHELLE SHALLOW:
We developed documentation standards, yes.
RILEY MOSS:
In your role with policy and program development?
MICHELLE SHALLOW:
Yes.
RILEY MOSS:
Okay. And do you remember if that was, like, throughout your involvement at the provincial level or was it when you were divisional manager or was it when you were...
MICHELLE SHALLOW:
I don't remember when. But we actually did develop a set of standards around documentation. I mean, I could have been in a director role at that point but I don't really remember.
RILEY MOSS:
And so then once those standards were developed,

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social workers throughout the province were trained in how to meet those standards?

MICHELLE SHALLOW:
Yes. After 2008, or sorry, after 2009, when the Child, Youth and Family Services department was created and I don't remember the exact date, but then going forward it would have been a line department where all the policies, programs, standards, training, et cetera, would have been developed in partnership with the regions and would have been provincial in scope.
RILEY MOSS:
Okay.
MICHELLE SHALLOW:
I just make another comment to say that the reason I say that is because prior to that in the health board system, you know, there were still provincial standards but there was variability in practice and probably interpretation because of the structure at the time. So it was more streamlined when it moved to a line department.
RILEY MOSS:
Okay. And is it fair to say, I guess,

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organizationally there was more of a focus on making sure it was more consistent?

MICHELLE SHALLOW:
Yes, absolutely.
RILEY MOSS:
And then in about the fall of 2010 you became Provincial Director of Child Protection?
MICHELLE SHALLOW:
Yes. For a brief period I was in an acting role as the Director of Adoptions but then I moved into the provincial director role for the other programs.
RILEY MOSS:
And they were two separate positions?
MICHELLE SHALLOW:
They were. Yeah.
RILEY MOSS:
Okay. And so in your role as a Provincial Director of Child Protection, can you recall when you started that role, kind of, what else you were director of? What services that entailed, I guess?

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MICHELLE SHALLOW:
Yeah. I was the Director for the Child Protection or what we called the Protective Intervention Program. I was the Provincial Director for the Youth Services Program, for the In Care Program.

And the role did change over the nine, ten years that I was there. So at one point I also became director responsible for the Behavioural Intervention Program. And then about two years before I left, maybe two or three, the department folded the Director of Community Youth Corrections role into my role. So there was no director -- well, there wasn't a sole director for the Community Youth Corrections Program. It was folded into the --
RILEY MOSS:
There had been previously?
MICHELLE SHALLOW:
There had been, yeah. Yes.
RILEY MOSS:
And so can you, I guess, give a bit more detail about, like, how the Department defined, I guess,

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protective intervention? What fell under that?
MICHELLE SHALLOW:
So, you know, just to say that all the programs that the provincial director would have been responsible for were outlined in the then or what was to come the Child, Youth and Family Services legislation. So the Child Protection Program was -- or Protective Intervention Program, the purpose of the program was to provide protective intervention to children where there was abuse or neglect by omission or commission of the parent.

Now that language changed over time. I think by 2010 we were on, in my career, legislation number 5. So, you know, the legislative requirements -- and I don't know the correct word to say, but I think things changed over time in terms of exactly how and when a child would be deemed in need of protective intervention. But at 2010, with the new Act at the time, the Child, Youth and Family Services Act, it was clear that, you know, following an assessment, we would intervene with a family where a child was seen to be at risk because of omission or commission of

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the parent.
RILEY MOSS:
Okay. So we talked a little bit already, a really brief mention of the Turner investigation or review and the Deloitte report and the 2008 clinical review that were all sort of undertaken or impacted on how child protection was carried out.

And then in 2010, I guess, into 2011, there was a new Act that came out, right? A new child protection legislation I guess. And the name changed but also the, I guess, prevention and early intervention pieces came out of that legislation. Can you comment, I guess, on what was going on in the department at that time?
MICHELLE SHALLOW:
Well, I mean, the only thing I can say and from my recall -- again, it's a long time.
RILEY MOSS:
Yeah. No, that's right. And we understand.
MICHELLE SHALLOW:
The clinical review found a lot of issues and gaps and whatnot in terms of what was happening

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in practice and so on. And I think one of areas, in particular, that I do remember was that the review concluded that there needed to be a renewed focus and a clear mandate on protecting children. And I think that kind of set the stage for, you know, what was to follow with the development of a department dedicated solely to child welfare. Because that had never happened in this province, not in my career. I mean, we had had line department before. There were other program areas that were involved. So I guess that would have been sort of the undertone for moving forward in developing the new Act.

