

# How do we get from **HERE...** **To THERE...?**

**Mary Anne Clarke, PhD Candidate, RSW**  
**Assembly of Manitoba Chiefs**  
**Bringing our Children Home Conference**  
**November 27, 2019**





.... to there

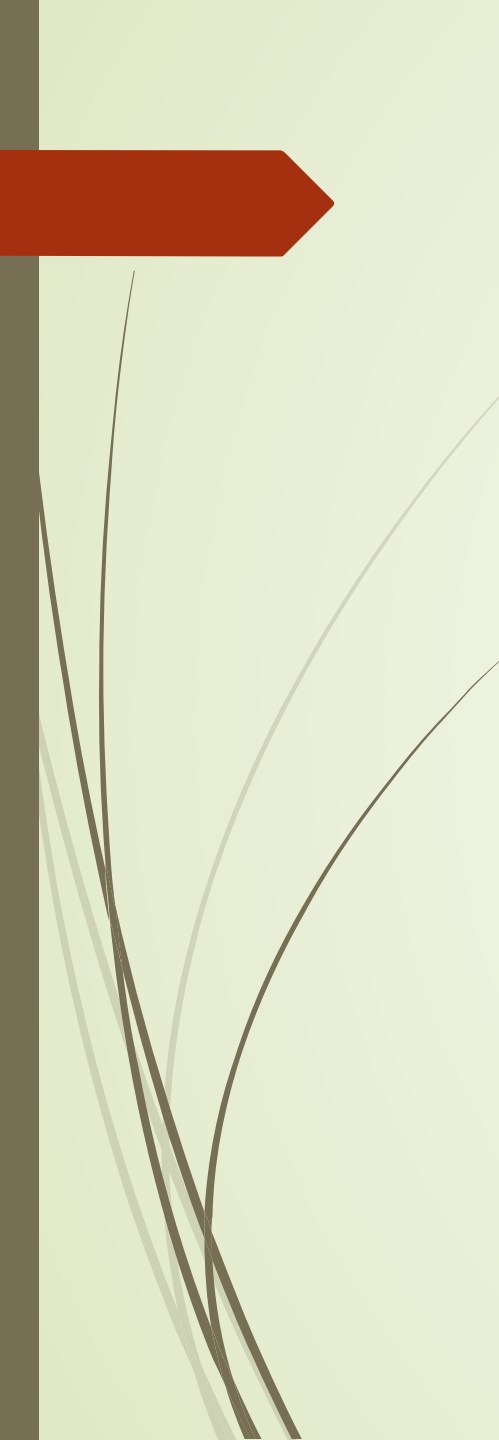
From here....






**Here....**

Indigenous children have been a primary target  
in the violence of colonialism against  
Indigenous peoples in Canada, having been  
targets of several systems.



*“Our children are the ongoing prize in the cultural war that Canada declared against us over 150 years ago. Canada may believe that the war is over, but until the automatic weapons it created as part of that war, have been taken from their hands or altered in fundamental ways, or disabled totally, the war continues of its own momentum. The Child Welfare System, the Youth Justice System and the Educational System all function from the inherent, fundamental, belief, that we as parents in our own communities do not have the right to birth, raise, educate, discipline and protect our children from Canada’s inherent racism.”*

- Mizana Gheezhik Senator Murray Sinclair (2017)



**CFS is a racist system founded  
on genocidal colonization**

**(Pam Palmater, 2019)**







To  
there...





## Where is there?

- First Nations self-determination of all aspects of life
  - Including children and families
  - Traditional organic family systems
  - Sufficient resources to survive and thrive
  - Respectful relationships between Indigenous peoples and others on Turtle Island
- 



**Manitoba has the highest apprehension rate in Canada, and one of the highest rates of children in care in the world (Brownell et al., 2015, p. 85), and 90% of the children are Indigenous (AMC, 2017).**

**Where would all these children go if CFS stopped today?**



**Hunger...**



**Poverty...**

**Addictions...**





Speak up for those who are silenced.  
Call the Family Violence Info Line at 310-1818.

Alberta

PHOTO: [unreadable]

Recognized Family Law

Self-determination

Prevention-based  
services



Bringing Our Children Home Natio..



Reality hits...

Personally...

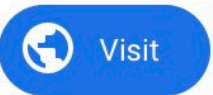
On the job...





