

Annex A



Report on Child Welfare Services to  
Indigenous Children, Youth and Families

2019-20

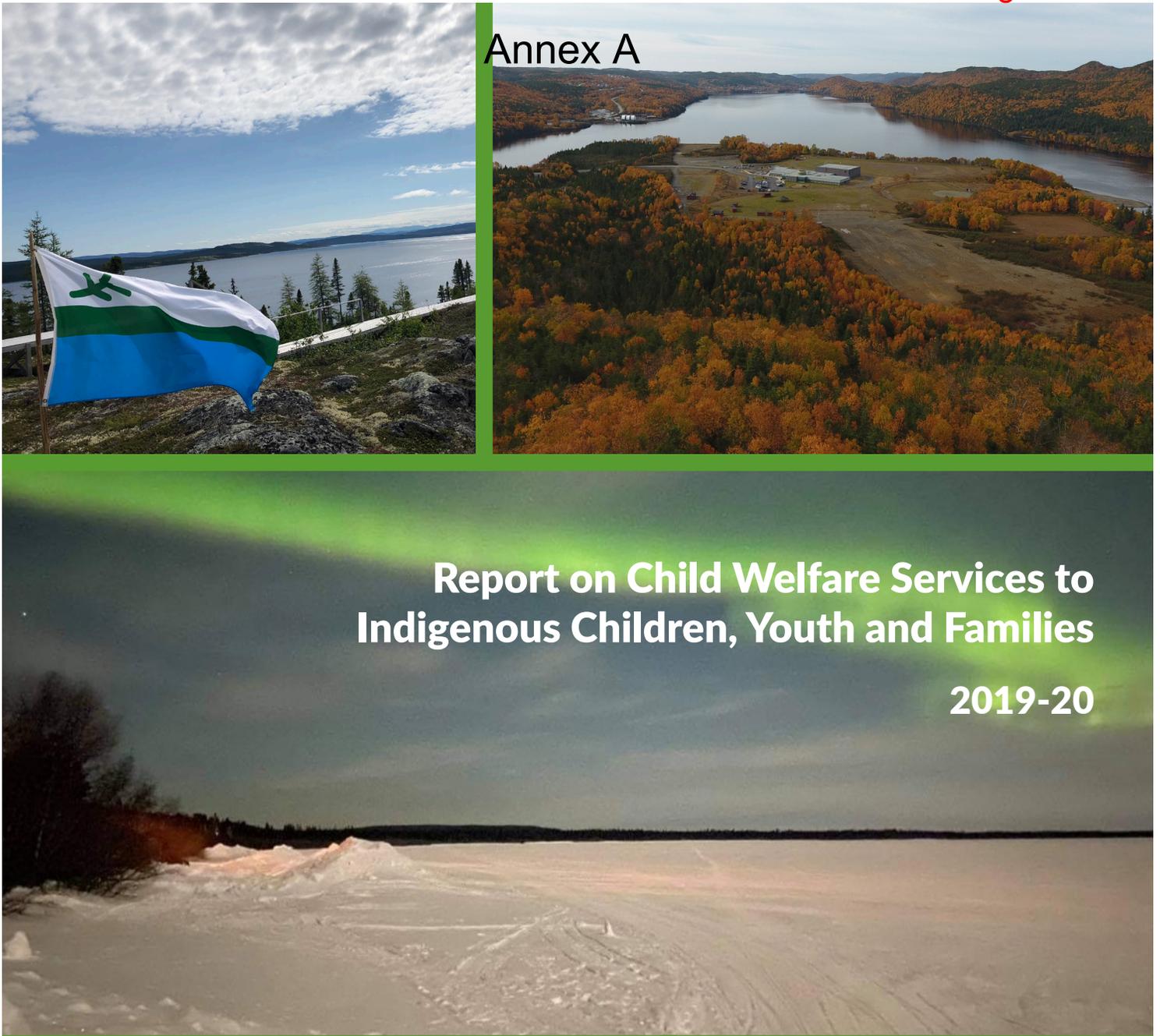


Photo credit: Rene Jeddore  
Conne River

## MESSAGE FROM THE MINISTERS

On behalf of the Government of Newfoundland and Labrador, we are pleased to present the first Report on Child Welfare Services to Indigenous, Children, Youth and Families.

As a government, we are committed to the protection of children and youth from abuse and neglect, and support the development of policies and programs to improve services in the province. We continue to collectively work with Indigenous Governments and Organizations to strengthen partnerships to improve services for Indigenous children, youth, and families, and reduce the overrepresentation of Indigenous children and youth in care and placed outside of their home communities.

The Report on Child Welfare Services to Indigenous Children, Youth and Families 2019-20 provides information to aid in understanding Indigenous client demographics and reasons for child welfare involvement. Sharing this information is a continuation of the positive changes we have started to make in how we work with Indigenous children, youth, and families. Further, the report forms a baseline by which we, in collaboration with Indigenous Governments and Organizations, will be able to measure improvement going forward.

We would like to thank officials from the Department of Health and Social Development with the Nunatsiavut Government for their ongoing collaboration and feedback on this report. As the report began with a focus on Inuit children and youth; however, expanded to include all Indigenous children and youth receiving services from the Department of Children, Seniors and Social Development. We look forward to continued engagement with all Indigenous partners on this important work.

The Government of Newfoundland and Labrador remains committed to a collaborative working relationship with Indigenous Governments and Organizations in a shared vision to improve service delivery and outcomes, and address the social and system issues that influence the overrepresentation of Indigenous children, youth and families in care.

Nakummek Tshinashkumitin Wela'lin Thank you



A handwritten signature in black ink that reads "John Abbott".

Hon. John Abbott  
Minister of Children,  
Seniors and Social Development



A handwritten signature in black ink that reads "Lisa Dempster".

Hon. Lisa Dempster  
Minister for Indigenous Affairs and Reconciliation  
and Labrador Affairs

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## Background

The overrepresentation of Indigenous children and youth in the child welfare system is a serious issue across Canada, including in Newfoundland and Labrador where efforts are underway to change this trend. Increased knowledge and awareness of how child welfare services are performing in regards to Indigenous children and youth and their families is needed to inform the ongoing collaborative work with Indigenous partners on addressing the problem.

To better conceptualize and address the disproportionate overrepresentation of Indigenous families involved in the child welfare system, it is important to understand the demographic breakdown of Indigenous populations in relation to growing birth rates and population data. Nearly 1.7 million people identified as Indigenous in the national 2016 census reported by Statistics Canada, comprising a 4.9% share of the country's population and a 43% increase since 2006 – a growth rate more than four times that of Canada's Non-Indigenous population.<sup>1</sup>

Statistics in Newfoundland and Labrador depict a similar picture. Among the 101,240 children<sup>2</sup> in the province, approximately 13,000 are Indigenous, which accounts for 13% of the provincial child population. Birth rate data reported by the Newfoundland and Labrador Statistics Agency further highlights increasing growth rates among Indigenous communities in the province.<sup>3</sup> In 2019, Nunatsiavut communities reported the following births and birth rates: Hopedale (10 births; 16.4 birth rate); Makkovik (5 births; 12.8 birth rate); Nain (20 births; 18.1 birth rate); Postville (5 births; 22.2 birth rate); and, Rigolet (5 births; 9.7 birth rate). The community of Natuashish also reported a total birth count of 20 and overall birth rate of 22.8 in 2019, while the Municipality of St. John's reported a

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<sup>1</sup> Statistics Canada, Census 2016. Statistics on Indigenous peoples. [https://www.statcan.gc.ca/eng/subjects-start/indigenous\\_peoples](https://www.statcan.gc.ca/eng/subjects-start/indigenous_peoples)

<sup>2</sup> Statistics Canada, Census 2016. Children defined by age as being 0 to 19 years old.

<sup>3</sup> Community Accounts, Newfoundland & Labrador Statistics Agency 2021.

total birth count of 915 and birth rate of 8.9 for the same year. When analyzed by Regional Health Authority jurisdiction, birth rate comparisons between the Labrador-Grenfell Health Authority and the Eastern Health Authority further depicts an increasing discrepancy in birth rate, with Labrador-Grenfell Health accounting for 330 births and a birth rate of 9.3 and Eastern Health accounting for 2400 births and a birth rate of 7.8 for 2019.<sup>4</sup>

With respect to children and youth involved in the provincial child welfare system, of the total of 1,275 children and youth that came into care in Newfoundland and Labrador in the 2019-20 fiscal year, 36% were Indigenous.<sup>5</sup> Recent provincial and national reports identify a need for increased data collection and analysis to better inform collaborative plans to reduce involvement of Indigenous families with the child welfare system. In 2018, the Auditor General of Canada urged the Canadian government to gather data and report on the overall wellbeing of Indigenous people compared to other Canadians in order to enhance accountability and inform the delivery of more effective, culturally appropriately services.<sup>6</sup>

The final report of the Truth and Reconciliation Commission (2015) also outlined calls to action for government accountability.<sup>7</sup> Enhanced monitoring, evaluation, and annual public reporting mechanisms for all Indigenous children and youth in care continue to surface as priorities. The development of outcome indicators is recommended to enable outcome monitoring, progress reporting, and evidence-based decision-making. The Ontario Human Rights Commission (2018) further noted the critical importance of

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<sup>4</sup> For 2016, the total number of births reported for the community of Sheshatshiu was 40. Community birth rate ratios are not currently available due to incomplete population data for this area.

<sup>5</sup> Department of Children, Seniors and Social Development, departmental program statistics, fiscal year 2019-20.

<sup>6</sup> Office of the Auditor General of Canada. *Report 5: Socio-economic gaps on First Nations reserves*. [Ottawa]: Indigenous Services Canada. Parliament, 2018, [https://www.oag.bvg.gc.ca/internet/English/parl\\_oag\\_201805\\_05\\_e\\_43037.html#](https://www.oag.bvg.gc.ca/internet/English/parl_oag_201805_05_e_43037.html#)

<sup>7</sup> Truth and Reconciliation Commission of Canada. *Honouring the truth, reconciling for the future*. [Ottawa]: Truth and Reconciliation Commission of Canada, 2015, [http://publications.gc.ca/collections/collection\\_2015/trc/IR4-7-2015-eng.pdf](http://publications.gc.ca/collections/collection_2015/trc/IR4-7-2015-eng.pdf)

ensuring open dialogue with Indigenous and racialized communities, as well as the utility of data collection and analysis, in providing context to the issue of over-representation.<sup>8</sup>

The Canadian Coalition for the Rights of Children (2016) and the Canadian Observatory on Homelessness (2017) echoed the need for accountability mechanisms through policy, data management, and annual reporting to support anti-colonial, anti-oppressive, solutions- and equity-oriented services.<sup>9,10</sup> The National Inquiry into Missing and Murdered Indigenous Women and Girls (2019) also highlighted the significant role of comprehensive data collection by federal and provincial Governments, and the need for Indigenous and Non-Indigenous persons to have input into this process.<sup>11</sup>

For Newfoundland and Labrador, a recent review completed by the Child and Youth Advocate, **A Long Wait for Change: Independent Review of Child Welfare Services to Inuit Children in Newfoundland and Labrador (2019)** was completed upon request from the Nunatsiavut Government to investigate Inuit experiences in the child welfare system.<sup>12</sup> This report details several concerns and challenges in relation to child protection services currently delivered to Inuit families, which negatively impact the wellbeing of Inuit communities. It provides 33 recommendations to improve child welfare

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<sup>8</sup> Ontario Human Rights Commission. *Interrupted childhoods: Over-representation of Indigenous and Black children in Ontario child welfare*. [Toronto]: Ontario Human Rights Commission, 2018, <http://www.ohrc.on.ca/en/interrupted-childhoods>

<sup>9</sup> Naomi Nichols et al. *Child welfare and youth homelessness in Canada: A proposal for action*. [Toronto]: Canadian Observatory on Homelessness, 2017, [https://homelesshub.ca/sites/default/files/ChildWelfare-PolicyBrief-final\\_0.pdf](https://homelesshub.ca/sites/default/files/ChildWelfare-PolicyBrief-final_0.pdf)

<sup>10</sup> Kathy Vandergrif & Mona Paré. *Children's rights: Making Canada work better for young people*. [Ottawa]: Canadian Coalition for the Rights of Children, 2016, <http://rightsofchildren.ca/wpcontent/uploads/2017/01/Childrens-Rights-Can-Make-Canada-Work-Better-for-Young-People.pdf>

<sup>11</sup> 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*. [Canada]: National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019, <https://www.mmiwg-ffada.ca/final-report/>

<sup>12</sup> Office of the Child and Youth Advocate, Newfoundland and Labrador. *A long wait for change: Independent review of child welfare services to Inuit children in Newfoundland and Labrador*. [St. John's]: 2019, <https://www.childandyouthadvocate.nf.ca/pdfs/IndependentReview2019.pdf>

services to Inuit children, youth and families, with some recommendations focusing on all Indigenous peoples. Recommendation 33 specifically calls on CSSD to “monitor and evaluate the state of Indigenous children and youth involved in protection-related services in Newfoundland and Labrador, and report this annually to the Legislature”.

This report provides baseline data and is simply the first of many important steps in responding to the recommendations outlined in the reports noted and achieving CSSD’s commitment to reduce the number of Indigenous children and youth in care and improve outcomes for those involved with the child welfare system.

To measure success going forward we must be evidence based. Therefore, it is important to begin with collecting and sharing currently available child welfare data that clearly depicts who Indigenous clients are and the reasons for their involvement. This report will create the baseline from which to build and measure progress. CSSD is committed to working with Indigenous partners to enhance future data collection and analysis so we can provide more comprehensive, detailed, and specific information in the future.

This report is organized in three parts. The first outlines contextual information regarding Indigenous people in Newfoundland and Labrador, as well as an overview of relevant child welfare programs, legislation, and policy. The second provides data regarding Newfoundland and Labrador’s child welfare services in relation to Indigenous children, youth, and families. The third provides a summary of new and promising approaches that CSSD, in collaboration with Indigenous Governments and Organizations, is advancing and a focus on next steps moving forward.

## PART ONE

### Indigenous People in Newfoundland and Labrador

As of the 2016 Canadian Census, the total population of Newfoundland and Labrador is 519,716 and 45,725 (9%) have identified as Indigenous, primarily First Nations or Inuit peoples.