RILEY MOSS:

Do you think some of those reviews, I guess, some of those reports, created a feeling of like a fear of liability? Do you think that was at all part of what was going on?

MICHELLE SHALLOW:

I don't know. I can't really -- I don't know. I can't answer that. I mean, you know, I don't know.

RILEY MOSS:

And so, I guess, when those parts were taken out

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of the Act was there still ongoing work within the Department in relation to prevention and early intervention?

MICHELLE SHALLOW:

I mean, you know, when you refer to prevention and early intervention I think people will call the family called the Family Services Program. And I think that that's what you're referring to when you talk about prevention and early intervention. And I think, you know, one of the findings of the clinical review, and I do remember this, is that program wasn't clearly defined in legislation or policy. So if you don't define things clear in legislation or policy, it is difficult for people to interpret it from a practice perspective. And I feel like, again, going from memory, you know, we were in health board system at the time prior to 2010, or 2009, and my recall is that people would interpret that within the context of their own region, which makes totally sense. You know, how could we provide support to a family in Labrador or on west coast or wherever within the context and the parameters that we had been given in

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policy and in the Act for that particular service?

So when the Act of 2010 came out that was not part of the Act. The focus was on providing and ensuring protection of children who were deemed to be at risk of abuse or neglect so that we could have a clear focus for our staff, clear policy, clear standards, training, et cetera, to make sure that you did, you know, have that focus on that particular area. Not that the other areas were any more or less important. But they weren't contemplated in that legislation. Is that clear?

RILEY MOSS:

No, that's really clear actually. Taking into consideration that you were, sort of, in the department, probably near the top of the organizational structure at the time, do you recall, I guess, concerns or attitudes at that time of staff who was mostly doing the practical work? Am I asking that clearly?

MICHELLE SHALLOW:

Can you rephrase?

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RILEY MOSS:

Do you remember if there was feedback at the time or if there was, I guess, a response that you can remember from the staff who was doing the practical work or whose function was to carry out how the children were protected, did their job significantly change? Was there a response to that?

MICHELLE SHALLOW:

I mean, probably but I don't remember. I don't remember. I mean, you know, there was a lot of change. I mean, change is uncomfortable. I mean, all my role changed, all my colleagues'. I mean, we were in a new department. The structure was different. The regional structure was different. And we were pretty laser-focused from coming out of the clinical review and getting a new department where a review said, basically, you're not doing job one, which was to make sure that children were protected, so let's focus on that initially and then go from there.

So I imagine, you know, everybody felt their own individual concern about their jobs and what

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their job was going to look like and the focus, et cetera. But I can't specifically what they were at the time. It is so long ago, you know.

RILEY MOSS:

Okay. I may have asked you if you recall whether or not you were involved in the IRT proposal for healing and renewal in around 2011?

MICHELLE SHALLOW:

Not that I can remember.

RILEY MOSS:

And when you were involved either as a divisional manager, also as provincial director, do you recall having involvement in Labrador?

MICHELLE SHALLOW:

I mean, yes.

RILEY MOSS:

Sorry. So you participated in some discussions in Labrador around changes in around child protection?

MICHELLE SHALLOW:

Yeah. So, essentially, how things would have worked when I was provincial director, is that there were five regions maybe. I think it is five, four or five. And there was a director in

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each region who would be kind of like my counterparts on the ground and anything that we were doing would have involved, obviously, conversations with them. But then any policy or research or anything else that we were doing we would look to them to tell us who do you want involved. What staff do you want involved?

So I would have had, at the time, lots of conversations with people, including in the Labrador region and people who were the directors at the time. Because I think I had said there was a director but then, I don't remember when, but there was also, then, a dedicated director to the Innu zone at some point and I don't remember when that happened. So we would look to people at that level in the region to have discussions about issues on the ground and what they would mean for the job that I was doing and how we would move things forward.