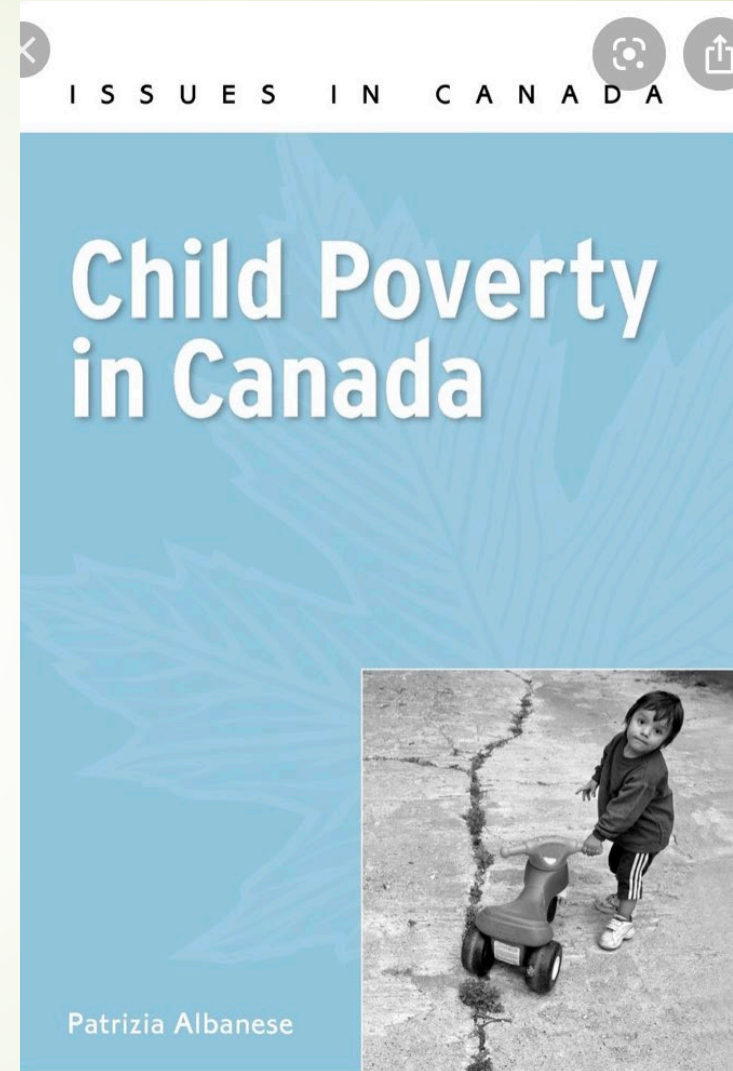
Behance

HOMELESSNESS: A Story of Urban  
Poverty in Canada on Behance

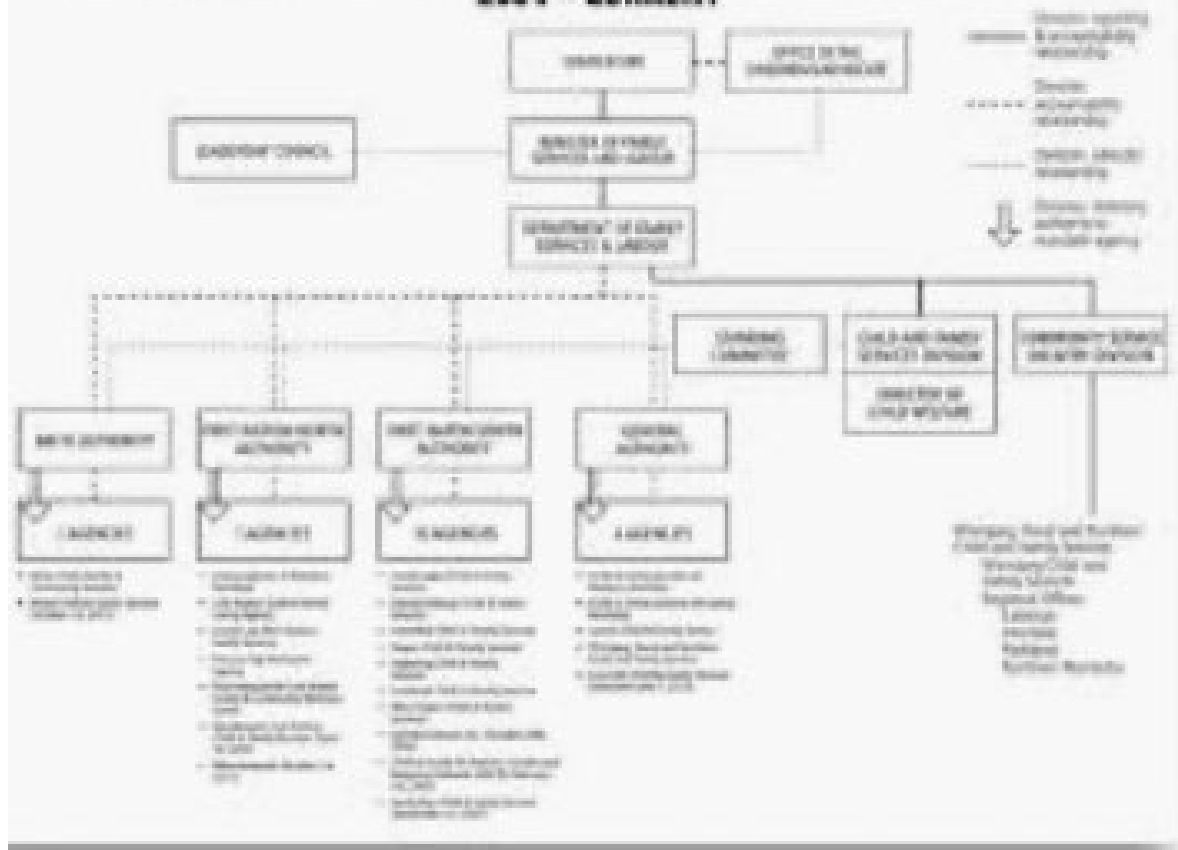




Canadian Centre for Policy Alternatives  
 Infographics: Shameful neglect |  
 Canadian Centre for Policy ...