Most Indigenous peoples are members or beneficiaries of one of six major Indigenous Governments/Organizations: Miawpukek First Nation, Mushuau Innu First Nation, Nunatsiavut Government, NunatuKavut Community Council, Qalipu First Nation and Sheshatshiu Innu First Nation.

Labrador Innu are First Nations people that primarily live in the Labrador communities of Sheshatshiu and Natuashish. Sheshatshiu is a federal Indian Reserve associated with the Sheshatsiu Innu First Nation and Natuashish is a federal Indian Reserve associated with the Mushuau Innu First Nation. At present, the Federal Government provides annual funding to the Department to deliver child welfare services on Reserve at Natuashish and Sheshatshiu.

The Labrador Inuit are beneficiaries of the Labrador Inuit Land Claims Agreement, and their rights and interests are represented by Nunatsiavut Government. The Labrador Inuit primarily live in one of the five Inuit Communities of Nain, Hopedale, Makkovik, Postville, and Rigolet, or in the Upper Lake Melville region.

The members of the NunatuKavut Community Council, Inc. (NCC) live in communities throughout Labrador, but primarily in south coast communities such as Cartwright, Paradise River, Black Tickle, Norman Bay, Charlottetown, Pinsent's Arm, Williams

Harbour, Port Hope Simpson, St. Lewis, Mary's Harbour and Lodge Bay. In the past, this group was known as the Labrador Metis Nation.<sup>13</sup>

The Miawpukek Mi'kmaq primarily live in Conne River on the south coast of Newfoundland. Conne River is a federal Indian Reserve, and its people are First Nations on Reserve whose interests are represented by Chief and Council. At present, the Federal Government provides annual funding to Miawpukek First Nation to deliver child welfare services on Reserve at Conne River.

The Qalipu Mi'kmaq live in communities scattered throughout, but concentrated primarily in Central and Western, Newfoundland. The Qalipu Mi'kmaq are represented by the Qalipu First Nation Band. Membership is based throughout Canada but connected to nine wards on the Island, which include: Benoit's Cove, Corner Brook, Exploits, Flat Bay, Gander Bay, Glenwood, Port Au Port, Stephenville and St. George's.

In addition to the communities noted above, there is a sizable Urban Indigenous population, particularly in Metro St. John's, Corner Brook, and Happy Valley-Goose Bay.

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<sup>13</sup> Departmental statistics representing Indigenous demographics in the province do not distinguish between LILCA beneficiaries and members of NCC. Due to the former self-identity of NCC members as "Labrador Metis", several provincial statistics continue to include NCC members identifying as part of the Labrador Metis Nation.

## Departmental Overview

Well-being is realized when children and youth are physically and emotionally safe, have secure, healthy relationships, have connection to culture and community and have opportunities to grow and develop to their full potential. Well-being includes physical, cognitive, social, emotional and spiritual health.

CSSD recognizes the need for change to the child protection system as it impacts Indigenous children and families to ensure wellbeing is realized for Indigenous children and youth. CSSD supports culturally appropriate and sensitive approaches to the delivery of Indigenous child welfare services through legislation and policy development.

We are committed to implementing the provincial **Children, Youth and Families Act**, as well as, **An Act respecting First Nations, Inuit and Metis children, youth and families**. These legislations outline provincial and federal priorities for improving services for Indigenous children, youth and families through cooperation and partnership with Indigenous peoples.

Most importantly, CSSD is committed to delivering services to Indigenous peoples through a collaborative model. This means immediate and extended families of children and youth involved with the child welfare system are very important partners in the collaborative service process, along with Indigenous Governments and Organizations.

Our collaborative service delivery includes supporting and working with prevention and early intervention services and the delivery of child welfare services, as outlined in this section.

Prevention programs help build protective factors to foster well-being while early intervention programs provide supports when risk factors are first identified, to reduce their impact. Services and programs that promote child, youth and family well-being help to prevent families from requiring more intrusive interventions later. While only a

small percentage of families in the province may require intervention services, many benefit from a variety of prevention and early intervention services.

Prevention and early intervention services in this province are provided by a large variety of community agencies and government departments. They range from the universal services available through the health and school system to more targeted parenting and child development programs. CSSD is specifically focused on prevention of poverty and fostering the well-being of all children, youth and families in the province. Some Indigenous Governments and Organizations in the province are directly funded by the Federal Government to provide prevention services.

However, there are situations where prevention and early intervention services do not prevent a child or youth from becoming in need of protection. Child Welfare programs and services are provided under the legislative authority of the **Children, Youth and Families Act** when the child or youth is or is at risk of maltreatment. The programs and services provided are considered “tertiary prevention”, meaning: they are designed to prevent future maltreatment to a child or youth. The Protective Intervention Program (PIP) is foundational for CSSD and is the program through which other CSSD interventions, programs and services may be offered.

- **Protective Intervention:** When there is a concern of maltreatment by a parent, social workers assess the safety and risk to the child(ren). Where a child is determined to be in need of protective intervention, the social worker, together with the family and other community partners where applicable, develops a plan to reduce the identified safety and risk concerns. This could involve providing supervision in the home and ensuring the parent avails of supports and services that address identified concerns. These services may be provided by Departmental staff, other Departments or agencies of government, Indigenous Governments/Organizations, or other service providers in the larger community.

When the safety and well-being of a child cannot be maintained or assured in the family home, the following programs and services are explored:

- **Kinship Services:** Supporting relatives or significant others who are identified by the parent(s) and approved by CSSD to provide care to a child with the agreement of the parent until the child can safely return home. In a kinship service arrangement, custody of the child remains with the parent.
- **Protective Care Agreement:** When a plan with a relative or significant other is not possible, entering into a voluntary written agreement with parents for CSSD to temporarily provide care to their child, through our in care placements, while the parent takes the time seek help or resolve issues in the family home that impact the child's safety. The parent retains custody of their child.
- **In Care Program:** Transferring the care and custody of a child or youth to a manager of CSSD through an order from the court. Only the court can make a legal determination that a child or youth is in need of protective intervention and place the child or youth in the care and custody of a manager on a temporary or permanent basis. Placement resources for children and youth in care are approved by the Department.

In addition to protective intervention and in care programming, services are available to support youth who are in needed of protection.

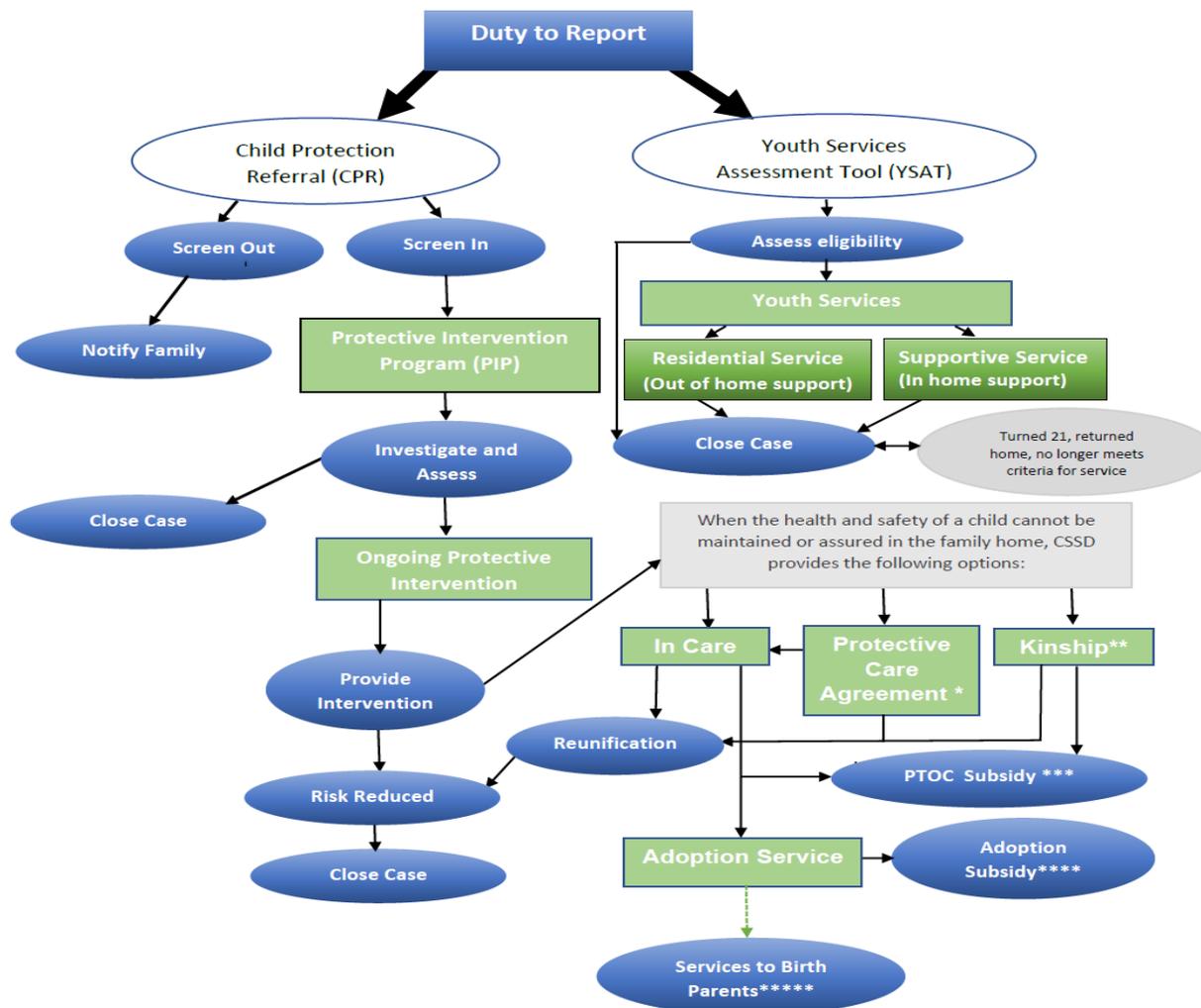
- **Youth Services Program:** Voluntary program for youth aged 16 and 17 who are in need of protection, as well as youth transitioning from the In Care Program at age 18. Under a Youth Services Agreement, and an individualized support plan, youth may receive residential and supportive services up to their 21<sup>st</sup> birthday.
- **Adoption Service:** Finds permanent homes for children and youth available for adoption. Adoption is the social and legal process by which a person is no longer the

child of the birth parents and legally becomes the child of the adoptive parents. Children and youth who are legally available for adoption are matched with adoptive parents who have been approved through the adoption program. Applications to adopt a child from other provinces and territories or other countries are also approved through the Adoption Service.

Report on Child Welfare Services to Indigenous Children, Youth and Families 2019-20

The following flow chart outlines the program and service areas available to children, youth and families in need of protective intervention and support services:

The Department of Children, Seniors and Social Development (CSSD), Child and Youth Services Flow Chart



\* **Protective Care Agreement (PCA):** Parents enter into a written agreement that allows them to transfer care and supervision of a child to a manager of CSSD. A PCA does not transfer custody of the child to a manager.

\*\* **Kinship Service:** Kinship Services are provided to relatives or significant others who are willing and capable of providing care to a child who is in need of protective intervention and requires an out-of-home placement. The provision of Kinship Services does not transfer custody of the child to a manager of CSSD. Some Kinship arrangements may transfer to the PTOC subsidy program if the Kinship caregiver obtains custody of the child.

\*\*\***Permanent Transfer of Custody (PTOC) Subsidy:** A PTOC subsidy is available to caregivers who obtain Permanent Custody of a child previously in care or kinship.

\*\*\*\***Adoption Subsidy:** Adoption subsidy is intended to provide support to children in the continuous custody of a manager who are identified for adoption and have been determined to have a special service/special placement need.

\*\*\*\*\***Services to Birth Parents:** This service is available through the Adoption Service only. Birth parents are required to be given information regarding adoption, the types of adoption and alternatives to adoption, this is essential for the birth parents to make a fully informed decision about the permanent plan for a child.

-----> Services to birth parents is voluntary and available via Adoption Service only.

## Legislation and Policy

### Provincial Legislative and Policy Changes

CSSD announced a statutory review of the Children and Youth Care and Protection (CYCP) Act in 2016 and initiated a series of consultations with stakeholders throughout the province. The department also consulted extensively with Indigenous Governments and Organizations throughout the review of the CYCP Act and the development of the **Children, Youth and Families Act (CYFA)**.

An Indigenous policy working group, including representatives from Nunatsiavut Government, the Innu Round Table Secretariat, Sheshatshiu Innu First Nation, Mushuau Innu First Nation, and Miawpukek First Nation was also established in 2017. The purpose of the working group was to support the review of existing policies and inform the development of the CYFA affecting Indigenous children, youth and families with primary consideration of unique cultures and experiences of Indigenous peoples. The working group also developed a policy preamble intended to provide an Indigenous lens through which policies, standards, and procedures that impact Indigenous children, youth, and families must be viewed. This preamble is included in the Protection and In Care Policy manual.

Two-day training sessions were also completed with social workers, supervisors, and zone managers prior to the proclamation of the CYFA to inform them of the changes resulting from the CYFA and ensure they were ready to work in accordance with the CYFA upon proclamation. This training included all the enhancements and new requirements regarding Indigenous children, youth and families.

The CYFA is the legislative authority for the delivery of services to children, youth, and families that supports and maintains the best interests of children and youth.<sup>14</sup>

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<sup>14</sup> Children, Youth and Families Act, SNL 2018, c C-12.3.

Proclamation of CYFA on June 28, 2019 contained an enhanced focus on strengthening service delivery to Indigenous children, youth and their families by recognizing the importance of preserving an Indigenous child or youth's cultural identity, and providing for the involvement of Indigenous Governments and Organizations in decisions that will keep children safe, and where possible, at home with their families and culture.

As a result of the proclamation of the CYFA, there were six areas of substantive legislative changes and policy updates in 2019-20:

- Improved information sharing to assist in the protection of children and youth;
- Enhanced the focus on maintaining children and youth in their family homes;
- Expanded permanency options for children and youth in foster care;
- Strengthened service delivery to Indigenous children, youth and their families;
- Identified and supported youth in need of protection; and,
- Developed a licensing regime for out of home placements.

