

Bringing Our Children Home

Report and Recommendations

June 2014



Executive Summary

The Assembly of Manitoba Chiefs explored the child welfare system in Manitoba from the perspective of the people who must deal with the system directly including children (now adults), parents, grandparents, workers, and support service organizations that are established to help the people.

Through a two-day Open Citizens Forum along with numerous video and written submissions, personal heartfelt and often traumatic stories have been shared. These stories illustrate the devastating impact that the policies and practices of the current child welfare system are having on the First Nations children and families in Manitoba. In witnessing the expression of actual experiences of children and parents and how the system has affected their lives, it can be concluded that the current approach merely deals with the symptoms of the deeper underlying challenges in people's lives. The implementation of all recommendations put forth by Justice Hughes in "The Legacy of Phoenix Sinclair: Achieving the Best for All Children" might make slight improvements within current system practice but the fact remains that the legacy of the Manitoba Child Welfare System is an extension of the cultural genocide experienced by the Residential School years and Sixties Scoop.

The real life impacts of the current child welfare system informs us that a lot of resources are being put into a failing system. Based on the outcomes that are a result of being involved in the child welfare system, it can be concluded that system practices must change immediately. Further to this, there are critical system additions required including, family support, advocacy, and intensive holistic healing opportunities.

Overall, there must be a transition to a First Nations System that is based on the original systems of child rearing, education, and nurturance of individual spirit. Resources must be used in appropriate ways to break the existing cycle to restore spiritual, physical, mental, and emotional health and well-being.

The only way out of the current child welfare crisis is to develop a completely new system based on the First Nations principles of: love, compassion, respect, and dignity. With the guidance of the First Nations Elders and Grandmothers, clear direction on how to do this will come from a higher power of Spirit. In order for this new path to be successful, it will be imperative for First Nations to never compromise the long-term goals of "Bringing Our Children Home".

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Introduction

In March 2014, the Chiefs in Assembly supported a resolution (Mar-14.06) “to hold and participate in a Special Chiefs Assembly, and an Open Forum for Concerned First Nations citizens, on the topic of First Nations Families and Children Welfare”.

The purpose of the resolution was to provide a voice to those impacted by Child Welfare and to provide First Nations an opportunity to develop a response to the Phoenix Sinclair Inquiry Report.

The Assembly of Manitoba Chiefs hosted an Open Forum on May 1st in Winnipeg and May 13th in Thompson. AMC Grand Chief Derek Nepinak and others identified on the listening panel heard directly in testimonies from over 90 parents, grandparents, workers, and individuals who grew up in the care of the CFS system. The submissions included verbal, written, video and one-on-one interviews. There were 216 individuals who attended the forum.

A strategic planning session was held on May 29th, 2014 to review findings from the forum and to develop recommendations to present to the Chiefs in Assembly June 10 & 11th, 2014.

What did we hear?

From Children...

- Children are being told they cannot be with their mom and dad or grandparents.
- Children in Care contemplate suicide because they don't feel connected to anything/anyone and many have been abused in foster care.
- Many children of the Sixties Scoop are having children who become involved with the system.
- Children are growing up alone, isolated, feeling abandoned; feeling like nobody cares about them. Once a child becomes a teenager, they often experience even greater instability, moving from group home to hotel room to short term foster home. Children will run away frequently, always in search of their parents. They refuse to give up on being reconnected to their family.
- The child's education suffers once in care. No supports to help them understand what's happening or what's going to happen. The lack of stability in placements results in constantly changing schools. Moving from foster home to foster home does not allow for parental involvement with education.

- Parents hear about their children self-destructing, there is a lot of anger that children live with from being in a system where they have no control/choices. Expressing this anger often results in incarceration.
- Children in care stated that they learned to defend themselves at an early age, and not to trust anyone, which made it difficult to establish supportive relationships later in life.

From Parents ...