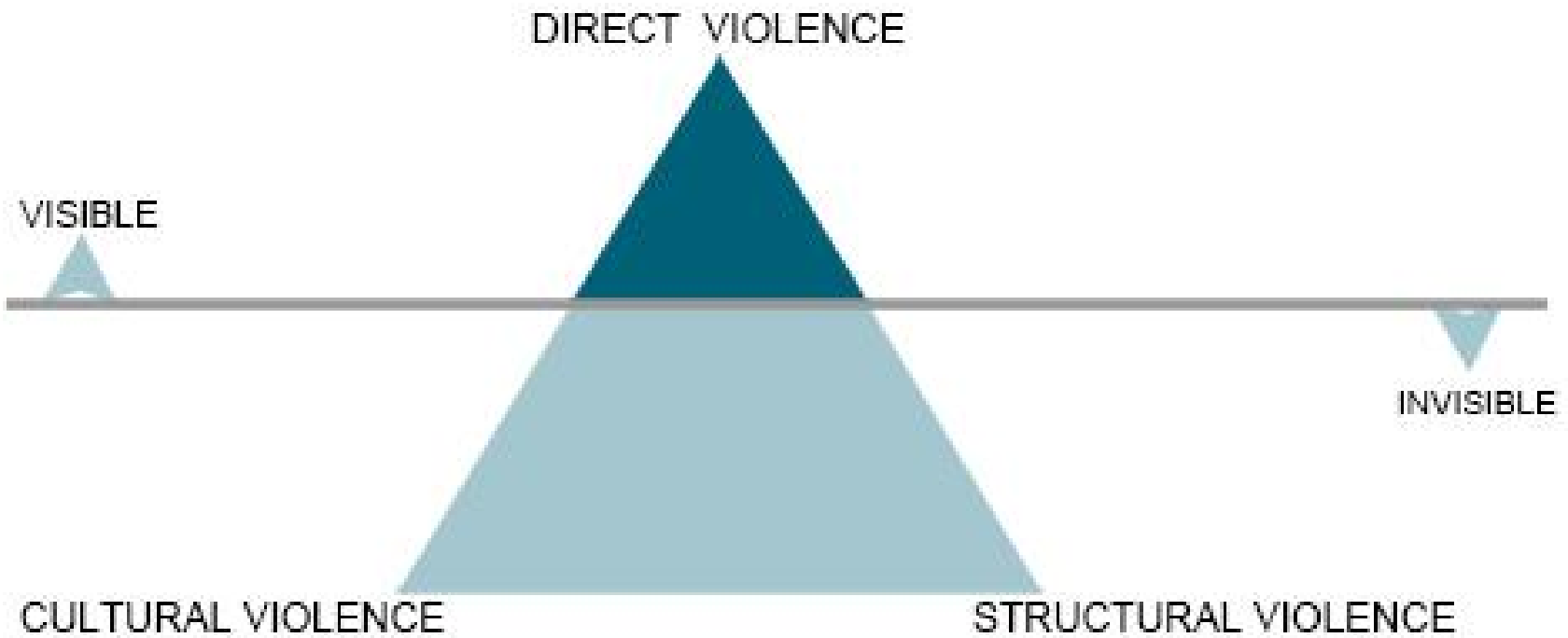


### CHILD & FAMILY SERVICE SYSTEM – ACCOUNTABILITY RELATIONSHIPS 2004 – CURRENT



an Authority Determination Protoc...  
indigenouascendancy.wordpress....

# VIOLENCE TRIANGLE GALTUNG





# AJI-CWI

## *Aboriginal Justice Inquiry - Child Welfare Initiative*

Each of the three Aboriginal governing organizations signed a Memoranda of Understanding with MKO, who represented the Northern First Nations, signing on July 20<sup>th</sup>, 2000. They then each signed the Child and Family Services Protocol to expand their off-reserve authority and to “restructure the existing child care system through legislative and other changes” (AJI-CWI Website 2013).





## **Vision Statement**

*A child and family service system that recognizes and supports the rights of children to develop within safe and healthy families and communities, and recognizes that First Nations and Metis peoples have unique authority, rights and responsibilities to honour and care for their children.*

<http://www.aji-cwi.mb.ca/eng/index.html>

## **Mission Statement**

*To have a jointly coordinated child and family services system that recognizes the distinct rights and authorities of First Nations and Metis peoples and the general population to control and deliver their own child and family services province-wide; that is community-based; and reflects and incorporates the cultures of First Nations, Metis and the general population respectively.*

# Information Technology

- The Child and Family Services Information System (CFSIS) for Manitoba is a comprehensive case tracking system that was designed in 1993 to facilitate the tracking of children and families served, as well as reporting on the services being provided.
- The Intake and Referral System (IRIS) functions in conjunction with CFSIS to provide standardized recording of intake information throughout the province as required by legislation.

## Virtual Reality Social Work

The screenshot displays the CFSIS software interface. The window title is "CFSIS - Presentation - Get". The menu bar includes "Locations", "Queries", and "Users". The main interface shows a header with "Agency: CFS - Central Manitoba" and "Local's and time zone: local's and time zone". A "Service Contract" checkbox is present. Below the header are two data tables. The left table has columns for "Case Name", "Introduction", and "Status". The right table is a detailed view of a case with columns for "Agency Name", "Case No.", "Case Description", "Case Address", "Case Status", and "Case Priority". Below the tables are three buttons: "New Case Report", "System Navigation", and "Manual Case List". A text box contains several lines of text, likely a disclaimer or instructions. At the bottom, there are "Done" and "Refresh" buttons.

Family Name: \_\_\_\_\_ MIS #: \_\_\_\_\_ District: \_\_\_\_\_  
 Type:  Investigation  Assessment Date: \_\_\_\_/\_\_\_\_/\_\_\_\_ Worker: \_\_\_\_\_  
 Who participated in this assessment?  
 Primary caregiver  
 Secondary caregiver  
 Children (names): \_\_\_\_\_  
 Others (names and roles): \_\_\_\_\_

NEGLECT/RISK OF HARM	Score	PHYSICAL OR SEXUAL ABUSE, EMOTIONAL MALTREATMENT	Score
N1. Current report is for neglect or risk of harm a. No ..... 0 b. Yes ..... 1		A1. Current report is for physical or sexual abuse or emotional maltreatment by caregiver or adult household member a. No ..... 0 b. Yes ..... 1	
N2. Prior investigations/Ch. 49 assessments involving any adult currently living in the household (assign highest score that applies) a. None ..... 0 b. One or more, <u>abuse</u> only ..... 1 c. One or two for <u>neglect/risk of harm</u> ..... 2 d. Three or more for <u>neglect/risk of harm</u> ..... 3		A2. Prior abuse investigations/Ch. 49 assessments involving any adult currently living in the household (assign highest score that applies) a. None ..... 0 b. One ..... 1 c. Two or more ..... 2	
N3. Prior ongoing case and/or custody (do not include CHINS (C), truancy, or delinquency) a. No ..... 0 b. Yes ..... 1		A3. Prior ongoing case and/or custody (do not include CHINS (C), truancy, or delinquency) a. No ..... 0 b. Yes ..... 1	
N4. Number of children involved in the current concern a. Current report is not for CA/N ..... 0 b. One, two, or three ..... 0 c. Four or more ..... 1		A4. Prior injury to a child resulting from CA/N a. No ..... 0 b. Yes ..... 1	
N5. Age of youngest child in the home a. Two or older ..... 0 b. Under two ..... 1		A5. Primary caregiver's view of this abuse incident (mark applicable items and add for score) a. Neither b or c applies ..... 0 b. <input type="checkbox"/> Blames child ..... 1 c. <input type="checkbox"/> Justifies maltreatment of child ..... 2	
N6. Primary caregiver provides physical care that: a. Meets child's needs ..... 0 b. Does not meet child's needs ..... 1		A6. <input type="checkbox"/> Adult violence, threats, or intimidation among adults in household ..... 0 <input type="checkbox"/> Adult violence, threats, or intimidation of household member by another adult ..... 0 <input type="checkbox"/> Past or current violence among adults in household ..... 1	
N7. Primary caregiver has a past or current mental health problem that interferes with family functioning a. No ..... 0 b. Yes ..... 1 <input type="checkbox"/> Within 12 months <input type="checkbox"/> More than 12 months ago		A7. Primary caregiver characteristics (mark applicable items and add for score) a. Not applicable ..... 0 b. <input type="checkbox"/> Provides insufficient emotional/psychological support ..... 1 c. <input type="checkbox"/> Employs excessive/inappropriate discipline ..... 1 d. <input type="checkbox"/> Over-controlling parent ..... 1	
N8. Primary caregiver has a past or current alcohol or drug problem interfering with individual or family functioning (mark applicable items and add for score) a. Not applicable ..... 0 b. <input type="checkbox"/> Alcohol ..... 1 <input type="checkbox"/> Within 12 months <input type="checkbox"/> More than 12 months ago c. <input type="checkbox"/> Drug ..... 1 <input type="checkbox"/> Within 12 months <input type="checkbox"/> More than 12 months ago		A8. Primary caregiver has a history of abuse or neglect as a child a. No ..... 0 b. Yes ..... 1	
N9. Characteristics of children in household (mark applicable items and add for score) a. None of the child characteristics are present ..... 0 b. <input type="checkbox"/> Medically fragile/ failure to thrive ..... 1 c. <input type="checkbox"/> Developmental or physical disability ..... 1 d. <input type="checkbox"/> Positive toxicology screen at birth ..... 1		A9. Secondary caregiver/adult has a past or current alcohol or drug problem interfering with individual or family functioning a. No ..... 0 b. Yes, alcohol and/or drug (mark all applicable) ..... 1 <input type="checkbox"/> Alcohol <input type="checkbox"/> Drug <input type="checkbox"/> Within 12 months <input type="checkbox"/> More than 12 months ago	
N10. Housing (mark applicable items and add for score) a. Safe and stable residence or long-term shelter ..... 0 b. <input type="checkbox"/> Current housing is physically unsafe ..... 1 c. <input type="checkbox"/> No shelter or about to be evicted ..... 2		A10. Characteristics of children in household (mark applicable items and add for score) a. None of the child characteristics are present ..... 0 b. <input type="checkbox"/> Delinquency/CHINS (C) history ..... 1 c. <input type="checkbox"/> Developmental or learning disability ..... 1 d. <input type="checkbox"/> Mental health/behavioral problem ..... 1	
<b>TOTAL NEGLECT RISK SCORE</b> _____		<b>TOTAL ABUSE RISK SCORE</b> _____	

