

# **The Evidence Supporting Human Rights Case in Child Welfare Summary Sheet**

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Position	Source (s)	Quotes/Comments
<p><b>Number of First Nations Children in Care on and Off Reserve</b></p>	<ul style="list-style-type: none"> <li>• Wen:de: We are Coming to the Light of Day pp. 42-43.</li> <li>• INAC Year End Data</li> <li>• Blackstock (2003)</li> <li>• Ferris Manning and Zandstra (2003)</li>   <li>• <b>Minister Prentice (2007)</b></li> </ul>	<p>In Wen de, an analysis of provincial child welfare data found there were 9771 First Nations children in care in three sample provinces alone. This lines up with the estimate of 27000 on and off reserve across Canada. The estimate that there were between 22,500 and 28,000 First Nations children in care was first published by Ferris-Manning and Zandstra and separately by Blackstock in 2003 have remained unchallenged.</p> <p><b>"I've looked at the stats over the last 10 years — the number of kids in apprehension has increased by 65 per cent," Prentice told CBC News Monday. CBC News (2007)</b></p>
<p><b>It is important to support the work of First Nations child welfare agencies</b></p>	<ul style="list-style-type: none"> <li>• <b>United Nations Committee on the Rights of the Child (2003) Article 26</b></li> <li>• Joint National Policy Review on First Nations child welfare (McDonald and Ladd, 2000)</li> <li>• McKenzie B (2002)</li> <li>• Wen de Reports</li> </ul>	<p><b>Article 26 "It [The UNCRC] is equally encouraged by establishment of First Nations child and family service agencies providing culturally sensitive services to children and families within their communities"</b></p> <p>Note: there are numerous citations supporting FN CFSA work I have included just a couple here but more could be provided if needed"</p>
<p><b>Inadequacy of Federal child welfare funding</b></p>	<ul style="list-style-type: none"> <li>• <b>Minister Prentice (2007)</b></li> </ul>	<p><b>Prentice said he knows the system [child welfare] needs work and his department is trying to figure out what to do. CBC News Feb 6, 2007</b></p>

	<ul style="list-style-type: none"> <li>• <b>BC Children and Youth Review (AKA the Hughes Commission) (2006)</b></li>   <li>• <b>Amnesty International (2006)</b></li>   <li>• <b>INAC First Nations Child and Family Services National Program Manual (2005)</b></li>   <li>• <b>INAC (2003) Evidence to Sub committee on children and youth at risk Mr. Smith, Acting DM INAC</b></li> </ul>	<p>Recommendation 14 “...replace Directive 20-1 with a new approach that is more supportive of measures that protect the integrity of the family.</p> <p>“In 2000, the federal government acknowledged that chronic under-funding of child and family services in Indigenous communities means that Indigenous communities were often denied access to services that could provide for Indigenous children’s welfare while keeping them within their families and communities.”</p> <p>“ the majority of the [ NPR] recommendations, however, have not been implemented.”  “for example when the formula was conceived in the early 1980s computers were not used to the same extent that they are today. As well there was less emphasis on prevention than there is now. These changes have put more pressure on Recipients with little resources to adapt to current trends.”</p> <p>“Having said that, let me assure you that INAC does not minimize the role it plays in child and family services, nor the effect our policy has on the lives of Indian children living on reserve. As recently stated by my minister, INAC's current one-size-fits-all first nations child and family services policy, developed in the late 1980s, has simply not kept up with provincial development in this area.”</p>
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	<ul style="list-style-type: none"> <li>• <b>Saskatchewan Government Community Resources and Employment (2004)</b></li> <li>• Wen de Reports</li> <li>• Joint National Policy Review on First Nations Child and Family Services (McDonald and Ladd, 2000)</li> </ul>	<p><b>“The department continues to press INAC on a funding approach for FNCFS agencies that would support equivalent child welfare services on and off reserve”</b></p>
<p><b>Jordan’s Principle to Jurisdiction Disputes as recommended in Wen de</b></p>	<ul style="list-style-type: none"> <li>• Wen de: Report</li> <li>• Lavallee (2005)</li> </ul>	<p><b>Over 200 including Canadian Paediatric Society, National Youth in Care Network, UNICEF Canada, Canadian Child Care Federation, Laidlaw Foundation, Family Services Canada, International Social Services Canada,</b></p>
<p><b>Neglect as Key Reason Why FN over represented in care</b></p>	<ul style="list-style-type: none"> <li>• Wen de Reports</li> <li>• Trocme, Knoke and Blackstock (2004)</li> <li>• Trocmé, N., Fallon, B., MacLaurin, B., &amp; Shangreaux, C. (2005)</li> <li>• Trocmé, N. MacLaurin, B., Fallon., B., Knoke, D., Pitman, L. &amp; McCormack, .M. (2006)</li> </ul>	<p><b>Two cycles of the Canadian Incidence Study on Reported Child Abuse and Neglect confirm that the leading reason why First Nations children come to the attention of child welfare is neglect fueled by poverty, poor housing and care giver substance misuse.</b></p>

## Link of Neglect to Poverty

- Trocmé, N., Fallon, B., MacLaurin, B., & Shangreux, C. (2005)
  - Trocmé, N. MacLaurin, B., Fallon., B., Knoke, D., Pitman,L. & McCormack,.M. (2006)
  - **United Nations Committee on Economic, Social and Cultural Rights (2006) Reviewing Canada's 5<sup>th</sup> and 6<sup>th</sup> periodic reports**
- Secondary data analysis of the Canadian Incidence Study on Reported Child and Abuse and Neglect find that poverty is a key contributing factor to the over representation of First Nations children substantiated for neglect. Other factors are poor housing (correlated with poverty) and caregiver substance misuse. Both reports recommended additional investments in prevention services and long term sustainable community development to reduce poverty
  - **Article 56 “ the Committee recommends the State Party (Canada) gather disaggregated statistical data in relation to the relinquishment to foster care of children belonging to low income families, single mother led families, Aboriginal families and African Canadian families in order to accurately assess the extent of the problem.....in accordance with the provisions of Article 10 of the Covenant on the protection of families, the federal, provincial and territorial governments undertake all measures including through financial support, where necessary, to avoid such relinquishment”**

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