To acknowledge the importance of culture and cultural connections and strengthen service delivery to Indigenous children, youth, and their families, the CYFA implemented a number of legislative changes, which included:

- **Defining Indigenous Children and Youth:** Indigenous children and youth were not defined in previous legislations. The CYFA defines an Indigenous child as:
  - An Inuit child;
  - A Métis child;
  - An Innu, Mi'kmaq or other First Nations child;
  - A child who has a parent who considers the child to be Indigenous; or,
  - A person who is at least 12 years of age but under the age of 16, and who considers himself or herself to be Indigenous.

Similarly, the definition of an Indigenous youth includes the same considerations but for a person who is at least 16 years of age but under 18 years of age. Defining children

and youth as Indigenous, legislatively, ensures social workers practicing under the CYFA consider the unique cultural identities of Indigenous children, youth and families.

- **Preserving the Unique Cultural Identities of Indigenous Children and Youth:**

The importance of recognizing the unique cultural identities of Indigenous children and youth cannot be overstated. The CYFA's general principles section states that the overriding and paramount consideration in a decision made under the CYFA shall be the best interests of the child or youth, and that one of the factors to determine the best interests of a child or youth is the preservation of their unique Indigenous cultural identity. While ensuring children and youth's connection to their culture had previously been required under in care policies and practice, it had not been a legislative requirement until the proclamation of the CYFA.

- **Cultural Connection Plan:** Preserving the unique cultural identity of an Indigenous child or youth is essential; therefore, the CYFA was designed to require every Indigenous child and youth have a Cultural Connection Plan (CCP). The Cultural Connection Plan enshrines the preservation of culture in both legislation and policy. The CCP operationalizes the steps required to ensure Indigenous children and youth develop positive Indigenous identities. The development of a CCP is significant, as it promotes cultural permanency for Indigenous children and youth and supports the development of a healthy identity. Planning focuses on preserving a child or youth's unique cultural identity, significant relationships, and community connections. Policy 3.17 – Cultural Connection Planning for Indigenous Children and Youth supports this work and was developed in partnership with representatives from Nunatsiavut Government, the Innu Round Table Secretariat with representatives from Sheshatshiu Innu First Nation and Mushuau Innu First Nation, and was also reviewed and endorsed by representatives of Miawpukek First Nation.

- **Indigenous Representative:** The Indigenous representative is defined in the CYFA as a person designated by an Indigenous government or organization. The CYFA establishes the ability for Indigenous representatives of prescribed Indigenous Governments or Organizations to be heard in court, which was not specified under prior legislation. To facilitate this process, the CYFA requires the Indigenous representative to be served notice of protective intervention hearings pertaining to the supervision and custody of Indigenous children and youth. Section 54 of the Act allows the Indigenous representative to make an application to be heard in court regarding the child or youth's care or custody status. In addition to serving notices of court appearances, social workers are also required to make contact with the Indigenous representative to request that they participate in the development of the CCP. The Indigenous representative may assist the social worker in identifying kin or community partners who may be included in developing a plan to support the child or youth's cultural connections and cultural permanency.
- **Placement Considerations:** While CSSD has historically worked to place children and youth who cannot remain at home with kin or in a home of the child or youth's cultural identity, the CYFA formalizes this process for Indigenous children with the addition of specific criteria outlined in Section 65. This section states that placement considerations for Indigenous children and youth must prioritize placement with kin or within the child or youth's community. Policy also reflects this prioritization and states the following:

In keeping with the best interest principles, every effort should be made to match a child or youth with a placement that:

- (a) First considers their placement with kin;
- (b) Is least disruptive and recognizes the importance of placement with their siblings and contact with their parent(s) and kin;

- (c) First considers placing an Indigenous child or youth with kin within their community or with a non-relative foster parent with the same cultural background within the Indigenous child or youth's community; or with kin outside the Indigenous child or youth's community; and,
- (d) Supports the Indigenous child or youth's connection with their culture, heritage, traditions, community, language, and spirituality.

These placement considerations are aligned with the Truth and Reconciliation Commission's (TRC) Call to Action 1(ii), which calls on Governments to provide adequate resources to enable Indigenous communities and child welfare Organizations to keep Indigenous families together where it is safe to do so, and to keep children in culturally appropriate environments, regardless of where they reside. The CYFA also recognizes the importance of family as the preferred environment for the care and upbringing of a child or youth as one of its general principles, and the 2020 federal *Act respecting First Nations, Inuit and Metis children, youth and families* (the "Federal Act") also supports cultural continuity in placement considerations. These placement considerations also reflect Call to Action 4(iii) which calls for placements of Indigenous children into temporary and permanent care to be culturally appropriate.

- **Information Sharing:** Information sharing is crucial for continuity of services in the best interests of children and youth. Information sharing with Indigenous Governments and Organizations was significantly enhanced under the CYFA through requirements to serve notice of court hearings on Indigenous representatives and an ability to share information without consent when it is in the best interests of the child or youth or for case planning or integrated service delivery purposes.
- **Delegating Functions and Services to Indigenous Governments/ Organizations:** Section 105 of the CYFA permits the CSSD minister to negotiate

an agreement with an Indigenous government or organization for the provision of services or the administration of all or part of the CYFA by the Indigenous government or organization. This legislative change is aligned with the TRC's Call to Action which affirms the right of Indigenous Governments to establish and maintain their own child welfare agencies, as well as the Federal Act.

## Federal Legislation

In addition to provincial legislation, the Federal Act came into force on January 1, 2020. This federal legislation affirms the rights and jurisdiction of Indigenous peoples in relation to child and family services and sets out principles, applicable on a national level, to the provision of child and family services in relation to Indigenous children.

The Federal Act provides a strong foundation for collaborating with Indigenous governments and Organizations on future changes needed to improve outcomes for Indigenous children, youth, and families. The Federal Act affirms the right and jurisdiction of Indigenous people in relation child and family services. CSSD is pleased to know that several Indigenous partners, including Innu Nation, Nunatsiavut Government, and Miawpukek First Nation, are undertaking capacity-building work in preparation to exercise future jurisdiction over child welfare services. It is notable that Nunatsiavut Government could choose to exercise law-making authority under either the new Federal Act, or under the 2005 Labrador Inuit Land Claims Agreement.

Due to the progressive changes made in the CYFA, many of the measures required under the Federal Act are also supported under the CYFA. CSSD will continue to work with the Federal Government and Indigenous Governments and Organizations that wish to exercise authority under the Federal Act.

## PART TWO

### Services to Indigenous Children, Youth and Families

This section provides a demographic profile of how many Indigenous children, youth and families are being served by CSSD, and an overview of their involvement by program area. This is a starting point, a baseline, to begin developing indicators and monitoring progress to improve outcomes for Indigenous children and youth in Newfoundland and Labrador. Work is already ongoing with Indigenous partners on defining outcome indicators and sharing of information is a cornerstone of our collaborative relationships. This overview has been broken down by program area for ease of reference.<sup>15</sup>

#### Protective Intervention Program

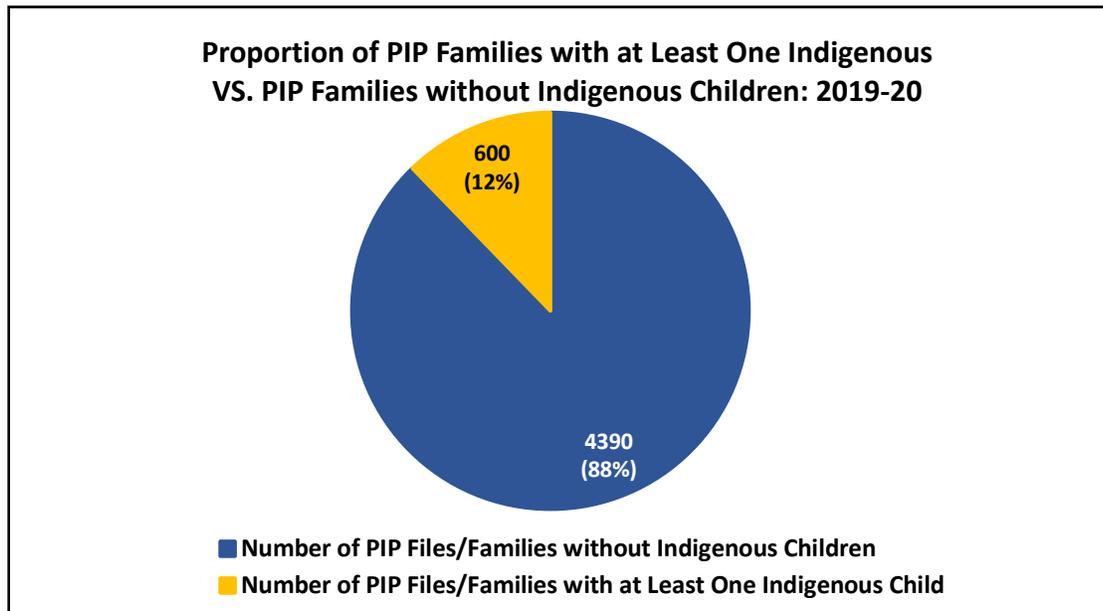
As previously described, the PIP program is the program to which referrals are made when there is a concern of maltreatment by a parent.

The table below depicts how many families were served in the 2019-20 fiscal year. Please note that some families may have been served more than once if the file opened, closed, and reopened in the same year. In the last fiscal year, there were 4990 Protective Intervention files open at some point during that year. As per the most recent Statistics Canada data, in 2018, there were 47,020 families with children under 17 years old in the province. In 2019-20 there were 4670 distinct families served in PIP, which is 10% of total families with children under 17 years old in the province.

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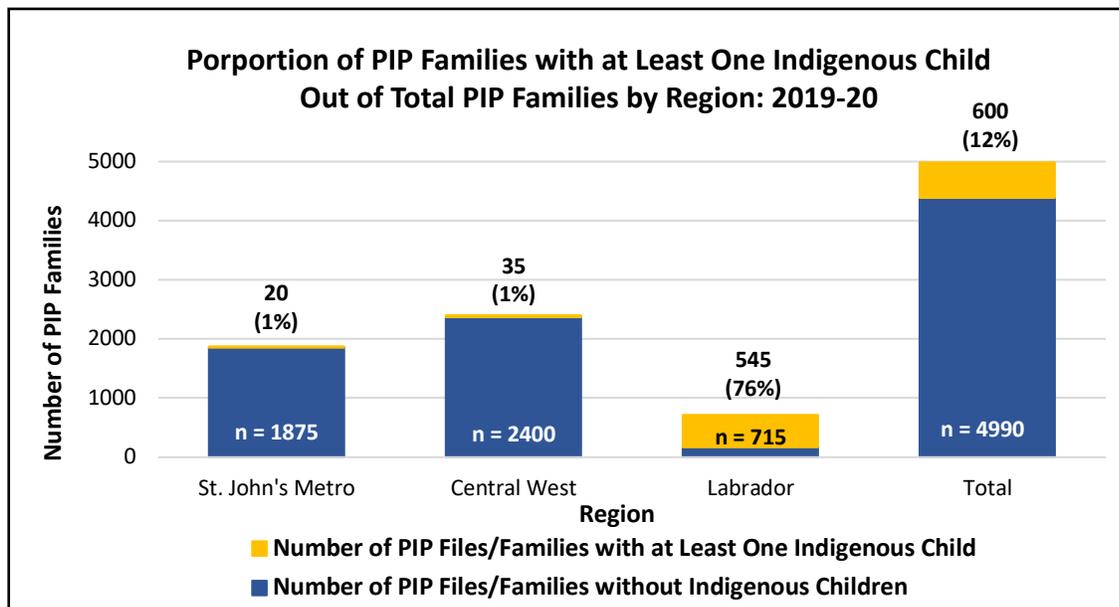
<sup>15</sup> Program demographic statistics reported for the 2019-20 fiscal year are rounded values.

Figure 1: Services to Protective Intervention Families in 2019-20



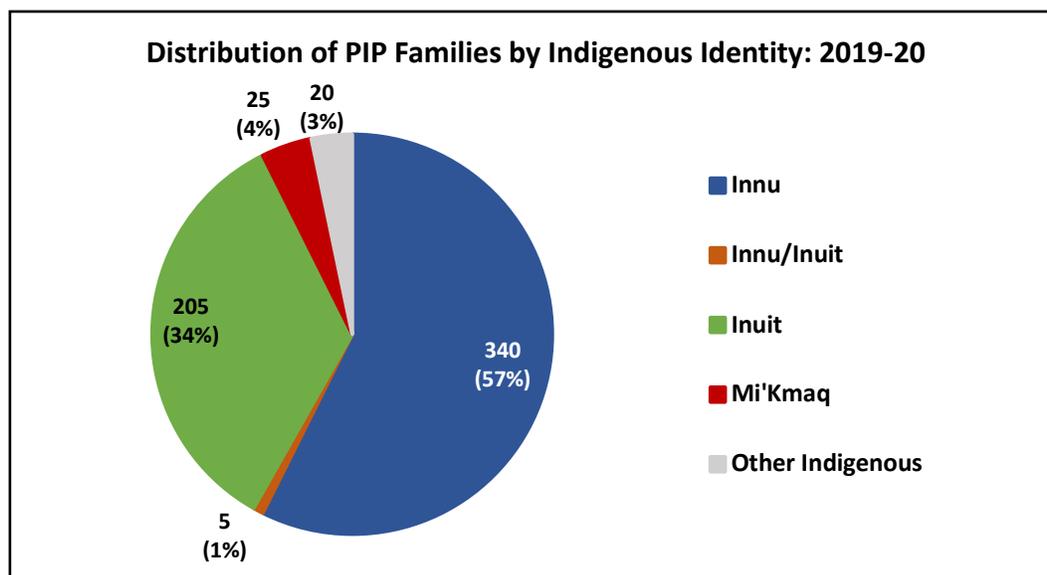
As the graph depicts, of the 10% of families in the province receiving PIP services, 12% had at least one Indigenous child, 88% did not. For 2019-20, there were 600 PIP files open where at least one Indigenous child was a member of the family.

Figure 2: Protective Intervention Families by Region



The majority of the 600 Indigenous PIP files are in the Labrador region (545 files). As noted in the section above on Indigenous peoples in the province, the Labrador Region is home to the members or beneficiaries of four Indigenous Governments and Organizations: Mushuau Innu First Nation, Nunatsiavut Government, NunatuKavut Community Council, and Sheshatshiu Innu First Nation.