RILEY MOSS:

Right. And that would inform, then, again, policy that was going to be provincial in scope?

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MICHELLE SHALLOW:

It would.

RILEY MOSS:

I guess throughout your time at the provincial level, do you remember a shift where there was a focus on Indigenous issues?

MICHELLE SHALLOW:

I mean, you know, and again, like, you know, I've been retired for six years and, you know, my memory is not the greatest. But I would say that, you know, in the last eight to ten years when I was working there seemed to be a lot more focus and a lot more collaboration between, you know, the folks at the provincial level and folks on the ground in the Innu communities. And there were all kinds of ways that that may have looked, committees, you know, staff interaction, the IRT, which I may or may not have been -- I don't remember. I know I was at some tables. I don't remember the names of them. I don't know. But, yeah, there seemed to be -- I mean, I think that the dedication of a director to the Innu region really helped increase that interaction and, you know, ongoing collaboration.

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RILEY MOSS:

And just confirming, because I think we did speak about this before, the decision to have fly-in/fly-out social workers was something that would have been made at the regional level?

MICHELLE SHALLOW:

The fly-in/fly-out would have been, I imagine, a collaboration between the provincial folks who were responsible for regional operations, which was not me, and the regional people, to say how can we, you know, recruit more people to work on the ground. I imagine that was part of a lot of discussion and research and whatnot.

RILEY MOSS:

Because it was something that just affected a region, that wasn't provincial in scope?

MICHELLE SHALLOW:

Not that I know of.

RILEY MOSS:

Right.

MICHELLE SHALLOW:

I think it just was specific to, I feel like, Natuashish but I don't know. There could have been other areas.

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RILEY MOSS:
Okay. And then there was another significant change in the legislation in 2019?
MICHELLE SHALLOW:
Yes. So the Children and Youth Care and Protection Act of 2010 was the first time that government built in a statutory review. In the 1998 Child, Youth and Family Services Act, I think it was called, they had built in a review of operations through a mechanism that was called the Minister's Advisory Committee, that I had talked about earlier that I supported that committee in doing their work. But it wasn't a statutory review where you're required to review the Act. And so in 2010 they built that in. And as a result of that, I think it was every five years, in 2015, 2016, the department initiated a statutory review and resulting from that I think there were a lot of changes, significant enough that it became a new Act. If you understand what I mean?
RILEY MOSS:
Yes.

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MICHELLE SHALLOW:
Yeah. And so then from that statutory review came the 2019 Act, the Children Youth and Families Act. Sorry. I think that's the name of it. Yeah. And so I imagine that that review would be probably --
RILEY MOSS:
Children, Youth and Families Act.
MICHELLE SHALLOW:
Children, Youth and Families Act.
RILEY MOSS:
That's right.
MICHELLE SHALLOW:
I mean, it is every five years, so I imagine that would be probably initiated again.
RILEY MOSS:
And so you were involved in that?
MICHELLE SHALLOW:
I was very involved in that, yes. Yeah.
RILEY MOSS:
And do you remember, I guess, is there anything noteworthy about what the significant changes were? Like can you remember any specifics?

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MICHELLE SHALLOW:
Can I remember specifics? I mean, I know that I was the Director of the Protective Intervention Program and the Youth Services programs and a few other programs. And that Jennifer Barnes, who is part of this process, was the director responsible for the In Care and Residential Programs. So we kind of worked together to initiate the review and conduct the review.

I mean, there were a lot of regional people involved in the review. I recall specifically letters that we had written, I believe to each Indigenous group in Newfoundland and Labrador, including the Innu, to talk about some of the directions that we wanted to take and to get their input. Which I don't know if that happened before in other reviews because I hadn't really been as heavily involved before, but we did have that involvement. Yeah. I mean, I don't know if that answers the question, but.
RILEY MOSS:
That Act, I think, was described as more culturally responsive, the 2019 Act.