**SCORED RISK LEVEL.** Assign the family's scored risk level based on the highest score on either the neglect or abuse index, using the following chart.

Neglect Score	Abuse Score	Scored Risk Level
<input type="checkbox"/> 0-1	<input type="checkbox"/> 0-1	<input type="checkbox"/> Low
<input type="checkbox"/> 2-4	<input type="checkbox"/> 2-4	<input type="checkbox"/> Moderate
<input type="checkbox"/> 5-8	<input type="checkbox"/> 5-7	<input type="checkbox"/> High
<input type="checkbox"/> 9+	<input type="checkbox"/> 8+	<input type="checkbox"/> Very High

Safety according to who?

C.C.S.M. c. C80  
The Child and Family Services Act

**Best interests**

2(1) The best interests of the child shall be the paramount consideration of the director, an authority, an agency and a court in all proceedings under this Act affecting a child, other than proceedings to determine whether a child is in need of protection, and in determining best interests the child's safety and security shall be the primary considerations. After that, all other relevant matters shall be considered, including

(a) the child's opportunity to have a parent-child relationship as a wanted and needed member of a family;

(b) the mental, emotional, physical and educational needs of the child and the appropriate care or treatment, or both, to meet such needs;

(c) the child's mental, emotional and physical stage of development;

(d) the child's sense of continuity and need for permanency with the least possible disruption;

(e) the merits and the risks of any plan proposed by the agency that would be caring for the child compared with the merits and the risks of the child returning to or remaining within the family;

(f) the views and preferences of the child where they can reasonably be ascertained;

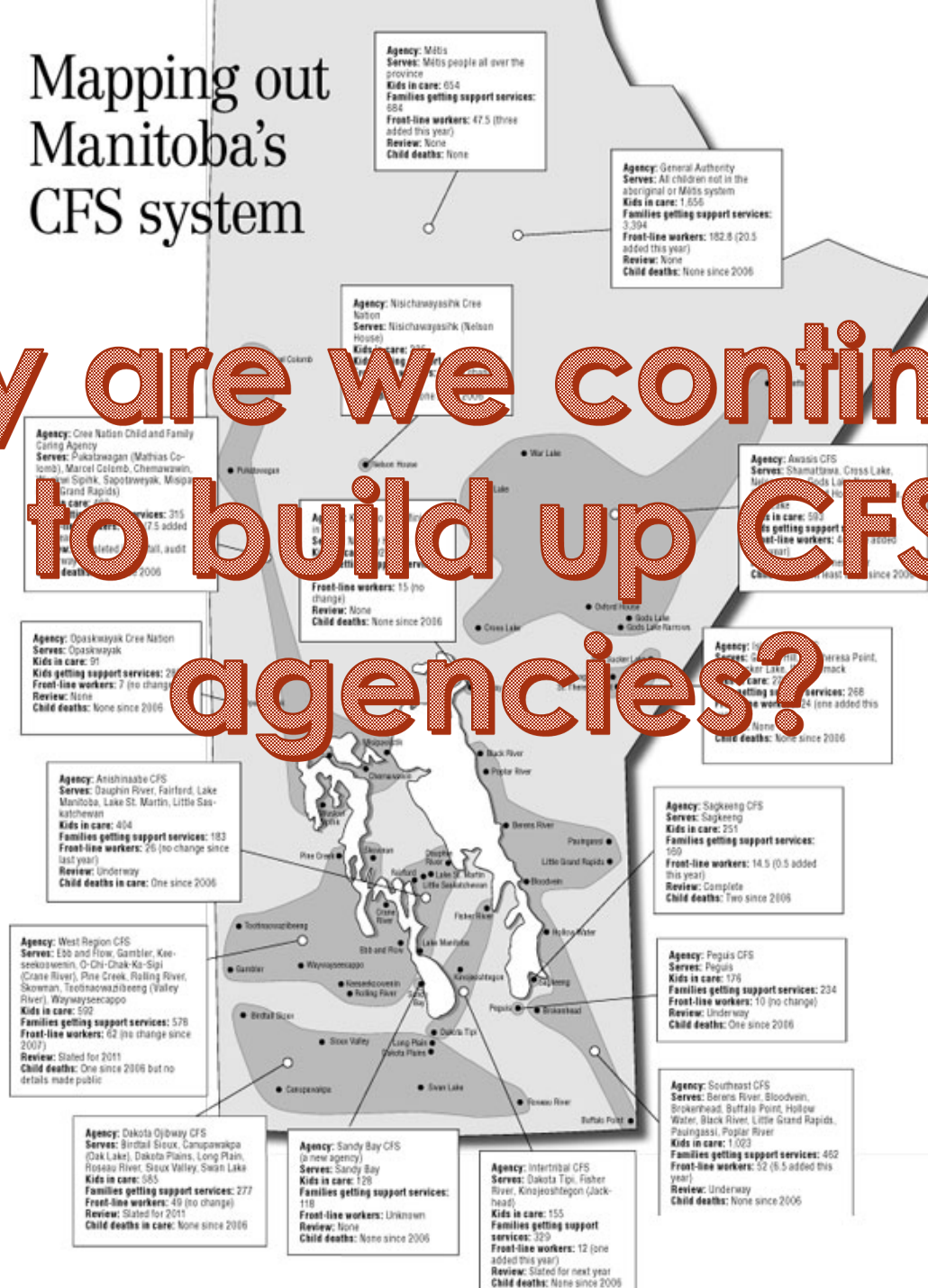
(g) the effect upon the child of any delay in the final disposition of the proceedings; and

(h) the child's cultural, linguistic, racial and religious heritage.