- Mothers asked for help only to have their hearts ripped apart.
- Many parents go to the agency seeking help and are told they must sign a Voluntary Placement Agreement in order to receive help. Many children become Permanent Wards after because the parents' plea for help is used against them to justify apprehensions and orders to keep children in care.
- Parents are impacted by their involvement with CFS, due to the loss of their children and the loss of their role as a parent, many experience depression, anger, feelings of worthlessness, and anxiety. Creates more challenges and barriers in getting their kids back.
- Some women have started a support group for parents who have had involvement with CFS. CFS treatment of parents is traumatizing. It often leads to a cycle of substance use as a means of coping. Parents are prone to becoming depressed, angry, and self-destructive. Even when parents meet the requirements CFS sets, CFS blocks their re-unification with their children.
- The agency has a policy to intervene if someone reports parents to CFS, they automatically apprehend instead of working with the family. The agencies have no process to determine what is true, many people expressed that their children were taken due to false allegations that were never corroborated.
- The agencies create records about people that label them as unfit, incapable of parenting, or uncooperative with no formal assessments, just personal judgments.
- Parents and grandparents have sent items with their children to promote cultural identity which have been returned because the foster parents don't support "that stuff". Children are immersed in foreign languages in foster homes with no opportunity to learn their own.
- There are many threats happening, parents and children are fearful. NO respectful communication, no compassion.
- Parents are often told "they will never see their child again if they don't agree to the order"

- Foster homes are being protected and enhanced with resources and funding while families are being destroyed.

From Grandparents...

- Grandparents have an integral role in maintaining the family bond and connection
- Many grandparents have stepped up to care for their children when the parents are struggling.
- Grandparents are starting to be treated the same way as parents, no trust, no accommodations, no support to keep children with their families.

From Workers...

- Youth in care will often have contact with the law. When they get angry or upset, the CFS policies leave it to the RCMP deal with them. If they direct their anger at workers or direct it into alcohol & drugs, they get passed off to the police. Youth run away to be with their family or don't go back to their homes, CFS does nothing to ensure their safety and after 24 hr reports them to the police. This results in unnecessary involvement with the justice system.
- Sometimes the agencies prescribe things for parents to comply with that don't even exist i.e. parents required to secure a 3 bedroom apartment on a social assistance budget (based on one single person) becomes impossible, and delays or forfeits earlier re- unification.
- Youth in care staying in Manitoba Youth Centre because they have nowhere to put them.
- Parents with multiple children in care often have a different worker for each child and a different case plan to comply with and in some instances different CFS agencies.
- There is not much monitoring in the system, little effort into ensuring that siblings remain connected even though they are all in the system.
- There are many workers in the system who did not do their own healing and this impacts their ability to help and support families.

A social worker explains that "When you work in CFS, you become very powerful. You forget that you have emotions. Your spirit shuts down. You lose all concepts and become disconnected from families and communities (we have to stop putting our people in these

positions). I had to do therapy and start my own healing from the work I was involved in. I don't do that work anymore".

Impacts

- Children continue to experience mental, emotional, spiritual, physical, and sexual abuse in the system. There are no protective measures.
- Parents are denied visitation without explanation, leaving them to feel more desperate, depressed, and hopeless.
- Continuation of Indian Residential School and Sixties Scoop mandate to remove children from their families, community and culture. Disconnections are created, and more families are torn apart by the system.
- Parents have been told they weren't good enough for so long. They have been silenced by shame, guilt, and low self-esteem. Actually, fighting the system, insisting on their children being returned and being denied after meeting all CFS requirements, drives people to desperation – then they are labeled "crazy".
- The voices of young adults who grew up in the system and parents and grandparents currently dealing with the system are breaking through, speaking up, expressing the value they have of themselves and the never ending love they have for their children. They don't want to give up even though they are being told from workers, agencies, authorities, lawyers, and even family to just give up.
- There is a reoccurring cycle of substance abuse, dysfunctional relationships, and losing children to the system.

