Sheshatshiu Innu Out-of-Community Review Report, May 2016

Prepared for the Sheshatshiu Innu First Nation Chief and Council, the Department of Child, Youth and Family Services and the Innu Round Table Secretariat, parties to the *Working Relationship Agreement,* September 30, 2015

Overview

The *Working Relationship Agreement* describes the Out-of-Community Review as a priority initiative

"which will combine individual case discussions with measures to address issues with respect to Innu children and youth now placed outside their community " . p 4 WRA   Detail about the scope and intent of the review is highlighted on pages 13 and 14 of the Agreement.

This review was undertaken by a review group, comprised of the Sheshatshiu Innu First Nation Social Health Managers along with a CYFS Clinical Supervisor from the Sheshatshit office and the IRT Secretariat's CYFS Community Liaison Social Worker.

The goals of the out-of-community placement review were met as the review process

1. adhered to the intended scope, using out-of-community placement data for all Sheshatshiu Innu children placed away from Sheshatshit as of September 2015 end. This date was chosen as the "point in time" for the review as it was the same time the Agreement was signed

and

2. the intent of the review was carried out, resulting in the parties, as represented by the reviewers, reaching shared agreement to an action plan and recommendations for next steps.

At the outset, and throughout the review process, the reviewers identified several "best interest" principles about Innu children which they held as touchstones for the work of this review. These principles were imbedded in all of the review discussions, the resulting action plan and recommendations.

All Innu children should be supported to grow up in their community of origin.

At birth, each Innu child needs an Innu adult committed to raise that child to adulthood.

Raising an Innu child to adulthood is a collective effort, requiring cultural supports and services.

Scope of the review

At September 2015 month end, there were 103 Sheshatshiu Innu children in legal care/custody arrangements, living in out-of-home placements. In addition there were 15 children in kinship arrangements, in the legal custody of their parents, but living in out-of-home care. (unofficial statistics)

Of these 118 Sheshatshiu Innu children in out-of-home placements supported by CYFS, 36 individual children and youth were placed outside of Sheshatshit at September month end. (The determination of Sheshatshiu Innu membership was based whenever possible, on the birth mother's known community of origin. No actual review of registered Indian status was completed.)

Numbers of children and youth in out-of-community placements:

The out-of-community review focused on the 36 individual Sheshatshiu Innu children placed outside of Sheshatshit at September end.

There were 7 sibling groups or partial sibling groups included in the total 36 children and youth. By gender, there were 23 females and 13 males.

Placement locations, ages, gender and custody status:

The 36 children and youth placed outside of Sheshatshit were placed in five different geographic locations. Four of these locations were within the province of Newfoundland and Labrador and the fifth was the out-of-province placement group.

Within Newfoundland and Labrador the placement locations were as follows: Natuashish, Northwest River (NWR), Happy Valley-Goose Bay (HVGB) and the island portion of the province (NL).

The out-of-province placements (OPP) were split evenly between Ontario and Saskatchewan. The chart below shows the number, age and gender of children and youth placed at each of the out-of-community placement locations.

Location	number of children	age in 2016	gender
Natuashish	1	8	f
NWR	4	5, 11, 12, 13	4 f
HVGB	8	2,5,7,7,11,13,17,18	4 f, 4 m
NL	17	1,2,3,3,4,6,6,7,7,8,9,9,11,13,14,15,16	8 f, 9 m
OPP	6	13,14,14,15,16,16,	6 f

18   of the 36 children in out-of- community placements are younger than 10 (50%)

4   of the children are between 10 and 12 years of age.

14   are children/youth 13 years and older.

The legal custody status of all 36 children/youth placed out-of-community was also noted.

19	continuous custody	(no active court)
2	youth in care, over 16 years of age	(no active court)
3	temporary custody	(active court proceedings)
7	interim custody	(active court proceedings)
5	interim care,	(active court proceedings)

Almost 60% of the children and youth placed outside-of-the community are no longer subject to court proceedings. However, more than 40% of the children in out-of-community placements are subject to active court proceedings.

Type of placement resource:

The type of out-of-community placement resources also differed, usually in direct relation to the geographic location. The placement resources in Natuashish, Northwest River and Happy Valley-Goose Bay are provincial foster homes. Northwest River and Happy Valley-Goose Bay homes come under the jurisdiction of the Happy Valley-Goose Bay CYFS office.

The placements on the island are also primarily provincial foster homes, most of which are grouped in one geographical area on the island. These placements are under the CYFS Western region's jurisdiction. Also, on the island there are several youth in level 4 placements which are 24 hour staffed group homes. These placements are overseen by the province through a contract with Bluesky Family Care. In addition, a youth is placed at the provincial youth mental health treatment center also on the island.

The six out-of-province placements are split between Ontario, where youth are placed in privately run therapeutic foster homes with stay-at-home caregivers, and in Saskatchewan, in a large, privately run youth treatment program facility.

Intent of the review

Once the scope of the review became clear, the number of children/youth involved, their age, location and custody status, it was necessary to become clear about all the other information that would need to be gathered about these children and their placements, in order to meet the intent of the review.