Figure 3: Distribution of Protective Intervention Families by Indigenous Identity<sup>16</sup>



The graph above demonstrates the breakdown of the 600 Indigenous PIP files by Indigenous Identity. As seen above, 340 (57%) are Innu, 205 (34%) are Inuit, 5 (1%) identify as Innu/Inuit, 25 (4%) are Mi'Kmaq, and 20 (3%) are identified as “Other Indigenous”.<sup>17</sup>

<sup>16</sup> Category totals in Figure 3 do not sum to 600 due to rounding of raw data based on Indigenous identity; however, the proportional breakdown (i.e., percentage) of PIP families by Indigenous identity is consistent and representative of Departmental data.

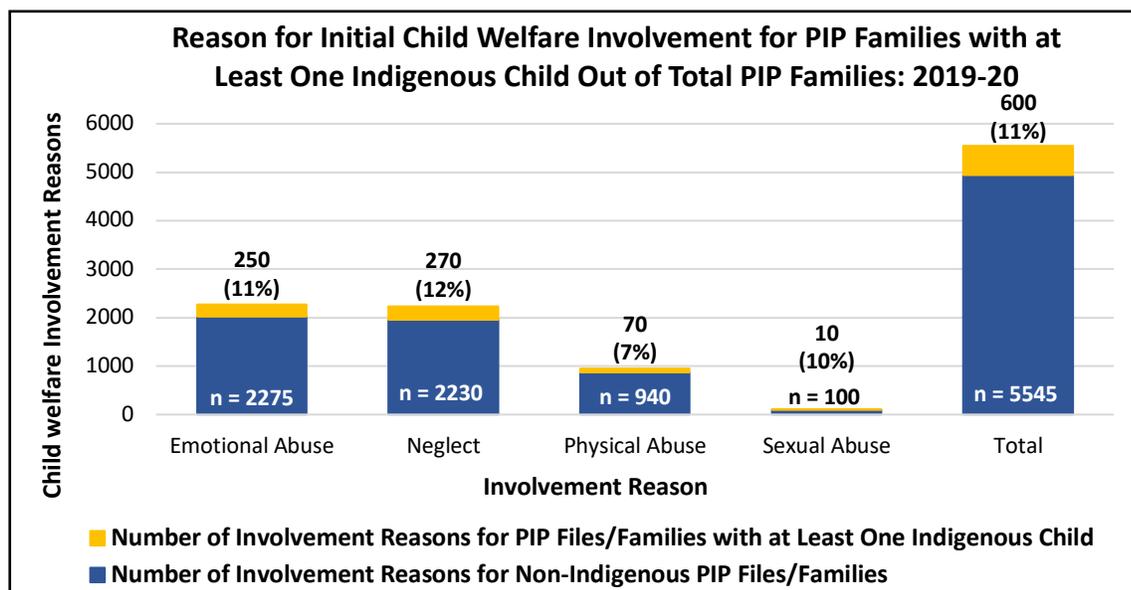
<sup>17</sup> Other Indigenous is comprised of any Indigenous identity manually entered in the Department's Integrated Management System (ISM) as being different from Innu, Inuit, and Mi'Kmaq Indigenous identities. Departmental statistics representing Indigenous demographics in the province do not distinguish between LILCA beneficiaries and members of NCC. Due to the former self-identity of NCC members as “Labrador Metis”, several provincial statistics continue to include NCC members identifying as part of the Labrador Metis Nation, which are captured under Other Indigenous in the present report.

The Structured Decision Making Model (SDM ®) is the comprehensive assessment and case management framework for child welfare utilized by CSSD. A child welfare referral (CPR) is screened in if one or more maltreatment type(s) are present.

Maltreatment is defined as an action or lack of action by a parent resulting in the abuse and /or neglect of a child. There are four categories of maltreatment:

<b>Physical Abuse</b>	<b>Action on the part of the parent in which a child sustained or is likely to sustain a physical injury.</b>
<b>Emotional Abuse</b>	Pattern of negative behaviour, repeated destructive interpersonal interactions or a single, significant destructive interaction by an individual toward the child.
<b>Sexual Abuse</b>	Any sexual contact between an individual and a child regardless of whether the sexual contact occurs by force, coercion, duress, and deception or whether the child understands the sexual nature of the activity.
<b>Neglect</b>	Lack of action by a parent in providing for the adequate care and attention of the child's needs, resulting in harm to the child or substantial risk of harm to the child.

Figure 4: Reasons for Initial Child Welfare Involvement



In 2019-20, there were 5545 reasons for involvement (i.e., maltreatment types) associated with 4770 unique referrals (10% were Indigenous). A referral may be categorized under one or more maltreatment types depending on the information presented. Table 1 looks at the maltreatment types for Indigenous and Non-Indigenous files.

Table 1: Maltreatment Types for Indigenous and Non-Indigenous PIP Files

	<i>Indigenous</i>	<i>Non-Indigenous</i>
<i>Physical Abuse</i>	70 (12%)	870 (18%)
<i>Emotional Abuse</i>	250 (42%)	2025 (41%)
<i>Sexual Abuse</i>	10 (2%)	90 (2%)
<i>Neglect</i>	270 (45%)	1960 (40%)
<i>Total</i>	600	4945

Neglect is presented as a referral reason more often in the Indigenous files than non-Indigenous, while physical abuse is presented more often in referrals for Non-Indigenous than Indigenous.<sup>18</sup>

In Table 2 below, neglect is broken into 14 allegation subtypes for which one or more than one may appear on a single referral. Among Indigenous families with neglect as reason for involvement, the most commonly occurring neglect subtype allegations are “inadequate supervision” at 45%, followed by “abandonment or unwilling/unable/unavailable parent” at 17%, and “failure to protect child against neglect, physical, emotional and sexual abuse” at 11%. Among Non-Indigenous families, the most commonly occurring neglect allegations are “inadequate supervision” at 40%, followed by “failure to protect child against neglect, physical, emotional and sexual abuse” and “exposure to illegal drug activity” at 12%, respectively.

<sup>18</sup> Maltreatment types listed as Not Applicable (NA) in ISM report are not included in this analysis.

## Report on Child Welfare Services to Indigenous Children, Youth and Families 2019-20

Table 2: Allegations of Neglect by Subtype for Indigenous and Non-Indigenous Families

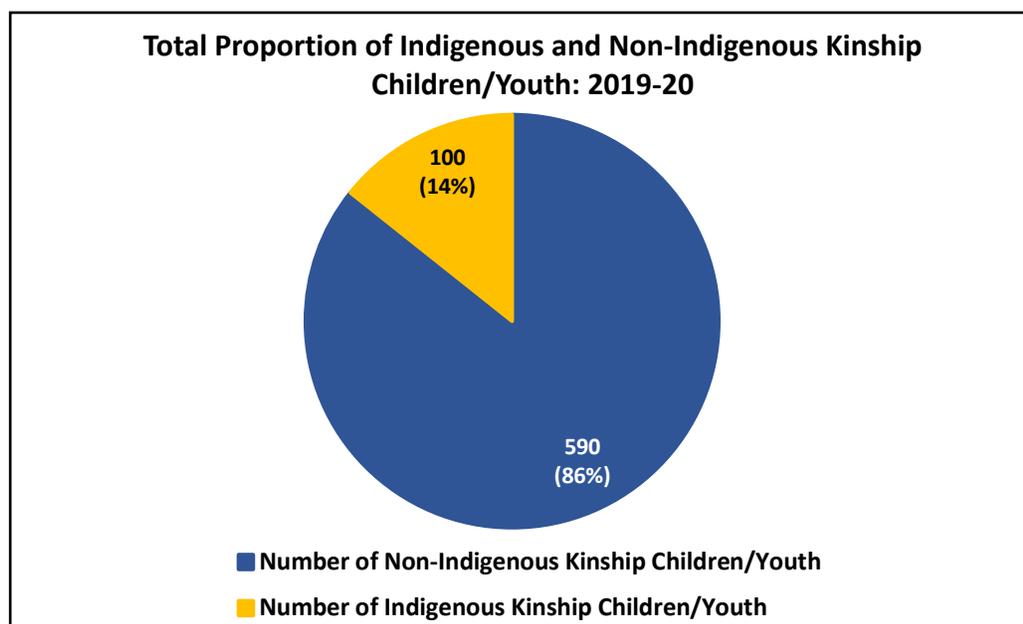
<i>Allegations of Neglect by Subtype</i>	<i>Indigenous</i>	<i>Non- Indigenous</i>	<i>Total</i>
<i>1. Abandonment or unwilling/unable/unavailable parent</i>	55	140	190
<i>2. Child under 12 years of age committing serious offence</i>	0	<5	<5
<i>3. Exposure to illegal drug activity</i>	20	275	295
<i>4. Exposure to unsafe home and immediate environment</i>	25	245	270
<i>5. Failure to protect child against neglect, physical, emotional and sexual abuse</i>	35	280	315
<i>6. Failure to thrive</i>	0	<5	<5
<i>7. Inadequate clothing or hygiene</i>	5	90	95
<i>8. Inadequate food/nutrition</i>	10	125	135
<i>9. Inadequate medical, dental, and/or mental health care</i>	10	115	125
<i>10. Inadequate response to child, under 12 years of age, committing a pattern of serious offences</i>	<5	<5	5
<i>11. Inadequate supervision</i>	145	935	1080
<i>12. Involving child in criminal activity</i>	<5	5	10
<i>13. Newborn exposure or risk of exposure to drugs or alcohol</i>	5	45	50
<i>14. Other high risk birth</i>	10	75	80
<i>Total</i>	<b>325</b>	<b>2335</b>	<b>2655</b>

A two proportion z-test was conducted to assess whether there was a significant difference between the occurrence of maltreatment for Indigenous and Non-Indigenous populations. The proportion test indicated that there is a statistically significant difference between the proportion of maltreatment occurrence for Indigenous and Non-Indigenous families, where the proportion of maltreatment is significantly higher in Non-Indigenous families compared to Indigenous families.

## Kinship

As previously described, children who cannot remain safely at home can be voluntarily placed with relatives/significant others who maintain care of the child with agreement of the parent. This is a less intrusive service to placing the child in care of a CSSD manager. In practice, this is the first approach that is explored if a child cannot remain safely at home. There are two service areas for this program, the Kinship child and the Kinship home.

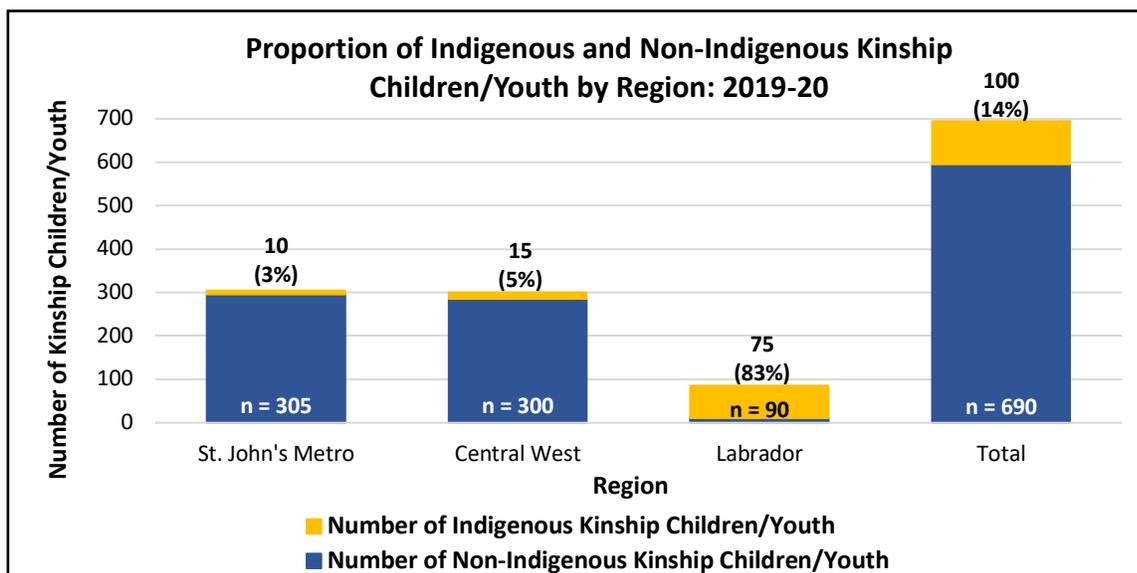
Figure 5: Indigenous and Non-Indigenous Kinship Children/Youth



In 2019-20, there was a total of 690 children and youth in Kinship services at some point in time in the fiscal year. Of the 690, 590 were Non-Indigenous and 100 were Indigenous.

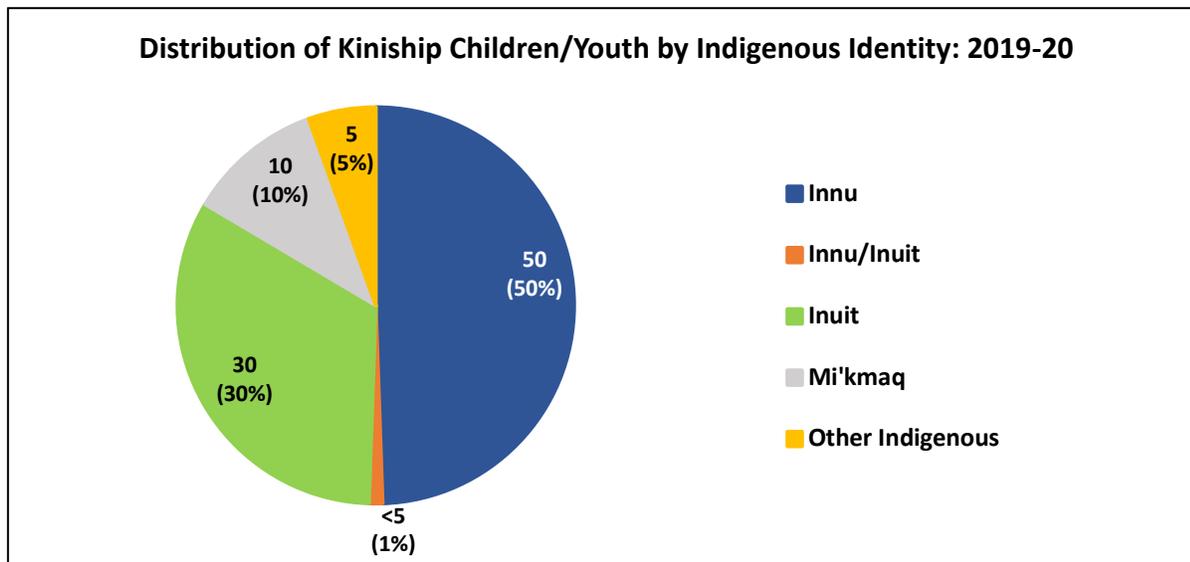
Of the 4985 Protective Intervention files open in the 2019-20 fiscal year, 290 families (6%) had children receiving kinship services. Of these PIP files receiving kinship services, 55 were Indigenous (19%) and 235 were Non-Indigenous (81%).