**“Best Interests of the Child”**

# Mapping out Manitoba's CFS system

# Why are we continuing to build up CFS agencies?



# Caught in the system

Indigenous families make up 8 per cent of Canada's population, but First Nations, Métis and Inuit children are disproportionately more likely to be in foster care

Percentage of children under 14 in foster care who are First Nations, Métis or Inuit



Why do we still think  
that removing a child  
is the only way to  
“keep children safe”?

C.C.S.M. c. C80  
The Child and Family Services Act

**PART III  
CHILD PROTECTION**

**Delegation by director**

4(3) The director may, in writing, authorize a person or an agency to perform any of the director's duties or exercise any of the director's powers and may pay reasonable fees and out-of-pocket expenses therefor.

**CFS is a legally mandated enforceable service**

**Forming a regional office**  
6.1(1) The director may, in writing, authorize a person or an agency to perform any of the director's duties or exercise any of the director's powers and may pay reasonable fees and out-of-pocket expenses therefor.

**Contents of mandate**  
6.1(3) A resolution that authorizes an agency to provide services must state:  
(a) the proposed name of the agency or person;  
(b) whether the services are to be provided throughout Manitoba or, if not, the geographic region in which they are to be provided.

**Child in need of protection**

17(1) For purposes of this Act, a child is in need of protection where the life, health or emotional well-being of the child is endangered by the act or omission of a person.

**Illustrations of child in need**



# *Prevention:*

THE ACTIVE PROCESS OF  
CREATING CONDITIONS  
THAT PROMOTE THE  
WELL-BEING OF PEOPLE.