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MICHELLE SHALLOW:
Okay. Yeah.
RILEY MOSS:
And that jives with what you're talking about.
MICHELLE SHALLOW:
I mean, there were a lot of principles added to the Act around being culturally responsive. But I haven't looked at that legislation since I left, so I don't remember. But I do recall that there were things built in, like, around, you know, planning for children in care, you know, being culturally responsive, including a lot of information around a child's Indigenous identity, et cetera. Yeah, I mean that's what I'm calling. Yeah.
RILEY MOSS:
The other change, I guess, that would have been happening around that time and we haven't really touched on this before in our discussion, was about the change in the way that risk was assessed and managed. So you had a previous risk assessment tool?
MICHELLE SHALLOW:
We did.

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RILEY MOSS:
And then there was a change over to structure decision-making?

MICHELLE SHALLOW:
There was.
RILEY MOSS:
And you were the provincial director when that was all going on, right?
MICHELLE SHALLOW:
I was, yeah.
RILEY MOSS:
Can you tell me a little bit about why the change?
MICHELLE SHALLOW:
Yeah. Just to give a little bit of background. So risk assessment in child welfare was introduced in Newfoundland and Labrador after the Hughes Inquiry in the early '90s, and was not used, from my recall, before that. And that system was developed, you know, maybe early '90s, '91, '92-ish, I don't recall exactly what year. And that system was adapted, you know, over the career years, I guess. And I recall in probably

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around the early 2000s it was kind of reviewed to update it a little bit and so it was changed from the risk assessment system to risk management system. I think it was '02, maybe '04, I don't specifically remember the date or the year. And I believe, again, I'm going from memory, but one of the recommendations from the clinical review was to update the risk assessment process.

So we undertook a review -- and actually, I do remember this, and I don't know how I do, but I do, that we actually had a project team dedicated to doing the review to have a look at what is happening and what is the best practice around managing risk to children and youth. And at the time, the best system that seemed to be available was the structure decision-making model. And so we had a team of people led by a project manager at the time and two staff persons. Once we identified the model and it was approved for us to move forward, I would have had to, you know, get approval, I guess, from the executive of the time to move forward.

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We then started to customize the model for Newfoundland and Labrador. And that customization process took a few years and included people from the island portion of the province and the Labrador portion of the province to sit on that committee that looked at customizing the model.

And then in 2019, which was the year that I finished up, we went out, in collaboration with the people who had the rights to the system, proprietary rights, I guess, in conjunction with them, and collaboration with them, we trained all of our staff in Newfoundland and Labrador on how to use that system. And it was introduced then I think -- it was in practice, became a practice model in 2019. I forget exactly which month but it was 2019. Yeah, 2019.
RILEY MOSS:
And you were probably around because that was retirement year for you.
MICHELLE SHALLOW:
It was the year I had a (inaudible). Yeah. You know, there were not a lot of models available.

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It is not like we had 20 to pick from. We probably had a couple. But this was, and probably still is, I don't know, described as the most evidence-informed model that we could find. And so we adapted it obviously, heavily adapted it and developed the standards manual and a practice manual for our staff on the ground and trained everybody in that model.
RILEY MOSS:
Do you know - and if you don't, that's fine too - if once that was rolled out when new social workers came on stream is this something they would receive specific training in?
MICHELLE SHALLOW:
Yes, they did. Yeah. Like my recall of the training, the evolution of it was that when anybody was hired there was like, I don't know, maybe an on-boarding training.
RILEY MOSS:
Orientation.
MICHELLE SHALLOW:
And that risk management would be included in that training.

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RILEY MOSS:
Okay. This is maybe backtracking a little bit. With respect to the previous risk assessment tool, I guess the concerns that it wasn't working came from the clinical review in the earlier issues, is that -- or do you know?
MICHELLE SHALLOW:
I can't remember. I really can't. I mean, I can't even remember what they specifically said about it. But the model was old. I mean, it was implemented in the early '90s, adapted a few times. But like any area, you know, you want to get what's best available to help your staff do the job. And so we undertook to look at, well, what is available and what can we use. So the clinical review may have talked specifically about that. I don't know remember that.
RILEY MOSS:
But it was also just how long it had been in use and looking for something (inaudible)?
MICHELLE SHALLOW:
Yeah. I mean, really, notwithstanding that report, it probably also was a natural progression of the program.