Figure 6: Breakdown of Kinship Children/Youth by Region



The majority of children and youth receiving kinship services are in St. John’s Metro and Central West, at a total of 305 and 300, respectively. Labrador had a total of 90 Kinship services in 2019-20 and the majority (83%) were for Indigenous children and youth.<sup>19</sup>

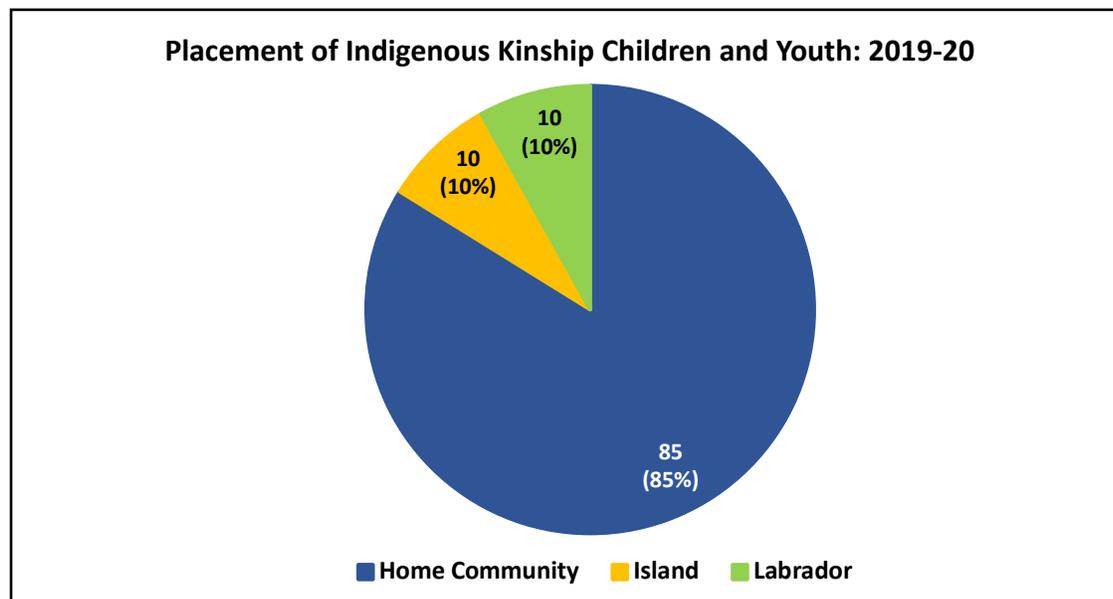
Figure 7: Indigenous Children/Youth Receiving Kinship Service by Indigenous Identity



<sup>19</sup> Proportions do not add to 100% due to rounding of raw data.

Similar to the breakdown that was provided on PIP files, of the 100 Indigenous children/youth receiving kinship services, 50 (50%) are Innu, 30 (30%) are Inuit, and 10 (10%) are Mi'Kmaq. Each of the remaining Indigenous identities comprise 5% or less of the total proportion of Indigenous children and youth receiving kinship services.

Figure 8: Placement of Indigenous Children and Youth in Kinship



Of the Indigenous children and youth in Kinship, 85 (85%) were placed within their home community<sup>20</sup> with relatives or significant others. Ten (10%) were placed outside their home community, but still in Labrador, and 10 (10%) were placed on the Island portion of the province with family or someone significant to the child.<sup>21</sup> Kinship placements keep more Indigenous children and youth within their home communities or closer to their home communities; thereby, ensuring cultural connections are maintained.

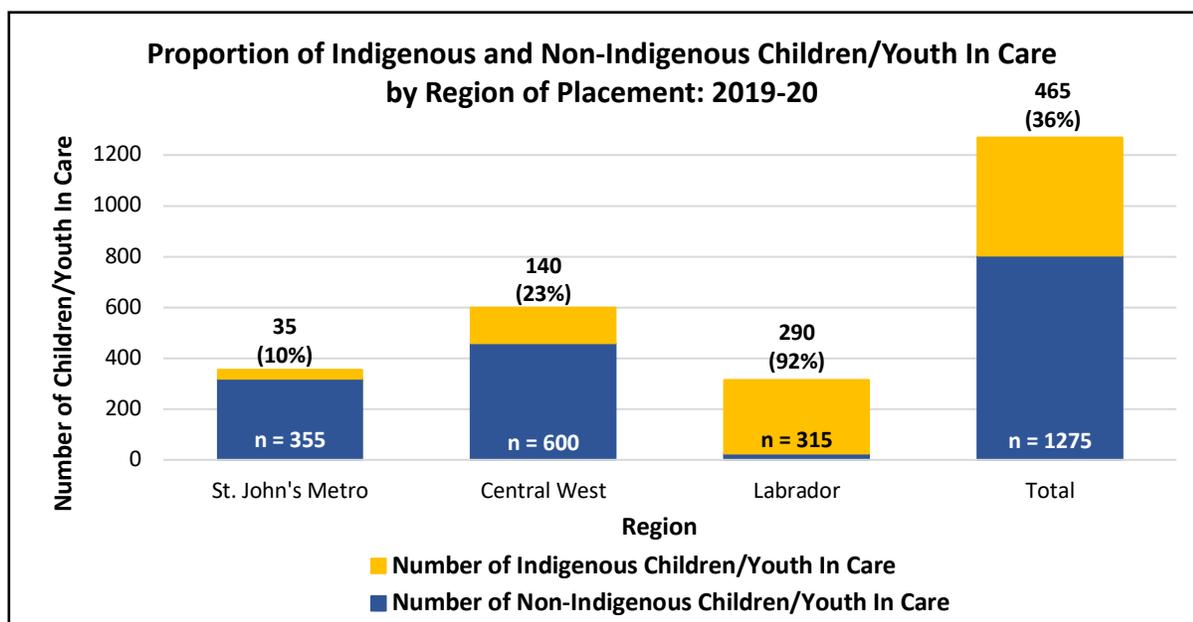
<sup>20</sup> For statistics purposes, the department defines 'home community' as the community of the child/youth's household indicated in the family's protective intervention file.

<sup>21</sup> Proportions do not add to 100% due to rounding of raw data.

## In Care Program

As previously described, when the safety and well-being of a child cannot be maintained or assured in the family home, the child or youth may come into the care and/or custody of a manager of the department through a protective care agreement or a removal.

Figure 9: Children/Youth in Care by Region of Placement



In the 2019-20 fiscal year, 36% of children and youth in care were Indigenous. This depicts an over-representation of Indigenous children and youth in care as Indigenous children only account for 13% of the child population in the province.<sup>22</sup>

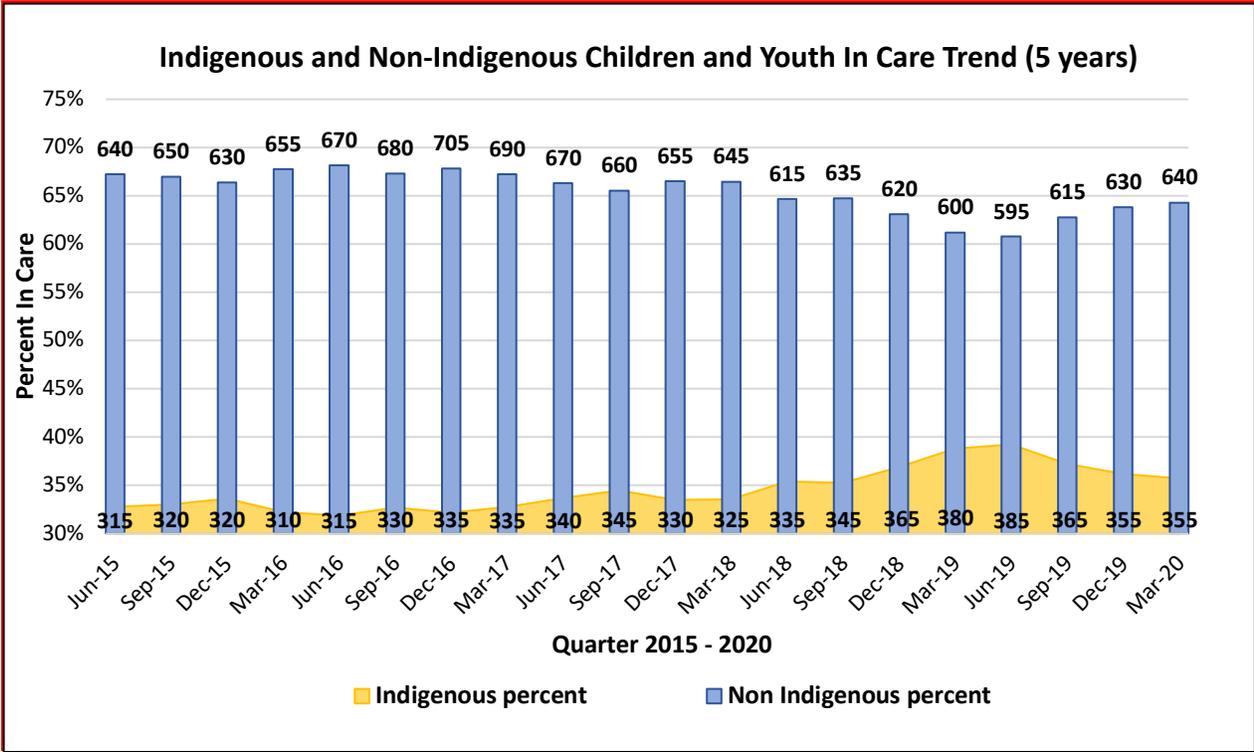
The majority of Indigenous children and youth in care are from the Labrador region. In 2019-20 there was a total of 1275 children and youth in care at some point during the year, of those 810 were Non-Indigenous and 465 were Indigenous. The 1275 does include the same child twice if they exited and reentered the in-care program in the same year. The breakdown for each region is as follows:

<sup>22</sup> Indigenous Services Canada. *Reducing the number of Indigenous children in care*. [Ottawa]: Statistics Canada, 2016, <https://www.sac-isc.gc.ca/eng/1541187352297/1541187392851>

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- St. John’s Metro there were 320 Non-Indigenous children/youth in care and 35 Indigenous.
- Central West there were 460 Non-Indigenous children/youth in care and 140 Indigenous.
- Labrador there were 25 Non-Indigenous children/youth in care and 290 Indigenous.

Figure 10: Indigenous and Non-Indigenous Children/Youth in Care Trend (5 years)

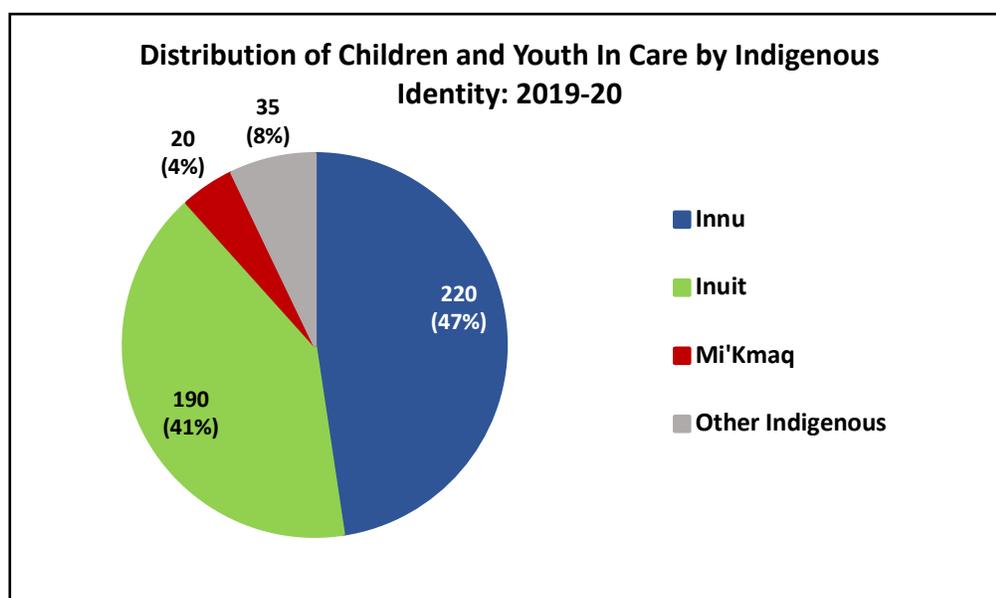


The trend figure above shows the proportion of Indigenous and Non-Indigenous children/youth in care over a five year period. This data represents point-in-time data of the proportion of children and youth in care at the end of each quarter, beginning June 2015 and ending March 2020. From this figure, the proportion of Indigenous children/youth in care remained relatively consistent from June 2015 to March 2018 at an average of 33%, before rising in 2018 and 2019 to a point-in-time high proportion of 39%. Since June 2019, the proportion of Indigenous children and youth in care has decreased to 36%. Consistent with this decrease, the removals of Indigenous children

and youth have decreased from 2018 to 2020, a 42% reduction (94 removals in 2018 compared to 54 in 2020).

Comparatively, the proportion of Non-Indigenous children and youth in care remained relatively consistent from June 2015 to March 2018 at an average of 67%, before declining in 2018 and 2019 to a point-in-time low proportion of 61%. Since June 2019, the proportion of Non-Indigenous children/youth in care has increased to 64%.