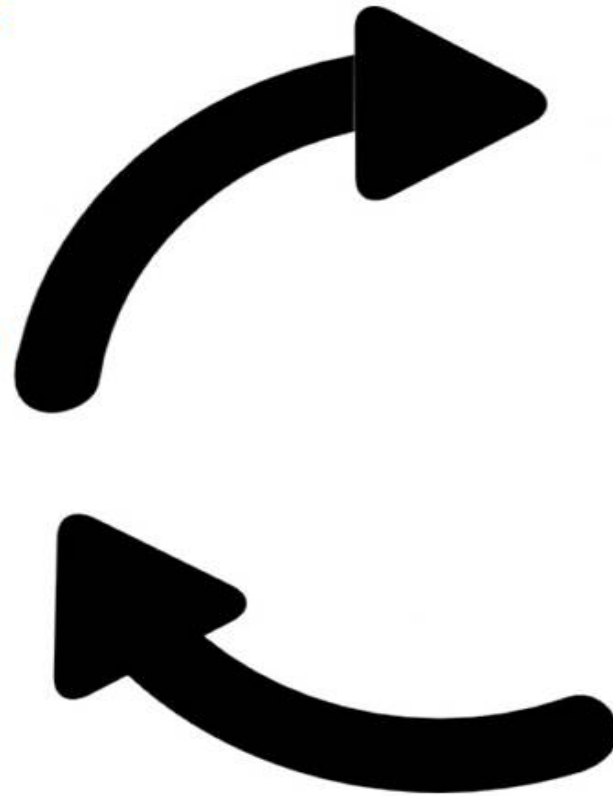
*(Iofquist, 1983)*





## Three types of Prevention

**Tertiary Prevention**  
WITHIN CFS  
RETURNING  
CHILDREN AND  
PREVENTING  
FUTURE CHILDREN  
IN CARE

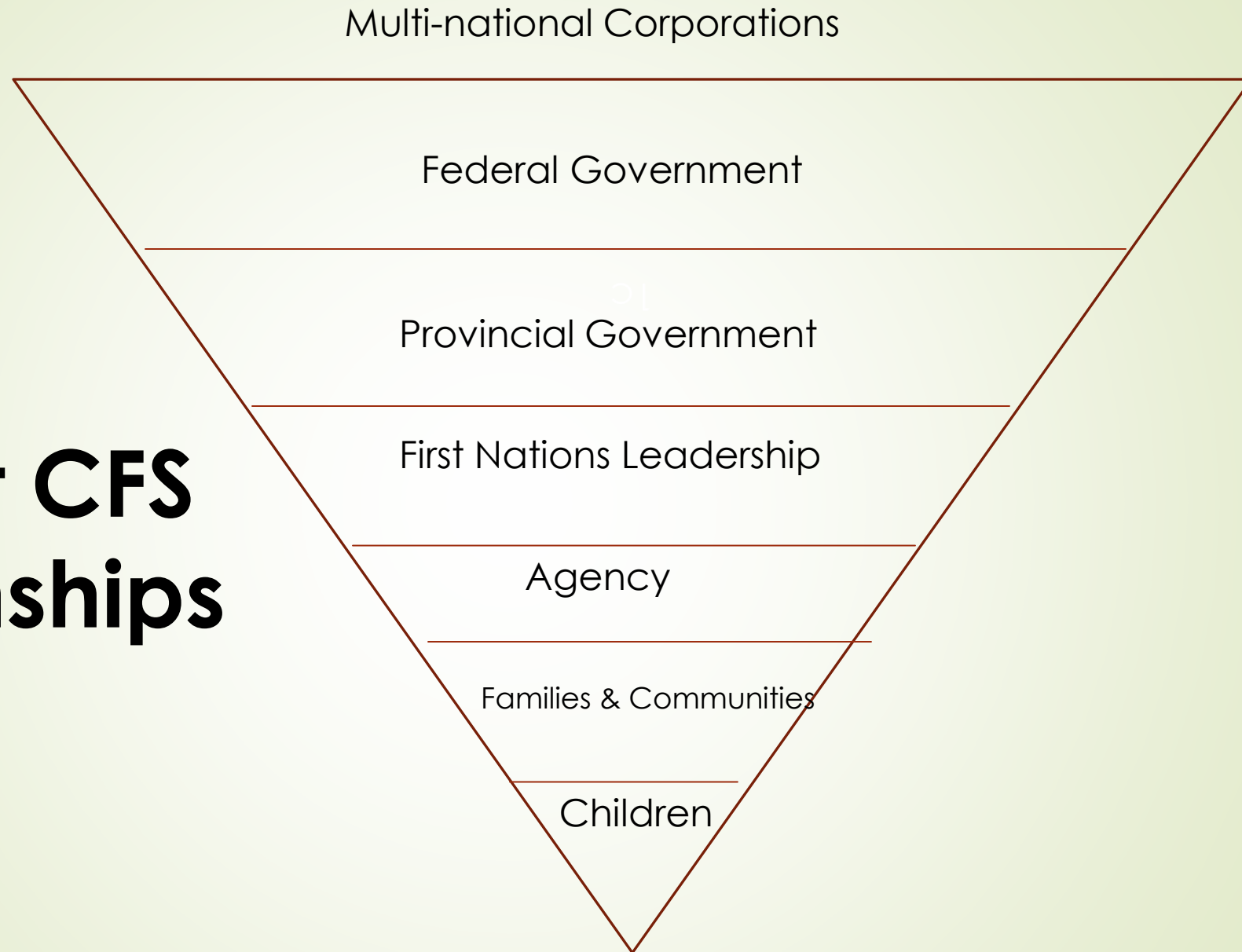



**Primary Prevention**  
COMMUNITY BASED  
WITH AND WITHOUT  
FAMILY ENHANCEMENT

**Secondary Prevention**  
WITHIN FAMILY  
ENHANCEMENT  
TO PREVENT COMING INTO  
CARE

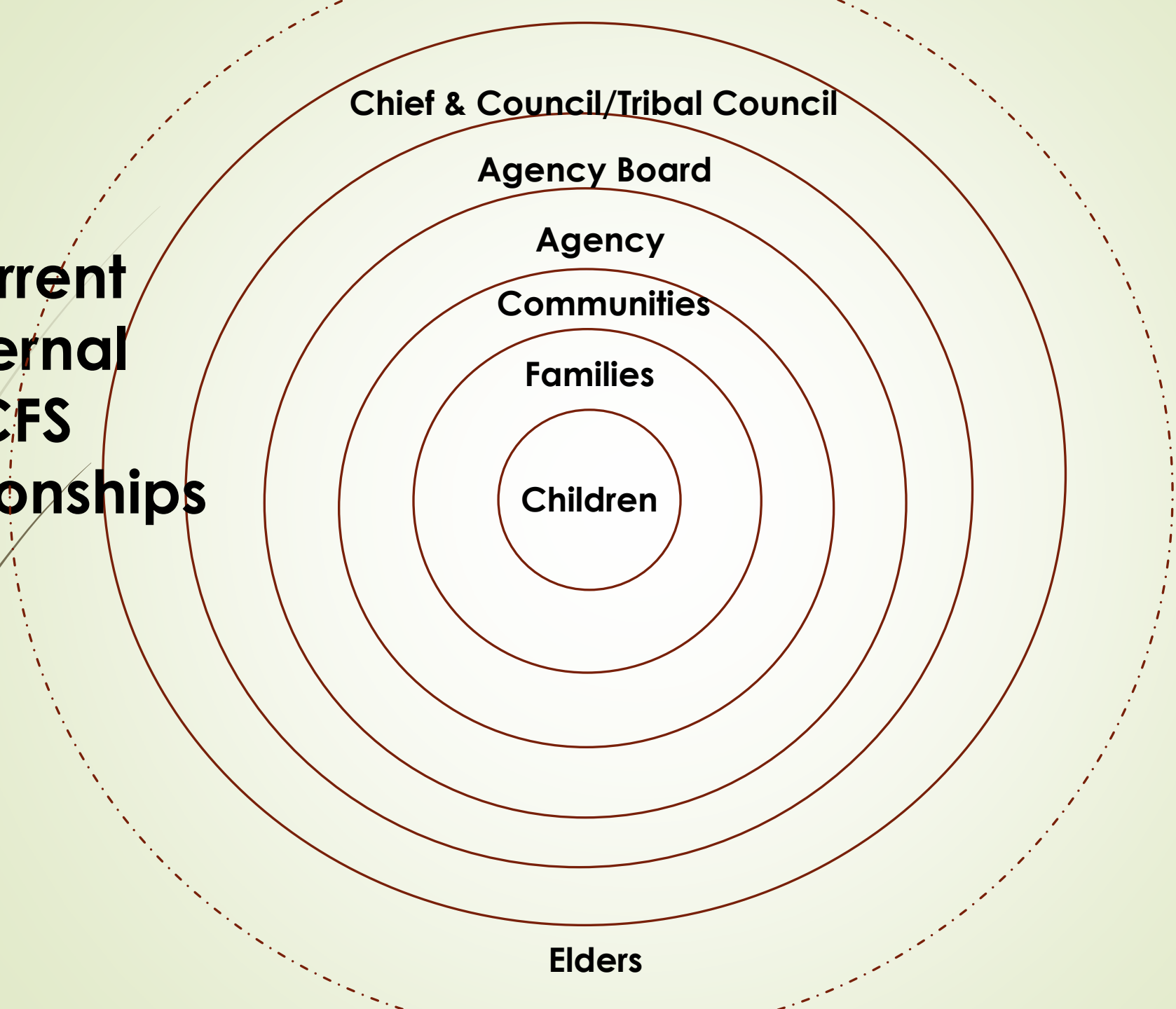



# Current CFS Relationships





**Current  
Internal  
CFS  
Relationships**






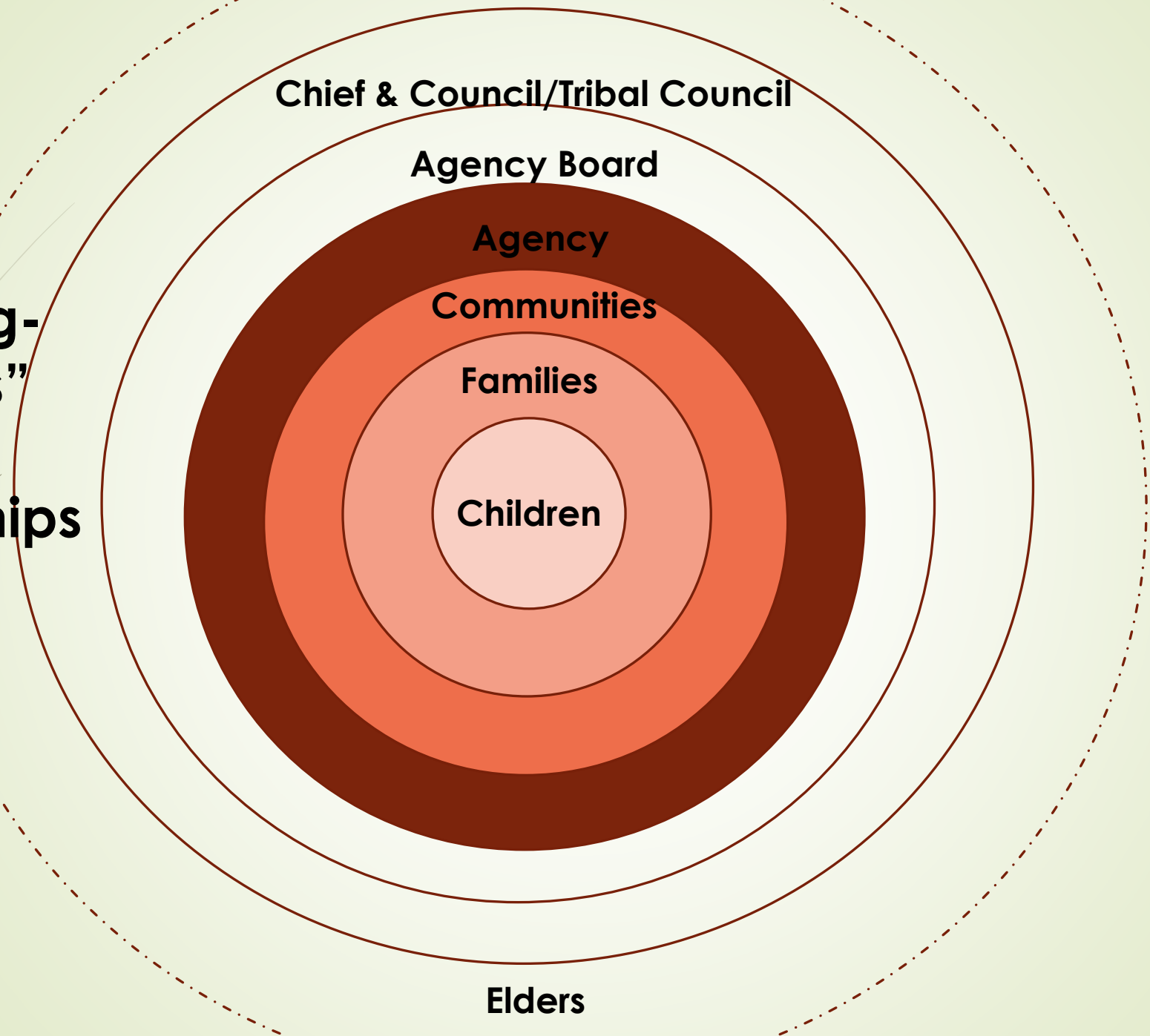
**“Working-  
Towards”  
CFS  
Relationships**







**“Working-  
Towards”  
CFS  
Relationships**





.... to there

From here....







# Guiding Principles

Accountability

Communication

Respect

Working Together

Organic relationships


Organic family systems in relation  
with lands, language, traditions



## Ideas from Participants


**Adam Nepon:** reach out to everyone to support each other, including social media and skype

**Edward Nuna (Labrador):** Cultural Connection Program for children in care to be brought with their caregivers to some and know their culture and Innu activities




**Gloria Cook** (Fisher River): poverty is a really big issue. The province makes a great amount of money from us and our resources, yet has the province ever really shared in the resources or reimbursed us? We need a treaty about this to protect our territories. Saskatchewan is starting something like this. We need to train our people on prevention and the different types of prevention that there are.

**Chris Baker** (MKO/NA): Working for a Unity Declaration. The “best interests of the child” —each First Nations and/or agency should self-determine what the bests interests are; base it within our inherent and treaty rights and have the Elders define that for us.