The reviewers determined that it was necessary to create a framework for the information that would need to be gathered and reviewed. Seven components of information, which although separate are also interrelated, became the framework for the information gathering.

 Within each of these seven components there were questions that needed to be asked and specific information that needed to be gathered. The review process needed to consider all components for each of the 36 children and youth.

The **Innu Care Model** was introduced to the reviewers late in the overall review process. While it is recognized the Model has a much broader relevance than this review alone, it was seen as critical for the purposes of this review that at a minimum, the review components be congruent with the Innu Care Model.

The chart below illustrates how the review components may be compared to components that are integral to the Innu Care Model.

Review Components	*Innu Care Model*
demographics	child, parent, extended family
history	child, parent, extended family, community
risk and safety	child, parent, extended family, community
current placement services	integrated services
community services	Innu services, integrated services, elders
child's perspective	child
attachment	parents, extended family, elders, community

Demographics

Basic information about each child/youth was required for every child/youth, including but not limited to age, CYFS custody status, number of times in CYFS care, length of time in care, length of time in current placement etc. Also any information specific to a child/youth's developmental and or cognitive needs, such as a known diagnosis or medical assessment, was included in this component.

History

The history component focused on each child/youth's own unique situation prior to CYFS involvement; who was significant to and or most directly involved in the child's daily life, where did the child/youth live and with whom, what particular circumstances did the child/youth experience, did they have siblings living with them, what were/are the circumstances of the birth parent/s or significant caregiver. Specific events in the broad community history or time line were factors for consideration in this component as well.

Risk and safety

This component focused on the specific child protection factors which triggered CYFS involvement and subsequent placement. Included was information about the nature of the child protection reports as well as the numbers of reports over time. There was a lens on whether the reported risks were mitigated in the home and had then escalated over a short or longer period of time, and, how the risks were assessed in relation to the child's vulnerabilities, such as the very young age of a child. Information in this component was gathered to try and understand what action or lack of action by a parent/s or caregiver made the child unsafe or at risk of being unsafe. This could include substance misuse, domestic violence, unresolved family trauma etc. Two types of risk and or safety concerns were identified; risks that exist for young, dependent, non-verbal children as a result of inadequate adult supervision, and the behavioral risks of older children and youth, either from self- harming behaviors or harm to others. Also relevant, especially to this latter group of children/youth was information that confirmed in some situations, parents or guardians sought help for children/youth and an element of that help may have involved an out-of-community placement resource.

Current placement services

Information relevant to this component was gathered to link the needs presented as a result of risk and safety concerns to the measures taken through placements to address those risks and safety concerns. Questions were asked such as "what is or has happened at the placement to address the assessed risk and or lack of safety for the child or youth?" If for example the risk was inadequate adult supervision for a child, how was the placement resource able to address this? If the child or youth was receiving services while in the placement, were those services addressing the identified risks and were there further diagnosis, assessments, and or disclosures resulting from services made available to the child/youth in the placement? What connections to services and supports for a child/youth had any links back to parent/s, family and community? "

Community services

Similar to the information being reviewed under current placement services, this component was focused specifically on Sheshatshit, on the services and or supports that may be available in the community now, or could be made available in the community in future, to address the assessed risk and safety concerns for a particular child/youth. In other words, the questions reviewers were asking included " could the services the child is receiving in the out-of-community placement be offered to the child/youth in Sheshatshit? What is the readiness of the child/youth's family and community to have the child/youth return back at this time, and what services would be needed to help the family or community become ready? ".

Child or youth's perspective

This element acknowledges that most children 12 years of age and older should be involved in the planning of their lives. They should attend school, take part in activities outside their placement, and have personal interests. Children and youth should be given opportunities to tell or show adult decision makers what their perspectives are, and these perspectives need to help inform the planning processes. Not every child over 12 was contacted for the review, but in further placement planning, this would be an essential component of the planning process.

Attachment

It is widely accepted that for any child to grow and develop in a healthy way, the child needs consistent opportunities over time to form an emotional bond with an adult caregiver. Often this is a mother, but not always. With this accepted knowledge about Innu child development clear, this component looked at the attachments the child/youth may already have with a grandparent, a foster parent, or another significant adult in their life. This knowledge is critical to maintaining the child/youth's best interests and to undertake individual placement planning that will not damage or break any existing healthy attachments.

Component Findings

The reviewers met on multiple occasions and once the scope of the work was clear and the components of information gathering had been identified, detailed discussions among the reviewers took place about the specific component information for each child/youth. There was much reflection in the discussions on the weight that would be given to particular information. In the discussions, some components of information were given more weight or significance for different children and youth.

Considerations in demographics that came forward very quickly were the age of a child and whether they were part of a sibling group also placed in care out-of-the-community. It was understood that a young child placed in care and away from the community at a very young age, would have less opportunity to develop Innu language skills, as well as connections to family and community.