Figure 11: Breakdown of Indigenous Children/Youth in Care by Indigenous Identity



The 2016 Canadian census offers a breakdown of the number of Indigenous children, ages 0 to 14 years, residing in Newfoundland and Labrador as follows: <sup>23</sup>

- 1075 Innu;
- 2085 Inuit;
- 7005 Mi'kmaq; and,
- 3015 Other Indigenous.

<sup>23</sup> Statistics Canada, Census 2016. Statistics on Indigenous ancestry, accessed from Community Accounts, Newfoundland & Labrador Statistics Agency 2021.

In comparison to the Canadian census breakdown, analysis of the 465 Indigenous children/youth in care in Newfoundland and Labrador during the 2019-20 fiscal year by Indigenous identity indicates the following proportions of Indigenous children/youth in care:

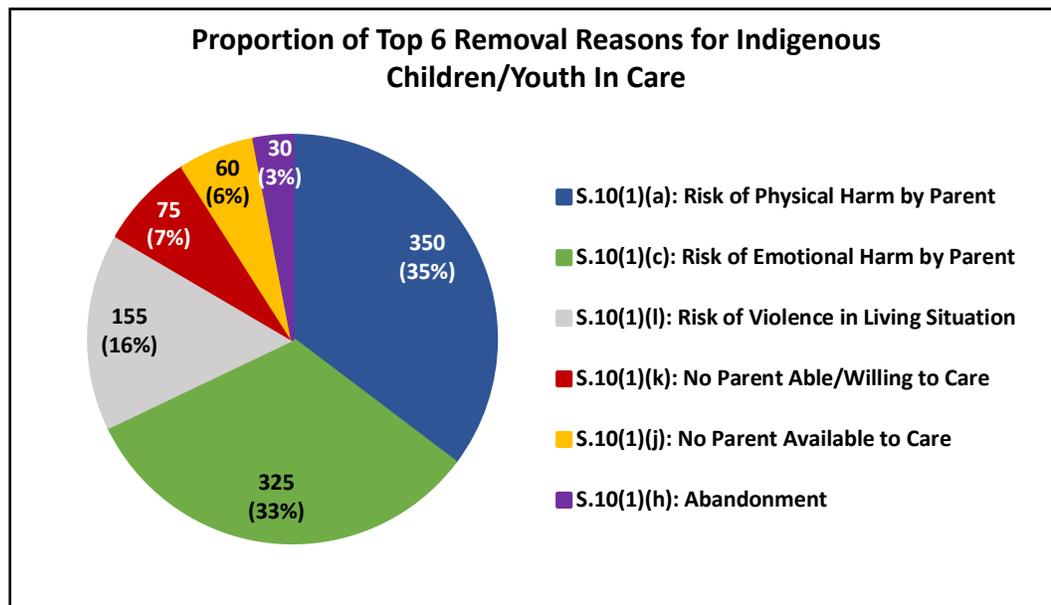
- 220 Innu were in care (21%);
- 190 Inuit were in care (9%);
- 20 Mi'Kmaq were in care (0.3%); and,
- 35 Other Indigenous were in care (1%).

As noted above, the 465 Indigenous children/youth in care represents 36% of the provincial population of children and youth in care. This statistic illustrates the disproportionate representation of Indigenous children and youth in care as Indigenous children comprise only 13% of children in Newfoundland and Labrador.

When the safety and well-being of children/youth cannot be maintained in the home and a removal is required, social workers must indicate the removal reason(s) for each child being placed in care as per the CYFA.

Of the removal reasons indicated for Indigenous children and youth entering care in 2019-20, the most prevalent removal reasons are depicted in the following graph:

Figure 12: Removal Reasons for Indigenous Children/Youth

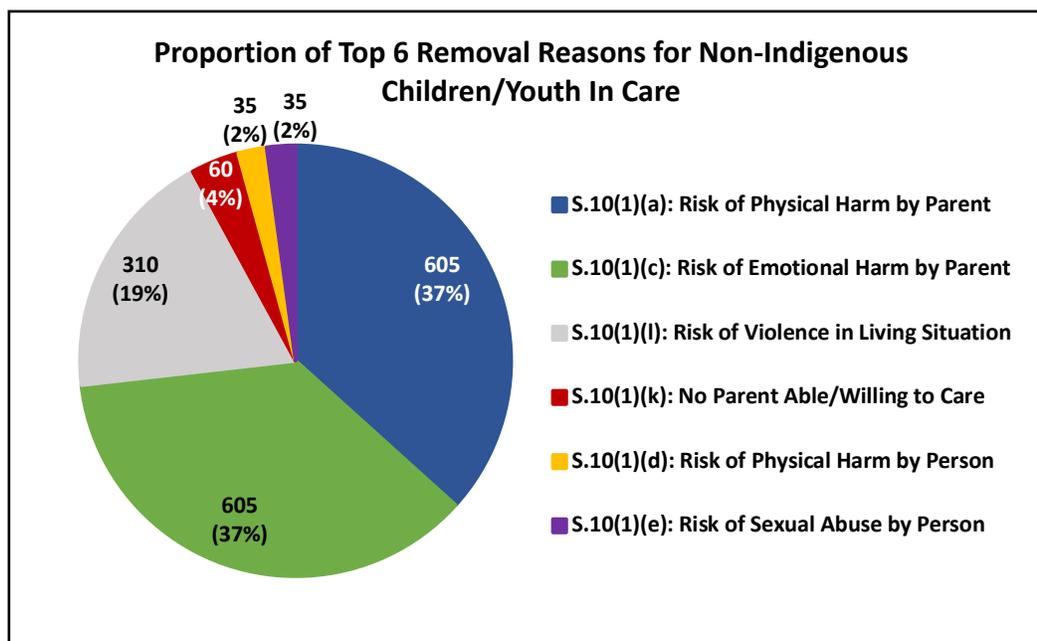


The most frequently cited removal reasons among Indigenous children/youth were:

- *S.10(1)(a): is being, or is at risk of being, physically harmed by the action or lack of appropriate action by the child's parent, accounting for 35% of removal reasons;*
- *S.10(1)(c): is being, or is at risk of being, emotionally harmed by the parent's conduct and there are reasonable grounds to believe that the emotional harm suffered by the child, or that may be suffered by the child, results from the actions, failure to act or pattern of neglect on the part of the child's parent, accounting for 33% of removal reasons;*
- *S.10(1)(l): is living in a situation where there is violence or is living in a situation where there is a risk of violence, accounting for 16% of removal reasons;*
- *S.10(1)(k): has no parent able or willing to care for the child, accounting for 7% of removal reasons;*
- *S.10(1)(j): has no parent available to care for the child and the parent has not made adequate provision for the child's care, accounting for 6% of removal reasons; and,*

- *S.10(1)(h): is abandoned*, accounting for 3% of removal reasons for this population.

Figure 13: Removal Reasons for Non-Indigenous Children/Youth



As noted above, the proportions of removal reasons indicated for Non-Indigenous children/youth entering care in the 2019-20 year were generally comparable to the removal reasons cited for Indigenous children and youth, resulting in the following most prevalent removal reasons:

- *S.10(1)(a): is being, or is at risk of being, physically harmed by the action or lack of appropriate action by the child's parent*, accounting for 37% of removal reasons;
- *S.10(1)(c): is being, or is at risk of being, emotionally harmed by the parent's conduct and there are reasonable grounds to believe that the emotional harm suffered by the child, or that may be suffered by the child, results from the actions, failure to act or pattern of neglect on the part of the child's parent*, accounting for 36% of removal reasons;

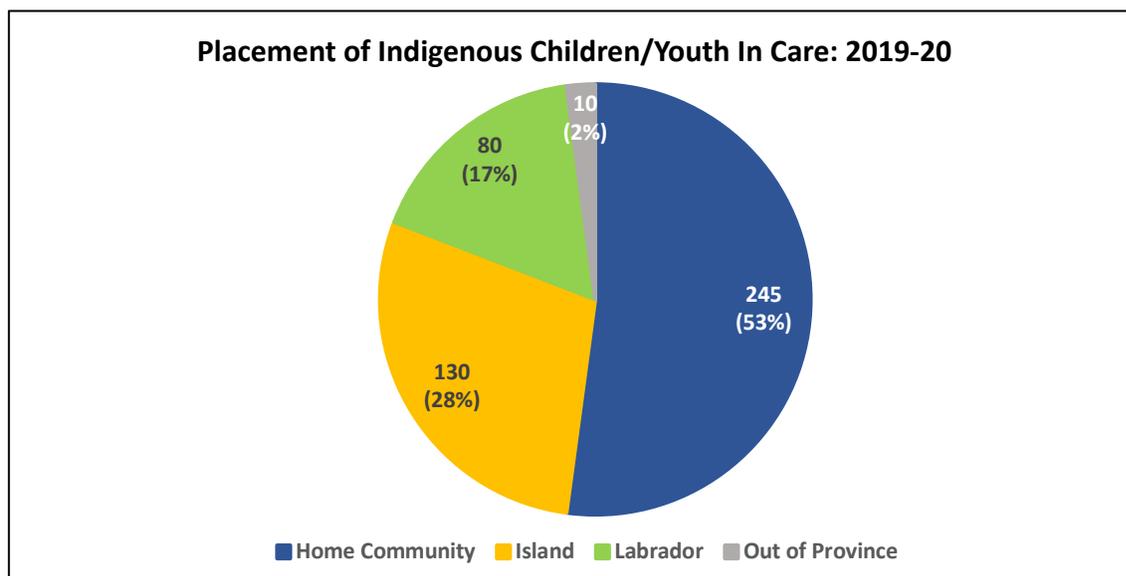
## Report on Child Welfare Services to Indigenous Children, Youth and Families 2019-20

- *S.10(1)(l): is living in a situation where there is violence or is living in a situation where there is a risk of violence, accounting for 19% of removal reasons;*
- *S.10(1)(k): has no parent able or willing to care for the child, accounting for 4% of removal reasons;*
- *S.10(1)(d): is being, or is at risk of being, physically harmed by a person and the child's parent does not protect the child, accounting for 2% of removal reasons;*  
and,
- *S.10(1)(e): is being, or is at risk of being, sexually abused or exploited by a person and the child's parent does not protect the child, accounting for 2% of removal reasons for this population.*

A two proportion z-test was conducted to assess whether there was a significance difference between the occurrence of removal for Indigenous and Non-Indigenous populations. The proportion test indicated there is a statistically significant difference between the proportion of child/youth removal for Indigenous and Non-Indigenous families, where the proportion of removal is significantly higher in Indigenous families (9%) compared to Non-Indigenous families (2%).

A chi-square test was also conducted to assess whether there is an association between type of removal reason and Indigenous status. The chi-square test indicated that there is a statistically significant association between removal reason and Indigenous status. For Indigenous families, among the reasons for removal, physical (i.e., *S.10(1)(a), (d)* allegations) and emotional (i.e., *S.10(1)(c), (f)* allegations) reasons for child/youth removal are significantly greater. For Non-Indigenous families, among the reasons for removal, physical (i.e., *S.10(1)(a), (d)* allegations), emotional (i.e., *S.10(1)(c), (f)* allegations), and violence (i.e., *S.10(1)(l), (m), and (n)* allegations) reasons for child/youth removal are significantly greater.

Figure 14: Location of Placements of Indigenous Children/Youth In Care

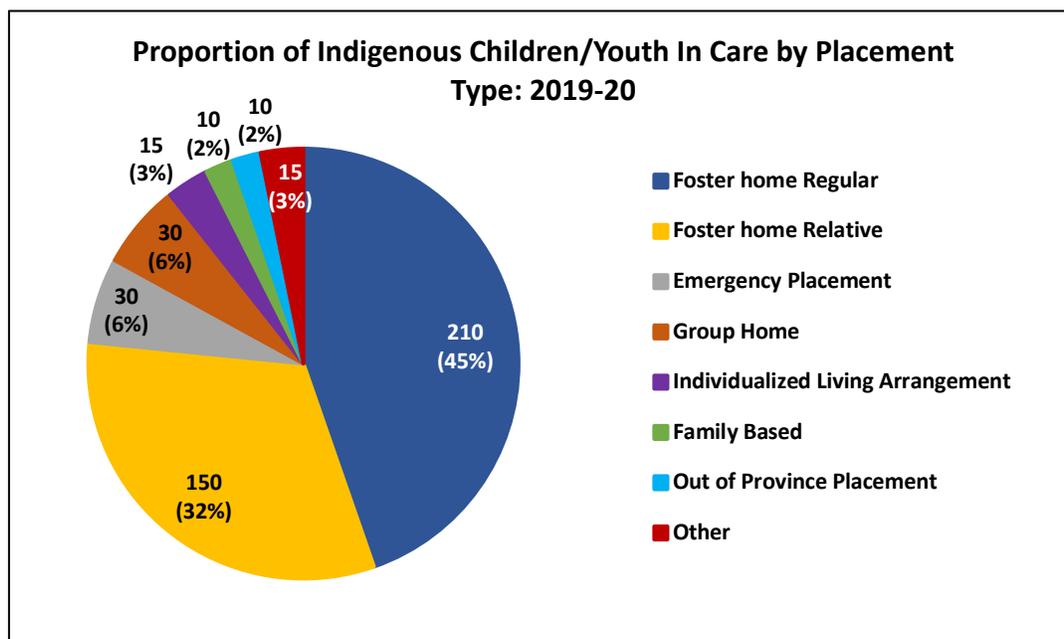


Of the 465 Indigenous children and youth in care, 245 (53%) were placed within their home community<sup>24</sup> with relatives or significant others. One hundred and thirty (28%) were placed on the Island portion of the province, while 80 (17%) were placed outside their home community, but still in Labrador with better opportunity for cultural engagement (for the children and youth originally from Labrador).<sup>25</sup> A total of 10 (2%) children and youth were in placements located outside of Newfoundland and Labrador, including residential treatment program placements.

<sup>24</sup> For statistics purposes, the department defines 'home community' as the community of the child/youth's household indicated in the family's protective intervention file.

<sup>25</sup> This analysis breaks out the Island and Labrador, as the majority of Indigenous clients originate from Labrador.

