

Annotated Articles

August 18, 2009

Alderman, J., S. Balla, C. Blackstock, and N. Khanna. Declaration of Accountability: On the Ethical Engagement of Young People and Adults in Canadian Organizations. First Nations Child and Family Caring Society of Canada, July 2006

This document serves as a reflective tool to assist organizations to develop, or refine, youth engagement values, policies and practices. Groups currently or beginning the process of respectful engagement with young people may use the tool to reflect on their organization's structures, culture and capacity – both human and financial. Young people may use the tool to optimize their engagement with organizations. Key principles of meaningful youth engagement were identified through consultation with young people and national non-profit organizations. These principles include: “youth engagement is not a program; contributions match the organization; one person cannot represent the many; debate as a learning tool; dignity and safety; avoiding false expectations; balance and accessibility.”

Amnesty International. Protection Gap: Strengthening Canada's Compliance With Its International Human Rights Obligations. 2005

This report serves as Amnesty International Canada's submission to the United Nations Human Rights Committee on the occasion of the review of Canada's record of compliance with its obligation under the International Covenant on Civil and Political Rights (ICCPR). While recognizing Canada's positive record of protecting human rights domestically and worldwide, Amnesty International highlights a number of areas where significant improvements are needed. The improvements and recommendations are outlined in seven principle areas: the compliance and implementation gap (regarding the lack of coordination among different levels of government, and the need for an accountable intergovernmental body to monitor compliance with human rights obligations); civil remedies for human rights violations; protecting the rights of Indigenous peoples (including violence against Indigenous women, Indigenous children in state care, arbitrary detention and inhumane treatment of persons in mental distress, protection of the rights of the Lubicon Cree, and investigation into the death of Dudley George); protecting the rights of refugees; human rights and counter-terrorism; human rights and law enforcement; ratification of the Second Optional Protocol to the ICCPR.

Blackstock, Cindy. *Reconciliation Means Not Saying Sorry Twice: Lessons From Child Welfare in Canada*. From Truth to Reconciliation: Transforming the Legacy of Residential Schools. Aboriginal Healing Foundation, 2008, pp 164-178.

In this article, Blackstock discusses Canada's failure to address inequalities in the treatment of First Nations children. Discussing evidence of the high rate at which First Nations children are removed from their homes (there are more Aboriginal children in care today than there were in the height of the residential school program), she argues for reorientation of First Nations child welfare services, so that “saying sorry” will not have to be repeated. Additionally, the article analyzes the impact of jurisdictional debates between federal and provincial governments on

child and community well-being, and cites *Jordan's Principle* as a child-first principle in settling jurisdictional disputes. Blackstock concludes that putting children first must be at the foundation of reconciliation in order to ensure that violations of children's rights are not repeated and ongoing.

Blackstock, Cindy. Touchstones of Hope: Bachelor or Master of Social Work Course Curriculum. <<http://www.reconciliationmovement.org/new.html>>

Designed for Bachelor or Master of Social Work students, this course was written in accordance with School of Social Work accreditation standards by FNCFCS Executive Director Cindy Blackstock. The curriculum objectives are: 1) to familiarize social work students with the Touchstones and 2) to provide students with opportunities to actualize the principles in social work research, policy, practice and education.

Cabinet Office, Social Exclusion Task Force. Think Family: Improving the life chances of families at risk. January 2008.

This report focuses on the delivery of adult social services, focusing less on the level of support for families at risk and more on the way that the support is provided. The "Think Family" approach considers the wider needs of an adult including family circumstances and the needs of children, rather than analyzing component parts of social services in isolation of one another. As a follow up to the Social Exclusion Task Force's report, *Reaching Out: Think Family*, which analyzed the meaning of "families at risk," assessed the effectiveness of existing services and systems, and highlighted innovative practice, this report sets out the next steps in improving family services. Included in these next steps are ways for local authorities, third sector bodies, central government, family members, and frontline professionals to work together towards a system that "thinks family" at every level. The report invites local authorities, with their partners, to apply to become one of 12-15 Family Pathfinders as part of the 3 year Family Pathfinder Project, launched by the government in April 2008 to work across key government departments to improve outcomes for families at risk through change at all levels of the system, from local strategy and governance through to delivery of more effective front line services.