RECOMMENDATIONS

Recommendation #1: Focus on Model of Care based on Prevention

Many have referred to the current CFS system as a continuation of IRS and the Sixties Scoop. This was first cited by Judge Kimmleman in 1971. The children and families who have provided testimonies attested to this as well. Over decades, the Government of Canada and Province of Manitoba have created places to destroy our people, they must now be held accountable to help us create places to restore the peace and harmony amongst our people.

Child welfare is not only a First Nations issue it is an issue for everyone. Investments must be redirected to support a model of care based on prevention, strengthening families and reunification rather than apprehension.

Separation of families. I look at it like the braid has been broken. The connection from mothers and daughters and grandmothers, we need to keep that bond.

I wish there were family support workers that could work with the families when they are breaking down. Why can't you do this before children go into foster homes?

We need our own child welfare system not a system that was handed down to us, we need to set up our own regulations, and we need healing with the family...the only time you can get help is if you put your child in care...

Recommendation #1:

That the Chiefs-in-Assembly adopt the priority of Re-unification and Strengthening of Families the first and prior choice for CFS with understanding child safety is paramount. ONLY once all alternatives have been exhausted would any removal from extended family and community be considered; and that

The AMC Grand Chief and Chiefs in Assembly meet with Premier of Manitoba to:

- **Establish an immediate end to the CFS system as it currently functions.**
- **Reorganize the Leadership Council with equitable decision making at the table, with 80% First Nations representation at the decision making table to reflect the proportion of First Nations children and families currently impacted by the system.**
- **Establish a Youth Advisory Council within each of the existing Authorities to advise on policy change, system enhancements, and decision-making to ensure the needs of the youth are being met.**
- **Change funding models to support a model of care focused on prevention, strengthening families and reunification rather than apprehension.**

Recommendation #2: Establish a First Nations Advocate for Families

Involvement with CFS creates numerous challenges to maintain healthy relationships within the family unit. This further supports the importance of supporting family connections. Interactions with agency workers and lawyers create heightened levels of tension and stress for all people involved. There is an immediate need to implement accountability protocols for the interpersonal communication and interactions that take place among agencies, courts, and families that are based on First Nations cultural values of respect, compassion, and dignity.

I never wanted this. My daughter was sick, not curable until nowadays. The agency felt I would never be able to get her back. I listened to agencies and doctors. I missed most of her life because of this. I gave her up to a medical foster home. I have lived angry and heartbroken.

Feel so dehumanized, if I would have known that my kid would have been taken away just for asking for help, I would have never asked for help.

We need to take care of the spirit of the people and the families. There is a need for ceremonies a need for medicines.

We need to have these kinds of forums with the families. When the mothers speak the truth listen to them, don't hold their truth against them. We need to hear them, see them and believe them.

CFS Act controlled act has so much power and control it needs to be dismantled and start something new. We need to start a child advocacy unit to work with the families.

Recommendation #2:

Establish an Office of the First Nations Family Advocate that will challenge the system to address unethical practices and decisions enforced upon families or decisions that contribute to negative impacts on the child's spiritual, emotional, mental, or physical well-being and safety. In addition, the First Nations Family Advocates will work with children and families currently involved with CFS to ensure:

- **Children are not placed in care for experiencing unique needs due to medical, behavioral, or mental health reasons.**
- **Children who have been through a traumatic experience receive full supports for a minimum period of one year before any consideration of Voluntary Placement Agreements with CFS agencies.**
- **Advocacy for children and families to receive other services within and external to the community.**
- **Family reunification by providing guidance and support to parents on their healing path.**
- **Access to healing supports for children and other family members to deal with system involvement and support families to move forward together.**

Recommendation #3: Protect Cultural Identity

The first six years of education are the most important in teaching a child who they are. First Nations have the knowledge and carry the gifts to help children to understand their identity, language, and culture. This must be the first and immediate priority to ensure that the young ones, wherever they may be physically, are being supported spiritually, emotionally, and mentally to understand who they are and where they come from.

The Elders and Grandmothers are integral to providing children with these teachings and ways of knowing to develop a concrete understanding of their culture, community, and individual identity. It will be important to identify all people that need to work together on implementing this as well as the people that need to support this recommendation.