**Chief David Monias** (Cross Lake FN): We will create something, definitely; we have to make sure we don't make the same mistakes. When a family comes to CFS attention, the Family Enhancement (prevention) workers should be the first people to see the family and give the family the benefit of the doubt, not assume that they will do things that put their children at home. And instead of going through the courts, they should offer consensus making decisions with the family to figure out what to do. We have to find positive solutions for ourselves. Play with the children, have fun with the children and families, celebrate together. They will treat you (agency/workers) good if you have fun with them and relate as people to people. The Local Child Care Committees from before were the best thing ever in place—bring those back.



**Anonymous:** Three H's—Health, History and Healing. Health—diabetes, addictions and medical issues. History—family, community, genealogy. Healing—Healing Centre, transition houses, cultural centres, Elders' gatherings.

**Councilor Henry Swampy** (Sagkeeng FN): remember who's taking care of the children and honour them, including foster parents. Team approach—social worker, school, foster parents, grandparents etc.





There...



# References

- Aboriginal Justice Inquiry. (1991). *Report of the Aboriginal Justice Inquiry of Manitoba*. (Public Inquiry into the Administration of Justice and Aboriginal People No. Vol. I). Winnipeg MB: Government of Manitoba. Retrieved from [www.ajic.mb.ca/volume.html](http://www.ajic.mb.ca/volume.html)
- Battiste, M., & Henderson, J. (Sa'ke'l) Y. (2000). *Protecting Indigenous knowledge and heritage*. Saskatoon SK: Purich Publishing Ltd.
- Cheldelin, S. I., Druckman, D., & Fast, L. (2008). *Conflict: from analysis to intervention*. New York NY: Continuum International Publishing Group.
- Coulthard, G. S. (2014). *Indigenous Americas : Red skin, white masks : Rejecting the colonial politics of recognition*. Minneapolis MN: University of Minnesota Press.
- Coulthard, G. S. (2007). Subjects of empire: Indigenous Peoples and the 'politics of recognition' in Canada. *Contemporary Political Theory*, 2007(6), 437–460.
- Fanon, F. (1965). *The wretched of the earth*. New York NY: Grove Press.
- Flaherty, M. P., Byrne, S., Tusó, H., & Matyok, T. G. (2015). Introduction. *Gender and Peacebuilding* (pp. xiii–xviii). New York NY: Lexington Books.