Canadian Paediatric Society. Are We Doing Enough? A status report on Canadian public policy and child and youth health. 2nd ed. CPS, 2007.

The Canadian Paediatric Society's original report released in 2005, *Are We Doing Enough?*, was published to encourage policy-makers to critically examine their progress on child and youth issues and make changes where improvements were needed. This report, released two years after the first edition, serves as a follow-up and examines the extent to which progress has been made on the issues originally assessed, introducing new measures of child and youth health, with a special focus on mental health. It introduces a section on Ottawa's progress to recognize the role that the federal government plays in providing national leadership on issues affecting health and well-being of children, and examines public policy in four key areas: disease prevention, health promotion, injury prevention, and best interests of children and youth. Information was current as of June 8, 2007 and was obtained from government documents, websites, and personal correspondence.

English, Diana J., et al. Spotlight on Practice: Alternative Responses to Child Protective Services: Emerging Issues and Concerns. *Child Abuse & Neglect*, Vol. 24, No. 3, pp. 375-388, 2000.

Abstract:

Problem: Increased calls to “do something” about child protective services (CPS) have resulted in proposals or new “paradigms” for services to at-risk or abusive families. These new paradigms call for the reform or revamping of CPS through the development of a community-based alternative response to some reports of child abuse and/or neglect (CA/N).

Method: This article reports on outcomes for 1,263 “low” risk CPS referrals diverted to a community-based alternative response system. Data on child, family, and case characteristics and services provided are presented as well as outcomes associated with re-referral and placement post service provision.

Results: The risk level and severity of some of the referrals to alternative response systems seems inappropriately high. The rates of re-referral were similar for families who did or did not engage in assessment services, and were highest for families where domestic violence was present.

Conclusion: Criteria for diversion to community alternatives to CPS must be clearly articulated and applied. Both CPS and alternative response system workers must have the skills required to address a family’s recognition of the problem and degree of motivation to engage in problem resolution, and to understand their relationship to continued risk of CA/N.

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INAC Departmental Audit and Evaluation Branch, KPMG LLP. Audit of the First Nations Child and Family Services Program. Project 06/02. March 2007.

The INAC Internal Audit was conducted between October and November 2006, and was intended to provide assurance that the First Nations Child and Family Services (FNCFS) Program was operating effectively. The focus was to determine the existence of key controls that would be expected to be in place and to assess the extent to which the controls were applied in the allocation of program funds. The FNCFS Program provides funds via transfer payments to eligible First Nation recipient organizations or, where First Nation agencies do not exist, to provincial/territorial departments or agencies to provide child and family services. Because child and family services is a provincial jurisdiction, provinces and territories must accredit First Nations agencies according to provincial or territorial legislation and standards and monitor the case management exercised by the First nation agencies. Overall, the audit found the FNCFS Program requires a strengthened management control framework that can be consistently applied and respected. Additionally, controls over Maintenance and Operations payments and over the quality of service must be better developed and more consistently applied in order to ensure the program is operating effectively and in compliance with Treasury Board requirements and program authorities.

National Council of Welfare. *First Nations, Métis and Inuit Children and Youth: Time to Act.* National Council of Welfare, 2007.

This report released by the National Council of Welfare draws attention to the discrimination and poverty faced by many Aboriginal children and youth, as well as describing the resilience and many success stories within Aboriginal communities. The legacy of racism, colonialism and exclusion, as well as the related causes and consequences of high poverty rates are discussed to establish the challenging circumstances in which Aboriginal young people live. Faced with these challenges, the report describes the resilience and patience shown by Aboriginal people, and the progress that has been made through innovative action by the members of the communities. Combining statistical evidence and interviews with Aboriginal men and women who work with young people, the report calls for bolder action by the government to improve the chances for First Nations, Métis and Inuit children and youth.

Office of the Auditor General of British Columbia. *Management of Aboriginal Child Protection Services: Ministry of Children and Family Development.* Report 3. May 2008.

Released in May 2008 by the Auditor General of BC, this report was to determine how well the Ministry of Children and Family Development is managing British Columbia's efforts to provide effective, culturally appropriate and equitably accessible child protection services for Aboriginal children and their families. Concluding that many of the child protection needs of Aboriginal children and their families are unmet, the Auditor General noted the progress made by the government has made in improving collaboration amongst Aboriginal organizations, the federal government and BC ministries, and called for more collaboration and an improved strategic approach in order to meet Aboriginal child protection goals in BC. The audit is focused on the high risk, high impact component of child welfare: child protection for children who may be at high risk of harm. It began in spring 2007 by meeting with key Aboriginal groups and the ministry, and was completed in November 2007, looking at both how the ministry itself delivers services and how it supports and monitors delegated Aboriginal agencies.