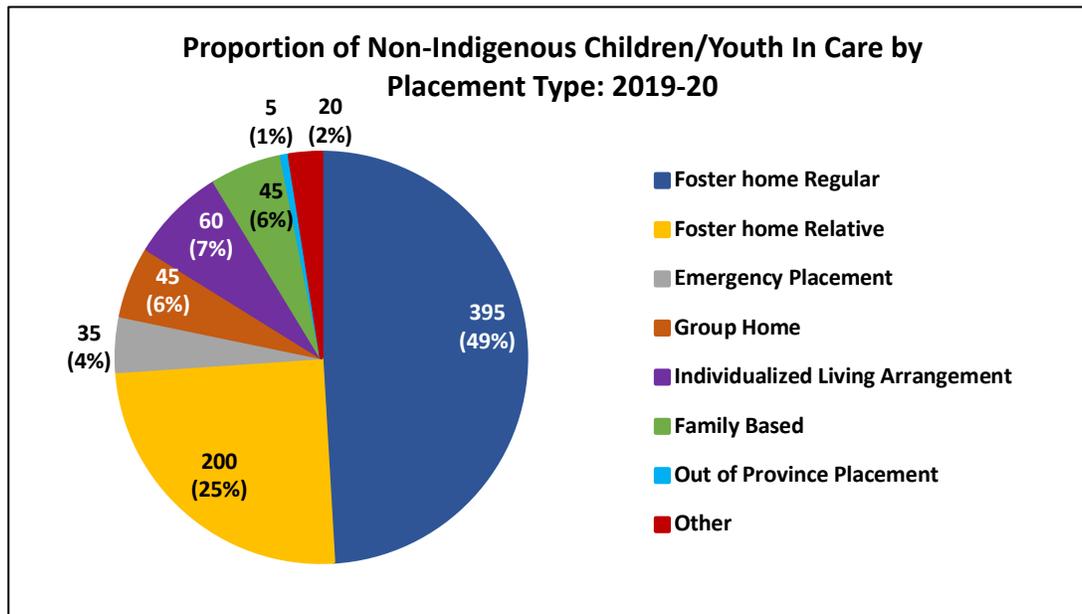
Figure 15: Placement Type of Indigenous Children/Youth In Care



The breakdown of placement types for Indigenous children and youth in care shows that the majority of Indigenous children and youth in care are residing in foster homes, with 210 (45%) children and youth placed in regular foster homes, and 150 (32%) children and youth placed in relative/significant other foster homes. The remaining proportion of Indigenous children and youth in care are placed among emergency placement home, group home, individualized living arrangement, family-based care, and out-of-province placements options.<sup>26</sup>

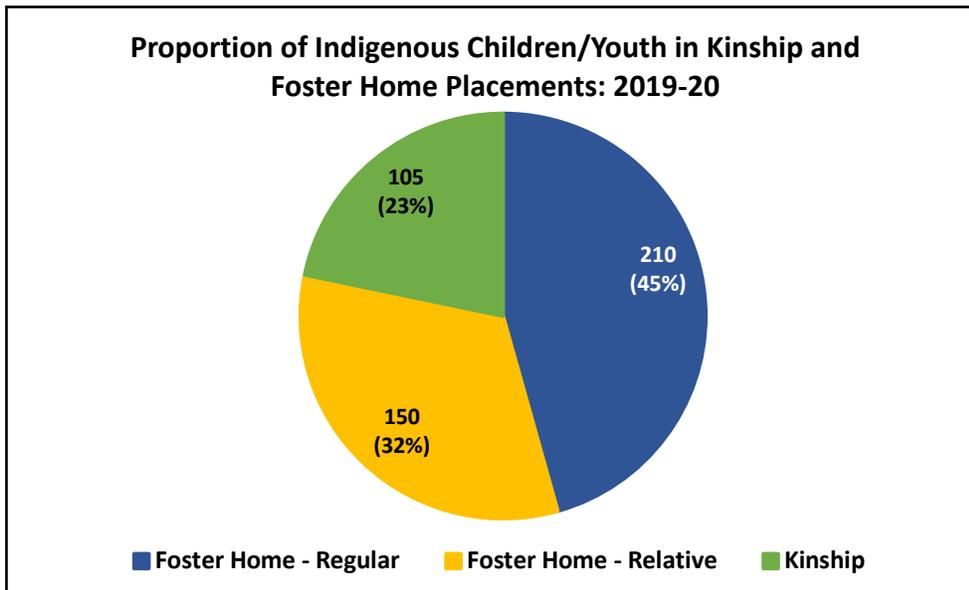
<sup>26</sup> Proportions do not add to 100% due to rounding of raw data.

Figure 16: Placement Type of Non-Indigenous Children/Youth In Care



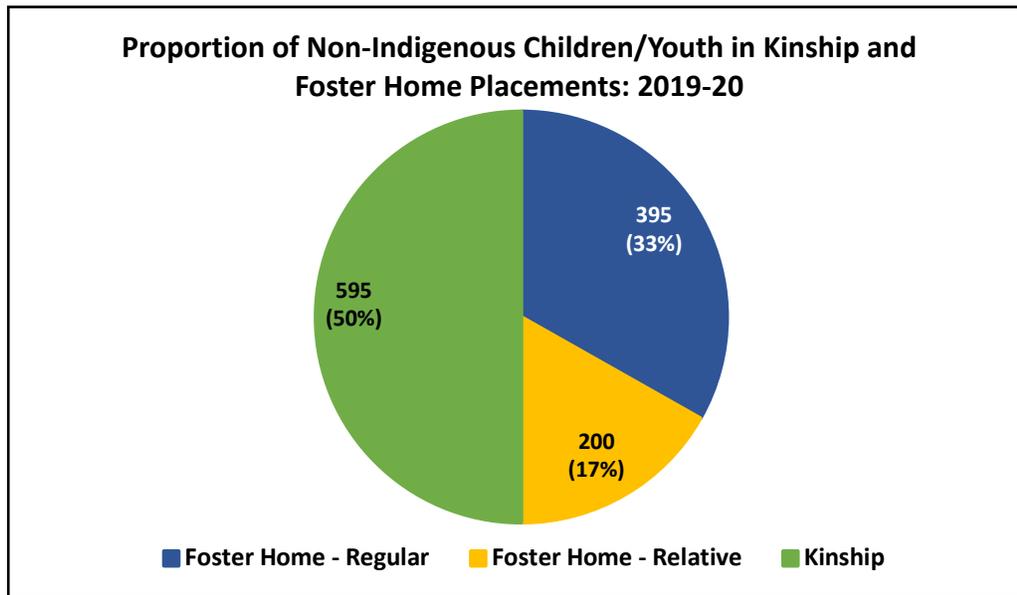
The breakdown of placement type for Non-Indigenous children and youth in care shows that the majority of Non-Indigenous children and youth in care are residing in foster homes, with 395 (49%) children and youth placed in regular foster homes, and 200 (25%) children and youth placed in relative/significant other foster homes. Greater proportions of Non-Indigenous children and youth placements were noted for individualized living arrangement and family based care placement types.

Figure 17: Kinship and Foster Home Placement among Indigenous Children/Youth



Analysis specific to the placement of Indigenous children and youth in kinship, regular foster homes, and relative/significant other foster homes shows that, among these placement types, 45% of Indigenous children and youth are placed in regular foster homes. Thirty-two percent (32%) of Indigenous children and youth are placed in relative/significant other foster homes, while 23% are placed in kinship arrangements.

Figure 18: Kinship and Foster Home Placement among Non-Indigenous Children/Youth

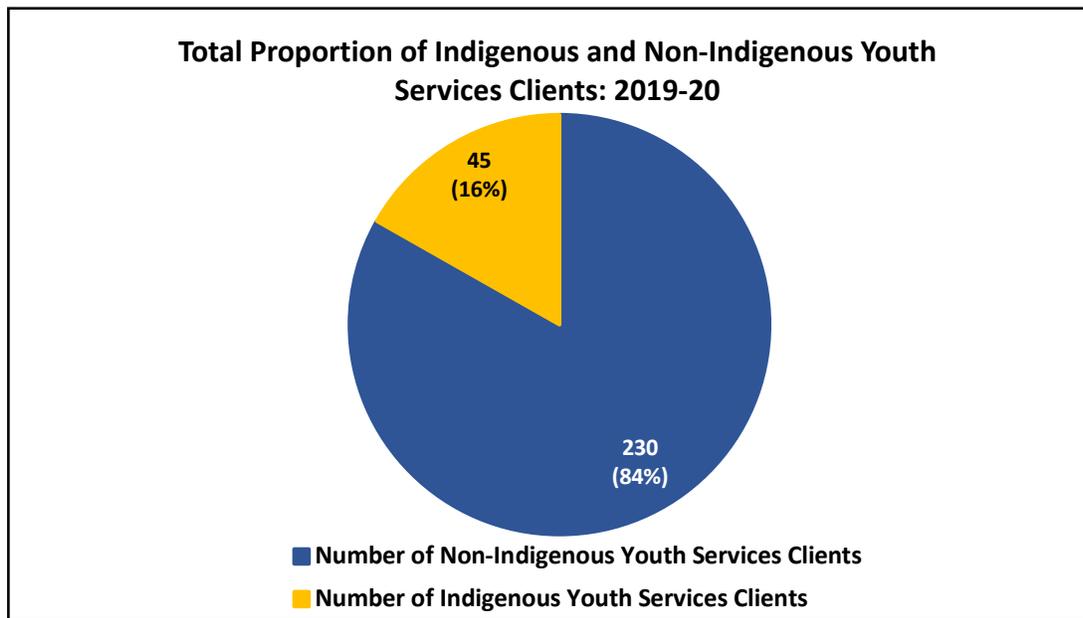


For Non-Indigenous children and youth in kinship and foster home placements, half of children and youth (50%) are placed in kinship arrangements, while 33% and 17% are placed in regular foster homes and relative/significant other foster homes, respectively.

## Youth Services

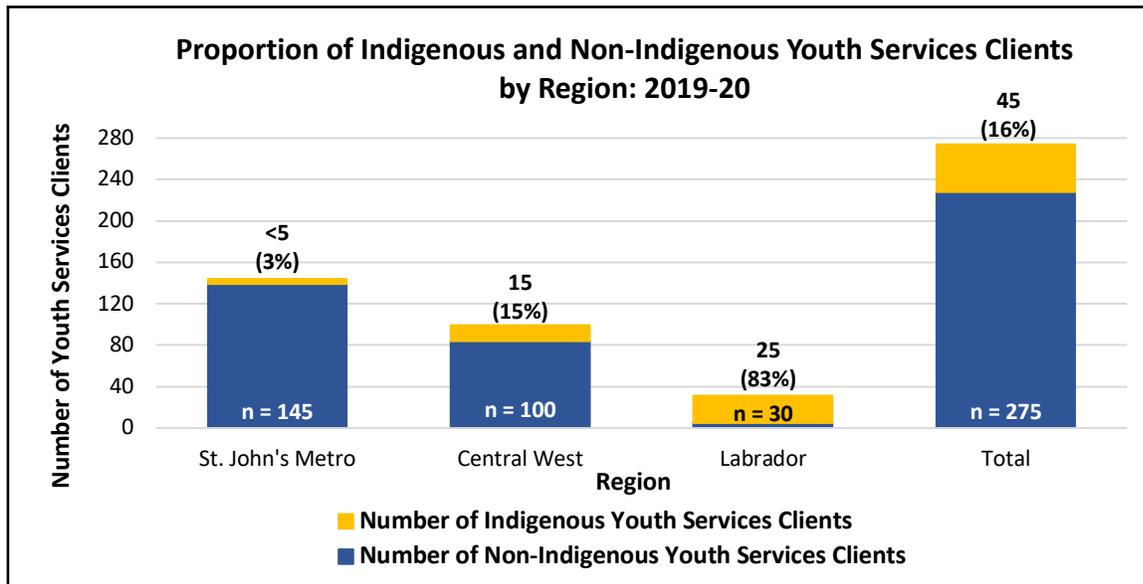
As previously described, youth in need of protection may voluntarily receive services up to their 21<sup>st</sup> birthday. There are two service areas for this program, Residential Services and Supportive Services.

Figure 19: Indigenous and Non-Indigenous Youth Services Clients



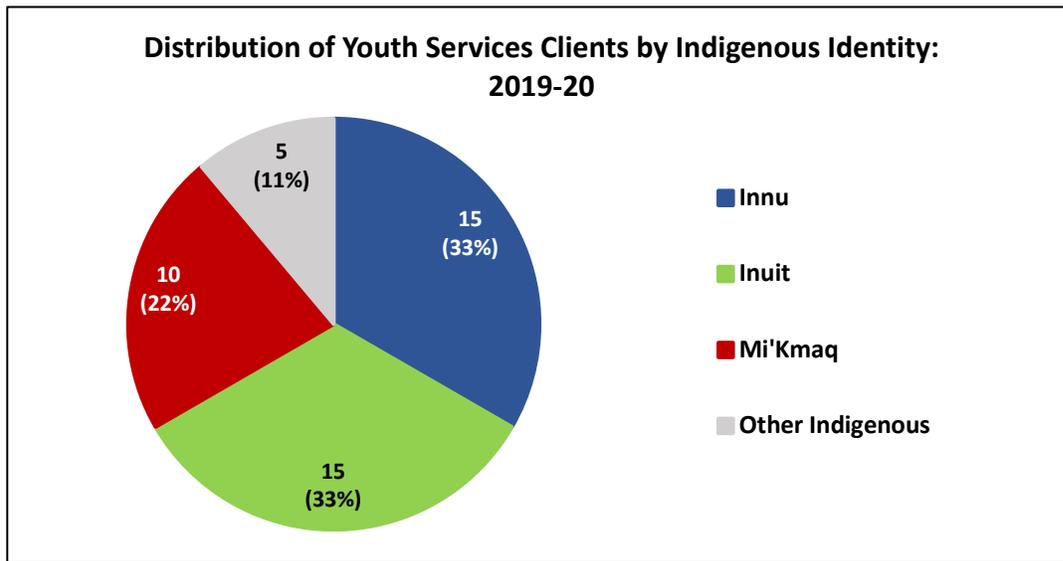
In 2019-20, there was a total of 275 youth receiving Youth Services at some point in time. Of the 275 youth, 230 were Non-Indigenous and 45 were Indigenous. This is similar to families receiving protective intervention services, where 12% of families are Indigenous.