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RILEY MOSS:
Okay. We're getting towards the end here.
MICHELLE SHALLOW:
No, that's good.

RILEY MOSS:
I just want to make sure that there's not things I left out. I'm not sure if I asked this generally or not. But the policy and program specialist role and the divisional manager there, organizationally was that who was generally in charge of disseminating training generally as well? Like all training? Or would there have been other people within the Department that were responsible?
MICHELLE SHALLOW:
You mean the Department of Child, Youth and Family Services?
RILEY MOSS:
Yes. Yes. Like when you were in that role, which I believe was post-department, right? Or was it? Was some of it while they were still health authority?

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MICHELLE SHALLOW:
No, we were with Health. Yeah, we were with Health.
RILEY MOSS:
So was that always, I guess, division, the staff that would have been responsible for overseeing training?
MICHELLE SHALLOW:
You know, I don't know. I don't remember. I mean, I remember the training unit when the Child, Youth and Family Services department was created. But I don't remember the structure for training before that. I really don't. I mean, our staff would have been -- the divisional staff would have helped inform any training but I can't remember the exact way it happened.
RILEY MOSS:
Way it happened. No, that's fair. And were you ever responsible for In Care as provincial director?
MICHELLE SHALLOW:
I was.
RILEY MOSS:
And so, I guess, because I know you did mention

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Ms. Barnes who also later became involved in that role.
MICHELLE SHALLOW:
Correct.
RILEY MOSS:
So they separated them kind of, did they?
MICHELLE SHALLOW:
Yes.
RILEY MOSS:
And so can you comment on any province-wide policies around sending children and youth out of province? Is that something you can speak to?
MICHELLE SHALLOW:
I mean, I know it did happen. You'd have to ask me something more specific. Like I can say that there were children who were in out-of-province placements. I don't remember when that started.
RILEY MOSS:
Those were generally clinical decisions, like front-line?
MICHELLE SHALLOW:
Yes, they would have been. Yeah. I mean, you know, when the programs were at the health board level, the regional director would have been the

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legal guardian for children in care, so they would have made decisions specifically around where children would be residing. And, you know, the provincial director at the time would have not had legal custody of children in care and would have, you know, supported the regions in policy and program development to support children in care. And I mean, I'm not sure that, you know, they would have had a role in determining where they would have gone out of province. Because I think that practice started maybe in the late '90s, maybe, early 2000s. But I can't really specifically tell you that.

RILEY MOSS:

That's fair.

MICHELLE SHALLOW:

But, yeah, I mean, those would have been decisions made by whoever had legal custody of those children, which would not have been me, so.

RILEY MOSS:

And again, I know it was getting close to the end of your tenure but can you recall any involvement with Bill C-92 with the development of the federal legislation?

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MICHELLE SHALLOW:

Yeah. Yes, I can. That was in 20...

RILEY MOSS:

Well, it came out in 2020 but you might have had --

MICHELLE SHALLOW:

Right. I was retired when it actually was put into law. But I think it was in early 2019, maybe it was even 2018, I don't remember, that provinces and territories were advised that the federal government was developing child welfare legislation. And I mean, I remember myself being surprised at that time because we had always had responsibility for our child welfare as a province.

So the thing I do remember is, it was in the winter, maybe, January, February, of the year that I finished work, we were invited to go -- all the provinces and territories had a representative, several, who were invited to Ottawa to discuss the Act and review it and any concerns that we would have had or whatnot. And

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myself and two other people from the province went to that meeting to talk with the federal government about the Act.

RILEY MOSS:

And do you recall any specific concerns being raised at the time?

MICHELLE SHALLOW:

I mean, you know, I do recall being concerned because we were just reviewing our own Act. Right? And it was like what would the impact have been on our own Act and were there any conflicts, et cetera. And also, I think, you know, what would it mean for our staff on the ground. Like there were now two pieces of legislation, a provincial and a federal, that, you know, we would have been required to follow and practice. So those are kind of, like, the two big things that I recall that we probably would have brought to the table at that meeting and had a conversation about.