Office of the Auditor General of Canada. "Chapter 4—First Nations Child and Family Services Program—Indian and Northern Affairs Canada." *Report of the Auditor General of Canada to the House of Commons.* May 2008.

Conducted in 2008, this audit examined whether INAC is fulfilling its responsibilities, under federal policy, to support child welfare services to on-reserve children and families that are culturally appropriate and reasonably comparable with the provincial services available off reserves in similar circumstances. Other objectives included: determining whether INAC has assurance from the provinces that the child welfare services funded by the program are delivered in accordance with their legislation and standards; and assessing whether INAC collects sufficient and appropriate information on results and costs for program management and accountability purposes. The audit found that the funding INAC provides to First Nations child welfare agencies for operating child welfare services is not based on the actual cost of delivering those services, but is rather based on a funding formula determined in 1988 that has not been

changed to reflect provincial variations in legislation or the number of children in care. The Department has not defined key policy requirements related to comparability and cultural appropriateness of services, and has not identified and collected the kind of information it would need to determine whether the program that supports child welfare services on reserves is achieving positive outcomes for children. INAC has responded to the audit by agreeing to all recommendations, indicating actions it will take in response to each one.

Standing Committee on Public Accounts. “Chapter 4, First Nations Child and Family Services Program – Indian and Northern Affairs Canada of the May 2008 Report of the Auditor General of Canada.” Report of the Standing Committee on Public Accounts, 40th Parliament, 2nd Session. March 2009.

Clerk: Joan Garbigg

Chair: Hon. Shawn Murphy

This is a report from the hearing held in February 2009 by the Standing Committee on Public Accounts to assess INAC’s implementation of the recommendations made in the audit of the First Nations Child and Family Services Program (FNCFS). The purpose of the audit, conducted by the Office of the Auditor General, was to determine whether INAC was fulfilling its responsibility to support culturally appropriate child welfare services to on-reserve children and families (comparable to provincial services off reserve). The Standing Committee’s report is based on the expectation that INAC will fully implement all recommendations within the audit after agreeing to them following the May 2008 presentation to Parliament. Recommendations to attain full implementation include creating an action plan, defining “culturally appropriate services,” collecting information based on the best interests of the child, and analyzing and comparing funding practices and models.

UNICEF. “Aboriginal children’s health: Leaving no child behind.” Canadian Supplement to the State of the World’s Children 2009. Canadian UNICEF Committee, 2009.

Produced in commemoration of the 20th anniversary of the 1989 UN Convention on the Rights of the Child, this report examines the health of Aboriginal children in Canada. While the Convention, ratified by Canada in 1991, requires governments to ensure equitable access to health care services and the highest attainable standard of care, health disparities among First Nations, Inuit and Métis children relative to other Canadians are a significant children’s rights challenge for Canada. To address this disparity, UNICEF Canada and its collaborating partners stress the need to ensure that nationwide policies, funding and service delivery models promote equal access to the rights inherent to all children. This includes an expanded commitment to adequate funding, more culturally appropriate community-based health services and an improved evidence base to help reduce health disparities. The report also stresses the urgent need to put in place and implement legislation federally and provincially for “Jordan’s Principle” – a child first principle to resolving jurisdictional disputes affecting First Nations children.

Vandergrift, Kathy, et al. Best Interests of the Child: Meaning and Application in Canada. February 2009.

This report was created following the conference on the Best Interests of the Child, organized by the Canadian Coalition for the Rights of Children, UNICEF Canada, Justice for Children and Youth, the University of Toronto Faculty of Law, David Asper Centre for Constitutional Rights, and International Bureau for Children's Rights. The aim is to better understand the principle of the Best Interests of the Child and how to more effectively apply this principle in Canada and fully implement the UN Convention on the Rights of the Child. Drawing on key themes presented in the conference – including child welfare, Aboriginal children, and education – the report offers a broad overview of the topics discussed, aimed at encouraging improvements in policy and practice at all levels.