Figure 20: Breakdown of Youth Services Clients by Region



As demonstrated above, the majority of youth receiving Youth Services are in St. John's Metro and Central West, totaling 145 and 100 respectively. The Labrador region had a total of 30 Youth Services clients in 2019-20 and the majority (83%) were for Indigenous youth.

Figure 21: Indigenous Youth in Receipt of Youth Services by Indigenous Identity



Similar to the breakdown provided for PIP and Kinship files, 15 (33%) are Innu children/youth, 15 (33%) are Inuit, 10 (22%) are Mi'Kmaq, with Other Indigenous identities accounting for five children/youth.<sup>26</sup>

## PART THREE

### New Initiatives and Partnerships

CSSD acknowledges the collective knowledge and experience of Indigenous people to best inform the needs of their people. The Department supports the efforts of Indigenous Governments and Organizations to provide prevention and early intervention services and is committed to working collaboratively with Indigenous Governments and Organizations to address the over-representation of Indigenous children and youth in care. Increased information sharing and ongoing work on developing outcome indicators is foundational to our collaborative working relationships. In addition to the development of this report, CSSD has worked collaboratively with Indigenous partners to focus on improving service delivery in Indigenous communities.

Through extensive consultation with Indigenous Governments and Organizations the **Children, Youth and Families Act**, proclaimed in 2019, introduced a number of initiatives to recognize Indigenous children and youth, support cultural connections and provide opportunity for Indigenous Governments and Organizations to be served notice of child protection court matters that affect their children, youth and families. As this legislation was being developed and implemented, CSSD established a policy working group with Indigenous Governments and Organizations to identify and address policy and practice issues affecting Indigenous children, youth and families. This group developed a Policy Preamble for Working with Indigenous Children, Youth and Families that is included in the Child Protection and In Care policy manual and provides an Indigenous lens through which policies, standards and procedures that impact Indigenous children, youth and families must be viewed. Additionally, the working group was instrumental in developing the Cultural Connection Planning policy and template.

In line with the spirit and intent of this legislation, CSSD has worked with both the Nunatsiavut Family Connections Program and the Innu Prevention Services Program to address child protection concerns in families and collaborate in planning for CSSD intervention with the goal of supporting families and preventing removals.

When children and youth must be cared for outside of their family home due to safety issues, it is important that they remain as close to their home communities and within their culture. To this end, we worked with Nunatsiavut Government and the Innu First Nations to support the development of new in care placements for children and youth. A key goal of these partnerships is to keep Indigenous children and youth who come into care in their communities with extended family, significant others or community caregivers. Placements that keep Indigenous children and youth within their home communities, or closer to their home community, help promote the maintenance of the children and youth's cultural connections.

In an effort to expand residential options to keep Inuit children and youth in their home communities, CSSD and the Nunatsiavut Government worked collaboratively to establish individualized living arrangements in Nain, Hopedale and Goose Bay.

CSSD continues to work in collaboration with the Innu Round Table Secretariat and the Federal Government to support the development of Innu-operated residential placements in Sheshatshiu and Natuashish. The first of these homes opened in Sheshatshiu in August 2018 and another opened in Natuashish on April 1, 2019. Two Emergency Placements homes opened in Sheshatshiu on February 17, 2020. Another group home is being planned for Natuashish.

In January 2020, CSSD entered into a service agreement with Nunatsiavut Government to support the 'Caring for Our Children' foster home pilot project which enables the NG to recruit, assess, train and support foster parents in Inuit communities.

CSSD recently partnered with the NG Caring for Our Children staff to incorporate materials specific to Inuit culture into the training program for foster parents (PRIDE).

Work is also ongoing with the Innu Round Table Secretariat to replace the current Working Relationship Agreement (2015) with a new Innu-CSSD Protocol, which will

update and further operationalize how we work together and share information in order to better coordinate services in the best interests of Innu children, youth and families.

Additionally, the Department has expanded the service delivery model implemented in Natuashish in 2013. This fly-in/fly-out social work staffing model brought consistency in staffing, better connections with community and reduced caseloads supporting improved service delivery. The new Innu Service Delivery Team creates one team servicing both Innu communities. This model was implemented last year with 14 social work positions.

Efforts were also made to introduce social work students to working in Labrador, to help new social workers understand Innu and Inuit culture, and improve recruitment in remote Labrador. Through collaboration with partners, such as Memorial University School of Social Work, Nunatsiavut Government, and Mushuau Innu First Nation, two social work student placements in remote Labrador were created for each semester. Six social work student placements were completed in both Hopedale (4) and Natuashish (2). The Department notes that three of these six students accepted positions in Indigenous communities in Labrador upon completion of their Bachelor of Social Work degree.

In addition to the ongoing work to develop and deliver training on Indigenous perspectives by the Government of Newfoundland and Labrador for all employees, CSSD's Training and Development Unit has and will continue to partner with Indigenous Governments and Organizations to strengthen culturally-informed practice among Departmental staff through training and professional development opportunities.

Through Advancing the Practice Together (APT) partnership, CSSD and Memorial University's School of Social Work (MUN SCWK) provided the following sessions to supplement the training available to CSSD social work staff and MUN social work students in the 2019-20 fiscal year:

- **Cultural Competence in Child Welfare Practice for Indigenous Communities Training** (March 2019): This session was organized with Indigenous partners hosting a panel of Indigenous members to address child welfare practice in Indigenous communities.
- **Jordan's Principle and the Inuit Child First Initiatives** (October 2019): This session informed social workers about Jordan's principle and the Child First Initiative, why they were created, who can apply, and the application process.

CSSD is committed to providing further Indigenous cultural training, including the history and experience of colonization for Indigenous people, and other educational opportunities for social workers, and will continue to collaborate with Indigenous partners on this priority. Further, the Office of the Child and Youth Advocate has made a recommendation to CSSD for required training related to Indigenous culture which the department is working toward.

We are hopeful that these initiatives and collective actions related to case planning, placements, policies and training will improve outcomes for Indigenous children, youth and their families.

## Next Steps

As indicated in numerous reports, including the final report of the Truth and Reconciliation Commission (2015), the continued over-representation of Indigenous children, youth and families in the child welfare system needs to be a priority issue for governments. Publically reporting provincial data is one of the ways the Government of Newfoundland and Labrador acknowledges this overrepresentation and sets it as a priority to change this trend.

While acknowledgement may be a first step to reconciliation, it is just the beginning. CSSD is committed to decreasing the number of Indigenous children, youth and families involved in the child welfare system and improving outcomes for those that receive child welfare services.

We have begun to see some improvements from efforts to date. Through collaborative efforts, we are pleased to see a 42% reduction in the number of Indigenous children and youth coming into care since 2018 and an overall reduction of 11% in the total number of Indigenous children and youth in care from 2019 to 2020.<sup>27</sup>

This report is another important step. It marks the first comprehensive public reporting of information about child welfare services to Indigenous children, youth and families in this province and sets a baseline by which we can collectively work toward further improvements.

We recognize that there are many ongoing concerns and challenges related to child welfare services provided to Indigenous families. We are committed to working with interested Indigenous partners to review this data, identify further gaps in service, and set outcome indicators that will ensure we are collecting useful data to measure whether our actions lead to overall improved outcomes.

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<sup>27</sup> Change from September 2019 to September 2020.

These next steps will be done in the context of other important collaborative work with Indigenous partners, including the development of a joint action plan to address the recommendations from the Office of the Child and Youth Advocate's report, **A Long Wait for Change: Independent Review of Children Protection Services to Inuit Children in Newfoundland and Labrador**, which includes recommendations related to data and public reporting.

Additionally, The Office of the Child and Youth Advocate's report details several concerns related to current child welfare practice in Indigenous communities, particularly Inuit communities. These concerns include challenges related to such things as: recruitment and retention of staff, staff training, appropriate planning for children and youth, and supporting children and youth in care so they can remain connected to their cultures and communities.

While we acknowledge that improvements have been made in recent years through our collaborative efforts with Indigenous partners, we must also acknowledge that there are still many challenges to face and much work to be done. This work is necessary, not only to decrease the number of children, youth and families involved in the child protection system; but to ultimately ensure a better quality of life for all Indigenous children, youth and families in this province.

All of our work with Indigenous partners will be in accordance with, **An Act respecting First Nations, Inuit and Metis children, youth and families**. This federal legislation calls for national standards for the welfare of Indigenous children and affirms the right to self-determination of Indigenous peoples, including the right to self-government in relation to child welfare services. CSSD is committed to supporting Indigenous Governments and Organizations as they plan to assume child welfare services jurisdiction from CSSD.

CSSD will also work alongside Indigenous partners with national and federal colleagues on national strategies to address the issue of over-representation of Indigenous children, youth and families in the child welfare system, including national data collection strategies in response to the Truth and Reconciliation Report and the federal **Act respecting First Nations, Inuit and Metis children, youth and families**. This work will help our national counterparts and other jurisdictions while allowing us to also learn from them. Through this commitment to working toward devolution, Newfoundland and Labrador will contribute to the important national-level efforts to improve child welfare services for Indigenous peoples and communities.

In summary, CSSD is committed to improving child welfare services for Indigenous populations. We look forward to continuing to build strong working relationships with Indigenous partners and exploring how we can effectively work together in the best interests of the Indigenous children, youth, and families, whom we serve.

## References

- <sup>1</sup> Statistics Canada, Census 2016. Statistics on Indigenous peoples. [https://www.statcan.gc.ca/eng/subjects-start/indigenous\\_peoples](https://www.statcan.gc.ca/eng/subjects-start/indigenous_peoples)
- <sup>2</sup> Statistics Canada, Census 2016. Children defined by age as being 0 to 19 years old.
- <sup>3</sup> Community Accounts, Newfoundland & Labrador Statistics Agency 2021.
- <sup>4</sup> For 2016, the total number of births reported for the community of Sheshatshiu was 40. Community birth rate ratios are not currently available due to incomplete population data for this area.
- <sup>5</sup> Department of Children, Seniors and Social Development, departmental program statistics, fiscal year 2019-20.
- <sup>6</sup> Office of the Auditor General of Canada. *Report 5: Socio-economic gaps on First Nations reserves*. [Ottawa]: Indigenous Services Canada. Parliament, 2018, [https://www.oag.bvg.gc.ca/internet/English/parl\\_oag\\_201805\\_05\\_e\\_43037.html#](https://www.oag.bvg.gc.ca/internet/English/parl_oag_201805_05_e_43037.html#)
- <sup>7</sup> Truth and Reconciliation Commission of Canada. *Honouring the truth, reconciling for the future*. [Ottawa]: Truth and Reconciliation Commission of Canada, 2015, [http://publications.gc.ca/collections/collection\\_2015/trc/IR4-7-2015-eng.pdf](http://publications.gc.ca/collections/collection_2015/trc/IR4-7-2015-eng.pdf)
- <sup>8</sup> Ontario Human Rights Commission. *Interrupted childhoods: Over-representation of Indigenous and Black children in Ontario child welfare*. [Toronto]: Ontario Human Rights Commission, 2018, <http://www.ohrc.on.ca/en/interrupted-childhoods>
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- <sup>10</sup> Kathy Vandergrif & Mona Paré. *Children's rights: Making Canada work better for young people*. [Ottawa]: Canadian Coalition for the Rights of Children, 2016, <http://rightsofchildren.ca/wp-content/uploads/2017/01/Childrens-Rights-Can-Make-Canada-Work-Better-for-Young-People.pdf>
- <sup>11</sup> 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*. [Canada]: National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019, <https://www.mmiwg-ffada.ca/final-report/>
- <sup>12</sup> Office of the Child and Youth Advocate, Newfoundland and Labrador. *A long wait for change: Independent review of child welfare services to Inuit children in Newfoundland and Labrador*. [St. John's]: 2019, <https://www.childandyouthadvocate.nf.ca/pdfs/IndependentReview2019.pdf>
- <sup>13</sup> Departmental statistics representing Indigenous demographics in the province do not distinguish between LILCA beneficiaries and members of NCC. Due to the former self-identity of NCC members as "Labrador Metis", several provincial statistics continue to include NCC members identifying as part of the Labrador Metis Nation.
- <sup>14</sup> Children, Youth and Families Act, SNL 2018, c C-12.3.
- <sup>15</sup> Program demographic statistics reported for the 2019-20 fiscal year are rounded values.
- <sup>16</sup> Category totals in Figure 3 do not sum to 600 due to rounding of raw data based on Indigenous identity; however, the proportional breakdown (i.e., percentage) of PIP families by Indigenous identity is consistent and representative of Departmental data.
- <sup>17</sup> Other Indigenous is comprised of any Indigenous identity manually entered in the Department's Integrated Management System (ISM) as being different from Innu, Inuit, and Mi'kmaq Indigenous identities. Departmental statistics representing Indigenous demographics in the province do not distinguish between LILCA beneficiaries and members of NCC. Due to the former self-identity of NCC members as "Labrador Metis", several provincial statistics continue to include NCC members identifying as part of the Labrador Metis Nation, which are captured under Other Indigenous in the present report.
- <sup>18</sup> Maltreatment types listed as Not Applicable (NA) in ISM report are not included in this analysis.
- <sup>19</sup> Proportions do not add to 100% due to rounding of raw data.
- <sup>20</sup> For statistics purposes, the department defines 'home community' as the community of the child/youth's household indicated in the family's protective intervention file.
- <sup>21</sup> Proportions do not add to 100% due to rounding of raw data.
- <sup>22</sup> Indigenous Services Canada. *Reducing the number of Indigenous children in care*. [Ottawa]: Statistics Canada, 2016, <https://www.sac-isc.gc.ca/eng/1541187352297/1541187392851>
- <sup>23</sup> Statistics Canada, Census 2016. Statistics on Indigenous ancestry, accessed from Community Accounts, Newfoundland & Labrador Statistics Agency 2021.

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<sup>24</sup> For statistics purposes, the department defines 'home community' as the community of the child/youth's household indicated in the family's protective intervention file.

<sup>25</sup> This analysis breaks out the island and Labrador, as the majority of Indigenous clients originate from Labrador.

<sup>26</sup> Proportions do not add to 100% due to rounding of raw data.

<sup>27</sup> Change from September 2019 to September 2020.