Because of my CFS experience, I did not know where I was from.

I was a young child that was taken by CFS from my grandparents, due to they were living the traditional life style. Those people determined that it was the wrong way to raise the child and so they took us away.

CFS destroyed my spirit.

When I was 8 years old my grandfather gave me my Spirit Name. From that point on I knew I would be okay.

Parents have to try and make sure the children aren't lost and know that someone is thinking of them". It's important to maintain contact by writing letters, sending pictures, explaining to the child who their siblings are and where they are. It's important for parents not to lose their role and to try and maintain that role with the children.

Recommendation #3:

That the Assembly of Manitoba Chiefs engage the Elders, Grandmothers, and Youth to further define the First Nations Rights of the Child and determine the best methods to reach out to the children right now; and that

That the Chiefs-in-Assembly direct every organization, school, youth initiative, community program, as well as all services and supports provided to First Nations children, youth, and families to respect and uphold the First Nations Rights of the Child as determined by the Elders, Grandmothers and Youth.

Recommendation #4: Re-learn Traditional Parenting Ways

It is time to recognize that First Nations are responsible for their own people when it comes to restoring the traditional ways of parenting that were taken away through IRS, Sixties Scoop, Child Welfare and the intergenerational impacts. The Open Forum has indicated that the child welfare system has failed and continues to fail First Nations people. First Nations have to reclaim the rights and responsibility for their children, and prevent a foreign system from taking away any more children. The parents and grandparents have to be prepared to become mentors to learn from the past and help the younger ones entrenched within the systems of CFS and justice.

I was not enough; I could not take care of them. That's the message the system sends.

What I needed was to be taught how to be a mom. I don't know my children and grandchildren, as a mother should. What I needed when I was being abused was support and not to have my children ripped away. I needed to be able to heal together with my children. What I needed was the help to take care of my child not to have to give my child up. I needed to be able to access the services with my child.

[As a child previously in care]...I placed my son in care when he was 2. All I wanted was help from the system. I felt alone, I knew I needed to finish my education to make my life better for my children as I am a single parent. My son was placed when he was 2 and now he's 17.

Recommendation #4:

That the Chiefs-in-Assembly uphold the Ogitchitakwewak Kaykikaywin and the Role of the Ogitchitakweg and supporting the establishment of a formal Grandmothers Council that will reclaim these important roles and share the teachings with every First Nation community; and that

All First Nations members take back responsibility for teaching the children, youth, young mothers, young fathers, and parents to care for all children based on the original ways.

This effort will require planning, development, and coordination of appropriate activities within the communities to support families in reclaiming responsibility for the children and learning the original ways of parenting focused on protecting and loving our children.

Recommendation #5: Respond to the Youth Voice

Once in the system, both parents and youth adopt destructive coping mechanisms that lead them on a path to repeating the cycle in future generations of children. Our children are overwhelmed with temptations to destroy their life. First Nations must take the time to hear from the young people and identify what specific interventions they need to understand the environments in which they live, how to cope with these environments, and how to evolve and grow in a positive and balanced way.

At 14, I was dealing with addictions. I found myself contemplating suicide. I was a true runaway and became homeless. I wanted to die because I was dead inside.

I was an alcoholic at 15. My breaking point was when I was 30.

We need to listen to the children; we need to listen to the children that have been affected instead of calling them rebellious.

I was an alcoholic at 15. My son is an addict, my daughter is an addict, and I have to deal with this situation because of the broken spirit.

CFS need to work quickly to reunite families and to ensure the youth have their cultural identity. I know people who have done everything asked of them and still can't get their children back and they are angry and frustrated and they end up giving up going back to addictions.

My son was in a foster home, he drank lots. I didn't really know him. He's doing time now. He was in a foster home then ended up in jail. He's only 25. I talk to him now and then and try to encourage him to be strong.

I am basically a file.