RILEY MOSS:

Okay. I guess we really are definitely wrapping up. But I guess with respect to the new provincial legislation, the newest one, the 2019

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one, do you recall that there were some provisions for delegating some authority to Indigenous groups?

MICHELLE SHALLOW:

I do. I do but I don't recall the specifics about it, but I know, like, that delegation was enhanced because there was really nothing else in any Act prior to that, I think, you know, that would have delegated authority to Indigenous groups. But I don't remember the specific provisions that were there. But yes.

RILEY MOSS:

And so do you remember being involved in discussions or anything?

MICHELLE SHALLOW:

Oh, I probably was. I mean, I probably was. Yeah. I will say yes, but, you know.

RILEY MOSS:

It was on the radar.

MICHELLE SHALLOW:

Oh, it was definitely on the radar around involving, you know, Indigenous people in conversations about the Act, the policies, et cetera, for sure. Yeah.

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RILEY MOSS:
This is really broad and you don't kind of have to answer it but just by way of kind of closing off.
MICHELLE SHALLOW:
Sure.
RILEY MOSS:
Like is there, I guess, anything maybe you want to add about how different perspectives were balanced, how competing interests were balanced during your time at the provincial level? Or if there were various points in time where you felt that that was something that really needed to happen?
MICHELLE SHALLOW:
You mean between -- who do you mean specifically?
RILEY MOSS:
I guess if there were different perspectives between front-line and provincial staff or if there were different perspectives between provincial staff and maybe a new leadership. So it is a very broad question. I realize that.
MICHELLE SHALLOW:
I mean, I didn't deal specifically with the Innu

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leadership. I would have dealt with my counterparts at the regional level, like another director or whatnot. I mean, you know, I will generally say that, you know, I had a specific role within government that was legislated as a provincial director and that role was to develop policies, programs and standards coming out of the Act, legislation and making recommendations to the government, to the executive and sometimes the cabinet.

You know, we would make every effort to involve people at the regional level in all of those conversations, whether it was a change in the law, a change in the policy, a change in a standard, whatever. And, of course, people sometimes had varying opinions, especially when you're trying to interpret legislation and policy and put it into practice and what is happening in realtime on the ground. So we would make every effort -- and that got better and better, I think, over time in the conversation and the collaboration and the ability to do that to understand, really, how can we strengthen a

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policy?

You know, I recall even on the end of it, you know, my tenure there, that we would even start to put in policy and in standards clinical considerations to help people, prompts for practice. You know, like this is the law, this is the policy, this is what I should do, these are the things I should think about. And, you know, you're going to think about different things depending on what part of the province you live in.

So I remember even those conversations getting stronger and more frequent because there was variability in the way people thought about the practice, interacted with people in the community, et cetera. So we wanted to, you know, do the job that we were mandated to do but also help people, you know, work with families in a way that was respectful and helpful, even though they were tough and very uncomfortable sometimes conversations.

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So, you know, one of the things that I do remember is trying to -- and part of the new risk assessment, the structured model that we had developed, was to really identify the families that really did need help with their kids.

And then part of my other role became what are the things that we need to develop to help them be better parents or be more present or whatever the issues were that we developed. It was really about honing in on children who were being maltreated or abused and neglected and providing the service. So working with people in the region, that looked different everywhere to kind of say, well, this is what we need here, this is what we might need here. Everybody might need the same service. It could be like somebody to support a family in a home but how it looked in practice could be different. So I feel like we were trying to, over time, adapt to perspectives, different perspectives of how things looked on the ground. Yeah, I genuinely feel like that happened.

RILEY MOSS:
One question to bring you right back to the beginning, I meant to ask you when we started chatting. Have you worked outside child protection? Or is that where you started your career?
MICHELLE SHALLOW:
No, my entire career, I worked in child welfare in the program in one way or another for 30 years.
RILEY MOSS:
Okay. Those are all my questions, unless there is you want to add?
MICHELLE SHALLOW:
No. Thank you very much.
RILEY MOSS:
Okay. We're done.

(Matter concludes.)

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