- 
- 
- Galtung, J. (1969). Violence, peace, and peace research. *Journal of Peace Research*, 6(3), 167–191.
- Galtung, J. (1971). A structural theory of imperialism. *Journal of Peace Research*, 8(2), 81–117.
- Galtung, J. (1990). Cultural violence. *Journal of Peace Research*, 27(3), 291– 305.  
doi.org/10.1177/0022343390027003005
- Hansen, E. (2009). *The Indian Act*. Vancouver BC: University of British Columbia. Retrieved from [http://indigenousfoundations.arts.ubc.ca/the\\_indian\\_act/](http://indigenousfoundations.arts.ubc.ca/the_indian_act/)
- Hart, M. A. (2009a). Anti-colonial Indigenous social work: Reflections on an Aboriginal approach. *Wichitowin: Aboriginal Social Work in Canada* (pp. 25–41). Winnipeg MB: Fernwood Publishing Ltd.
- Hoque, A. M. R. (2018). *Waakia’ligan: Community voices on housing at Garden Hill First Nation, Manitoba (Masters)*. University of Manitoba, Winnipeg MB.
- Kahane, A. (2010). *Power and love. A theory and practice of social change*. San Francisco CA: Barrett-Koehler Publishers Inc.
- Kovach, M. (2010). Conversation method in Indigenous research. *First Peoples Child & Family Review*, 5(1), 40–48.





Lederach, J. P. (1997). *Building peace: Sustainable reconciliation in divided societies*. Washington, DC: United States Institute of Peace Press.

Lederach, J. P. (2005). *Moral imagination: The art and soul of building peace*. Cary, NC: Oxford University Press.

Linklater, R. (2014). *Decolonizing trauma work: Indigenous stories and strategies*. Halifax NS: Fernwood Publishing Ltd.


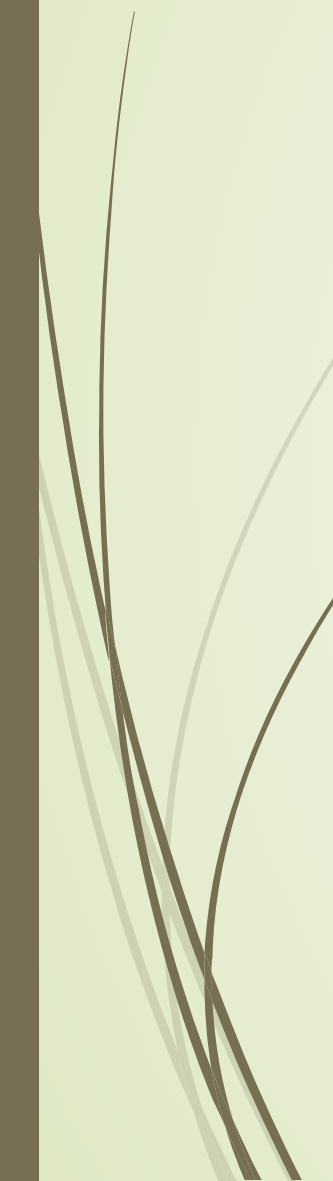
Mac Ginty, R. (2008a). Indigenous peace-making versus the liberal peace. *Cooperation and Conflict*, 43(2), 139–163.


Mac Ginty, R., & Richmond, O. P. (2013). The local turn in peace building: A critical agenda for peace. *Third World Quarterly*, 34(5), 763–783.

Mac Ginty, R., & Williams, A. (2009). *Conflict and development*. New York NY: Routledge.

Manitoba. Justice. (1985) *Kimelman report: Review committee on Indian and Metis adoptions and placements. No quiet place final report to the Honourable Muriel Smith, Minister of Community Services*. Winnipeg: Manitoba Community Services.

McIntyre, A. (2008). *Participatory action research: Qualitative research methods*. Los Angeles CA: Sage Publications..

- 
- 
- McNiff, J., & Whitehead, J. (2012). *All you need to know about action research* (Second Ed.). Los Angeles CA: Sage Publications.
- Memmi, A. (1991). *The colonizer and the colonized*. Boston MA: Beacon Press.
- Richmond, O. P. (2010a). A genealogy of peace and conflict theory. *Palgrave Advances in Peacebuilding. Critical Developments and Approaches* (pp. 14–38). New York, NY: Palgrave MacMillan
- Richmond, O. P. (2010b). Introduction. *Palgrave Advances in Peacebuilding. Critical Developments and Approaches* (pp. 1–13). New York, NY: Palgrave MacMillan.
- Settee, P. (2013). *Pimatisiwin*. Vernon BC: J Charlton Publishing.
- Smith, L. T. (2008). *Decolonizing methodologies: Research and indigenous peoples*. London; New York: Zed Books: Palgrave Macmillan.
- Stringer, E. T. (2014). *Action Research* (Fourth Ed.). Los Angeles CA: Sage Publications.
- Synott, J. P. (2017). Introduction: Advancing Indigenous Peoples' rights Through peacebuilding. In *Peacebuilding and the rights of Indigenous peoples* (On-line, Vol. 9, pp. 1–13). Cham: Springer International Publishing.



Truth and Reconciliation Commission. (2015). *Final report of the Truth and Reconciliation Commission of Canada. Volume one, Summary: honouring the truth, reconciling for the future*. (Second printing). Toronto ON: James Lorimer & Company Ltd, Publishers.

United Nations. (2010). *Indigenous Peoples and peacebuilding A compilation of best practices*. Turin, Italy: Institution Generalitat de Catalunya Departament d'Interior, Relacions Institucionals I Participació; United Nations Systems Staff College, and Institut Catala Internacional.

Vayrynen, T. (2010). Gender and Peacebuilding. *Palgrave Advances in Peacebuilding. Critical Developments and Approaches* (pp. 137–154). New York, NY: Palgrave MacMillan.

Wilson, S. (2008). *Research is ceremony: Indigenous research methods*. Black Point NS: Fernwood Publishing Ltd.

Zahariuk, S. (2014). *Food insecurity within the Island Lake First Nation communities in Northern Manitoba, Canada* (Masters of Environment). University of Manitoba, Winnipeg MB.