Recommendation #5:

That the Assembly of Manitoba Chiefs, in cooperation with the Manitoba First Nations Youth Advisory Committee carry out consultation with the young people to identify ways to meet their spiritual, emotional, physical, mental, social, and environmental needs: and that

Every First Nations bring together community-based resources including the Leadership, Elders and Grandmothers, Education, Social Assistance, Housing, and Child Welfare to explore alternatives for young people in the community that will meet the needs identified and focus on:

- **Collaboration**
- **Resource Sharing**
- **Communication**
- **Volunteering**

Recommendation #6: Promote First Nations Solutions to Keep Children Home

It is very difficult and in some instances impossible, to find placements within the community, based on the standards set out for foster home requirements. The communities must take a proactive role in finding ways to keep children within the community. However, it becomes very difficult for parents to get healthy when their child(ren) is/are 500 miles away. Maintaining the child in the community could positively impact the issues of negative coping strategies of parents while ensuring children remain connected to their families and communities.

No matter what my parents have done to me mentally, emotionally, and spiritually I still love them [parents].

CFS told me I couldn't be with my mom. It destroyed me. I absolutely cringed at the workers, they ripped my mothers heart out when she only asked for help.

Personally, the lies and the promises "you will see your mom, your grandmother again". They killed my spirit through those lies.

They are too hasty taking children away, no matter what the children love their families and their parents, they need the connection. I don't like the rules and regulations i.e. Number of bedrooms. I loved the comfort sleeping with my siblings and parents. Its such a foreign value to enforce, against our ways.

I needed to be at home, I wish someone could have taken care of us at home.

One of the obstacles was sporadic education, with grade 5 education at age 16. I had a learning disability. I was diagnosed with ADD at 13. Due to my multiple placements hard to get the education I needed. Due to multiple placements it was hard to receive supports consistently.

Recommendation #6:

That the Chiefs-in-Assembly mandate the Authorities and Agencies to develop new service delivery models, examining models such as Customary Care, Receiving Homes, and Family Healing Homes, to have children remain in the community with a focus on ensuring:

- **Culture and Identity**
- **Family access**
- **Education**
- **Social Networks**
- **Connectivity**
- **Regular Visitations with parents, grandparents, extended family & siblings**

Recommendation #7: Transition to A First Nations System For Child And Family Services

All First Nations organizations must come together to develop and communicate new messages to move beyond negativity, blame, and conflict and restore peace, harmony and cooperation. Positive messaging will bring together everyone that needs to be involved to restore the children to the centre and design a First Nations System for Child and Family Services.

It will be critical to develop professional standards for workers to ensure they are supported to serve as mentors and helpers; and treat families in ways that uphold their human rights and reflect respect, compassion and dignity.

As a worker I know I have not done what I was able to do because I wasn't allowed to; we need to create the change we need to do. Let's try to dissolve the need for CFS within 2 generations, I do not believe it works, it is infested, too many problems, too much history, destroying people that is in the system.

The system has gotten worse. As workers and agencies our hands are tied tighter than they have ever been, we cannot be human beings helping other human beings.

The "[As First Nation workers]...every time we take children away from the land we destroy their spirit".

We need to spend more time keeping the families together, how we are going to get rid of CFS and get the families back the way they were. I hear those little children crying they want the parents, their families, and grandparents. Parents need to step up and make changes but they need support to do it.

Recommendation #7:

That the Grand Chief meet with University of Manitoba President to support the Indigenous Social Work program, according to initiatives being proposed by Michael Hart (University of Manitoba Professor, Canada Research Chair in Social Work and Indigenous Knowledge) and by the Aboriginal Social Workers organization; and that

The Chiefs-in-Assembly support the establishment of the College of Aboriginal Social Workers to ensure the Social Work Profession Act reflects the First Nations perspective, beliefs, values and practices in the Code of Ethics adopted.

Recommendation #8: Revitalize Original Systems of Life-long Supports

Children are being traumatized by “help”. Services must be provided for the family unit with specific services to each family member. There is a strong and immediate need for healing centres in the community, a place where all people have ready access to their traditional practices, cultural ceremonies, land-based teachings/skills development, and related healing interventions (Cree, Dene, Dakota, Oji-Cree, and Ojibway).