Conversely, it was also understood that youth placed outside the community as teenagers, would likely already have intact language skills and connections with family and community, and these existing skills and connections could be supported and encouraged, even as the youth was living away from Sheshatshit. Information about past or recent trauma that a child or youth might have experienced, and any knowledge about how that trauma was being addressed, also was a very important factor in the discussions.

It became clear from reviewing the component information that there was a very wide range of individual needs for these 36 children and youth. At one end of this range, there were children with very basic needs, similar to any child needing a consistent, nurturing caregiver and a safe physical space to

live. At the other end of the range, there were children or youth with significant diagnosed mental health issues requiring specialized treatment and care. The majority of the individual situations were seen to fall somewhere between the two ends of this range of needs.

Also it became evident that time itself was a factor influencing the individual needs of children and youth. There were some children or youth who have spent little time in CYFS care placed away from Sheshatshit. Some children or youth may have been in care for a significant period of their life but, not been placed away from Sheshatshit for a significant period of that time.

There were also children who since very young, have spent most their lives in CYFS care, living away from Sheshatshit. This was most often the case for children or youth who are currently placed in other communities in Labrador.

Looking at time as a factor influencing the needs of children is challenging because time is relative to each situation. There is no service or support or change that can be made to time that has passed. The conclusion reached was that in reviewing the needs of the children and youth placed out-of-community all of the other components needed to be considered along with the factor of time.

Action Plan

Having carefully reviewed all the component findings, consensus was reached among the reviewers for the following three step plan of action:

Step 1.

Placement planning for a return to Sheshatshit should be undertaken, and or continue if already started, for **19 of the children/youth currently placed out-of-community**. This would include children and youth of four sibling groups as well as the youngest of the children that are placed out-of-community.   (At present, 14 of these 19 children/youth are placed on the island of Newfoundland and 5 are placed out-of-province.)

Step 2.

Obtain more detailed medical information and assessments for **4 of the children/youth placed out-of-community.** Further information is required to determine if the needs of each of these 4 children/youth could possibly be met locally. If determined possible, then planning should begin to develop placement options in Sheshatshit.

Step 3.

A focused review should begin on the current placements of **13 of the children and youth placed out-of-community.** All 13 are in continuous custody or youth in care, and it has been determined that they are in stable, long term placements with significant attachments to their caregivers. The purpose of a focused review would be to determine what if any extra supports or outreach might be

possible to strengthen the connections each of these individual children/youth could have with their culture, family and community of origin.

Recommendations

The following six recommendations are made in support of the action plan. In order for the action plan to be successful, these recommendations involve direction and work that should be undertaken as soon as possible. This is new work, in addition to the ongoing workload of both First Nation and CYFS staff, and it will require the tangible support of both the Sheshatshiu Innu First Nation and the Department of Child, Youth and Family Services in order to move forward.

1. Priority for placement planning for a return of 19 children to Sheshatshit should be given to a particular young sibling group of 3, and to the youngest of the children that are placed out-of-community

2. The target date for placement of any young school aged children at Sheshatshit should be in advance of the start of the next school year

3. The out-of-community review group oversee the detailed and focused planning processes required to develop individual placement arrangements at Sheshatshit for the 19 children and youth identified through this review. Both front line Innu health staff and CYFS staff need to work together on these individual placement planning processes.

4. Planning and developing ideas to enhance Sheshatshiu Innu cultural connections and outreach to children remaining in out- of-community placements for the present should be undertaken collaboratively by the First Nation's health staff, Mamu Tshishkutamashutau and CYFS.

5. A training for the Innu Care Model be developed by Innu and delivered to the First Nation's health staff and CYFS staff

6. The Innu Care Model be adopted as the framework for all future placement planning for Innu children

Summary

With the presentation of this report, the work of the Sheshatshiu Innu out-of- community placement review is concluded. However, there is critical collaborative work that must be undertaken to ensure, wherever possible, the successful repatriation of Sheshatshiu Innu children. This work must be Innu led in conjunction with CYFS and will require the focused support of all parties to the Working Relationship Agreement.

The children who may remain in out-of-community placements for the foreseeable future must also have the focus of the First Nation's leadership and staff. Going forward, opportunities to demonstrate and reinforce each Innu child's birth right and heritage must be developed and implemented as integral to each child's healthy development and Innu identity. These opportunities must be individualized to each child's specific needs, even as the Sheshatshiu Innu First Nation acknowledges the inherent value and worth of all Innu children.

Each child has one chance at childhood. The work of this review challenges all of the parties to the Working Relationship Agreement to commit to trying to ensure the best possible childhood for every Sheshatshiu Innu child.

Report prepared by Lyla Andrew

Innu Round Table Secretariat, Sheshatshit

Review Group Members:

Lynne Gregory BSW RSW, Clinical Manager, Social Health Department, Sheshatshiu Innu First Nation

Kristin Sellon, Program Manager, Social Health Department, Sheshatshiu Innu First Nation

Kimberley Mitchell BSW RSW, Clinical Program Supervisor, Child, Youth and Family Services, Sheshatshit

Lyla Andrew MSW RSW, CYFS Community Liaison Social Worker, Innu Round Table Secretariat