The Grandmother Turtle Lodge in Sagkeeng First Nation will be the first of its kind, a made-in-Manitoba model focusing on Land-based Education, Traditional Parenting, Wellness Healing, and Revitalization of Cultural Identity for all people. This is a model that can support all communities to provide life-long supports.

I needed to be visited even to see my parents, even if they are in no condition to visit, I needed to hear the voice of my parents, have pictures of my parent.

No matter what, I always loved my parents.

I'm a mother and I forgot how because I was separated from my children for so long. I tried so hard, and I will continue to try hard. I will not give up.

Recommendation #8:

Short-Term: The Assembly of Manitoba Chiefs facilitate all existing resources to come together with the guidance and support of Elders and Grandmothers to plan, develop and implement collaborative supports that will help parents and children to meet their spiritual, emotional, physical, and mental needs, for example:

- **FAS Prevention and Support**
- **Mental Wellness Services and Support**
- **Family/Community Supports in the home so parents can focus on healing without losing their children**
- **Land-based education and family services**
- **Long-term programs for Indian Residential School survivors and Sixties Scoop survivors and intergenerational survivors that includes healing, coping, and re-connection with self, family, community, and culture.**

Medium Term: That the Assembly of Manitoba Chiefs work with the CFS Agencies to ensure all policies and practices reflect the importance of family connections. This will require collaborating among community based projects plus redirection of Enhancement funds to orient and support such collaboration.

Long Term: That the Assembly of Manitoba Chiefs and First Nations Health and Social Secretariat of Manitoba work on establishing healing centre hubs, building on the Grandmother Turtle Lodge model, so that every community has ready access to cultural healing interventions.

Recommendation #9: Focus on First Nations Social Determinants of Health

Poverty can no longer be a justification for destroying families. The standards imposed unilaterally by Provincial systems make it impossible for families to meet due to their standard of living. First Nations must promote their own standards for the well-being and safety of families. In addition, families need to be housed in supportive environments and provided with comprehensive supportive services.

Need to help the parents; housing is one of the biggest challenges of our people.

I had a one-bedroom apartment which was not good enough to get her back. I found out I couldn't have her back until I found a 2-bedroom apartment.

Some women just give up. The Ochiwaywin Program helped me. It's so hard to find housing up north, especially with parents trying to get their children back from CFS.

Recommendation #9:

That First Nations leadership adapt Housing Policies to meet family reunification needs first and to keep children in the community; and that

The Chiefs-in-Assembly support the expansion of the Eagle Urban Transition Centre to include supports for youth and families involved with Child Welfare and to establish an Eagle Urban Transition Centre in Northern Manitoba inclusive of all services.

Recommendation #10: Revolutionize Justice System Practices

The Child welfare system is endorsed by the justice system. The formal legal system is part of the structure but disconnected from the purpose – to minimize any negative impact of a child being removed from their home. Communities are left out of the process and children do not have a voice at hearings. There needs to be a decision making process in which the community is empowered to develop alternative case plans and care for the child.

I didn't feel my lawyer was on my side.

Youth in care, are being charged as a result of being in care. The children in care have no voice, not control over their own lives, no one is listening to them.

There would be less apprehensions is people had lawyers to go up against the agency. The agencies pay their lawyers good money to keep children in care.

There is no support structure in place for the supposed accused.

My recommendation is that you form a committee to come up with a way to support parents to get a lawyer, if they have the money. There would be less apprehensions is people had lawyers to go up against the agency.

Recommendation #10:

That the Assembly of Manitoba Chiefs examine legislation such as Ontario which recognizes “Customary Care” by First Nations in their Child and Family Services Act and Saskatchewan to see how it is working and how it is supporting communities to reclaim responsibility for the children, and prepare options for Leadership to pursue; and

That the Assembly of Manitoba Chiefs, in partnership with the University of Manitoba Centre for Human Rights Research, evaluate the Legal Aid system in relation to the services provided for First Nations clients dealing with child welfare.