



LIFTING UP CHILDREN

MANITOBA FIRST NATIONS OPEN FORUM ON CHILD WELFARE

REPORT

Exhibit: *National Inquiry into Missing and Murdered Indigenous Women and Girls*

Location/Phase: Parts 2/3 Winnipeg

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ASSEMBLY OF
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"Bringing Our Children Home"



Over 11,000 children are in CFS care in Manitoba and 90 percent of these children are Indigenous.

Introduction



In April 2014, Manitoba Chiefs engaged communities in two forums held in Winnipeg and Thompson, where hundreds of families shared their concerns and experiences with Child and Family Services (CFS). With over 11,000 children in CFS care in Manitoba and 90 percent of these children Indigenous, there was a need to hear recommendations for ways to start bringing our children home. In June 2015, the First Nations Family Advocate office opened in response to these community concerns. In April 2016, the advocate's office, as part of its mandate, held the "Lifting Up Children" Manitoba First Nations open forum on child welfare. The impetus for the forum came from our Chiefs and Elders who determined the need to return to customary care. They also indicated customary care design must come from our communities and families, as only First Nations have the expertise and knowledge to implement these systems.



Day 1

What We Heard?

Grand Chief Derek Nepinak, Assembly of Manitoba Chiefs (AMC) provided opening remarks. Presentations included a tobacco teaching from Roxanne Shuttleworth, an overview of the First Nations Children's Advocate Office from Cora Morgan, Sixties Scoop by Marcel Balfour and a Grandmothers and Grandfathers panel comparing residential schools to child welfare apprehension. Keynote speaker Niigaan Sinclair spoke about TRC Calls to Action relating to child welfare.

The Family Advocate Office, funded through own-source revenue, is the AMC's most significant initiative as a political organization.

WE ARE IN A NEW ERA. CHAMPIONS OF CHANGE IN AN AGE OF RECONCILIATION WANT TO RECLAIM RESPONSIBILITY FOR OUR CHILDREN. IT IS TIME TO CHANGE THE SYSTEM AND ITS POLICIES.

We cannot talk about jurisdiction and sovereignty or moving forward unless we re-establish jurisdiction for our children. We must create safe spaces for them and find ways to work together. Our only purpose on this earth is to care for our children and the next seven generations.

The answers to healing, understanding and eventual solutions are on the land, in our ceremonies and teachings and with our spiritual leaders.

Colonization in Canada, including forced policies on ways of life, residential schools and 60s scoop negatively affected First Nations communities. The impacts include displacement, loss of identity and connection to land, loss of kinship and relationships and loss of culture, teachings and language. Government policies and

systems created dysfunction within First Nations families and communities. Today there is a modern-day system creating similar effects – the child welfare system.

THE CURRENT CHILD WELFARE SYSTEM IS NOT WORKING. INSTEAD, IT IS HURTING OUR CHILDREN, FAMILIES AND COMMUNITY.

The system has created long-term generational effects with a cycle of children in care. Often individuals from foster care have their children and three to four generations of their children also entering CFS. This cycle creates a system where First Nations children become commodities within the CFS system.

In Canada, from 1960-1980 it was common practice for provincial governments to apprehend Indigenous children and place them into CFS care with non-Indigenous families in different parts of the country, the United States and beyond. In most cases, this was done without the consent of families or First Nation communities. An estimated 20,000 Indigenous children were forcibly removed, resulting in a generation of lost children. Many

of these children grew up with little to no knowledge of identity, culture or community. First Nations must regain the responsibility of caring for our children.

In a 1985 Manitoba public inquiry report, Associate Chief Judge Edwin Kimelman said the practice of removing children and placing them in non-Indigenous homes amounted to "cultural genocide", taking place in a "systematic routine manner". However, there is no international law definition for "cultural genocide". The 1948 United Nations Convention for the Prevention and Punishment of the Crime of Genocide states genocide includes "forcibly transferring children of the group to another group".

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Day 1

Keynote Presentation

Truth & Reconciliation Report

Niigaan Sinclair, University of Manitoba

The Truth and Reconciliation Commission (TRC) report is in agreement with the United Nations (UN) statement. The commission found the actions of the federal government in attacking and attempting to destroy Indigenous cultures and languages, not only in residential schools but also in Indigenous communities through ceremonial prohibitions in the Indian Act, amounted to cultural genocide. Furthermore, the TRC report remarks that the forcible removal of children from their racial community for indoctrination into another racial community, thereby destroying their original group, is an act of genocide,

RECONCILIATION IS A PROCESS. AFTER 149 YEARS OF VIOLENT GENOCIDE AND THE DEEPEST ATTACKS ON OUR PEOPLE AND CULTURAL FOUNDATIONS, IT IS A HIGH EXPECTATION FOR US TO UNDO THE EFFECTS IN ONLY A FEW YEARS.

Reconciliation drives the TRC report. There are 94 recommendations and every single one of them involves education.

✓ **Recommendation #1:** We call upon federal/provincial/territorial/Indigenous governments to reduce the number of children in care by:

- Monitoring and assessing neglected investigations;
- Providing resources to keep Indigenous families together in culturally relevant environments;
- Educating all social workers and investigators about residential school history and its legacies;
- Educating all social workers and investigators about Indigenous communities' ability to provide solutions for children in care;
- Ensuring all decision-making authorities take

residential schools and its legacies into account when determining the future of children.

✓ **Recommendation #2:** We call upon federal/provincial/territorial governments to publish an annual report on the number of Indigenous children in care compared to non-Indigenous children in care, including reasons for apprehension, program effectiveness and the total cost to run all agencies.

✓ **Recommendation #3:** We call upon all governments to implement Jordan's Principle fully.

✓ **Recommendation #4:** We call upon the federal government to enact child-welfare legislation to establish national standards regarding child apprehension and custody cases, which includes principles that:

- Affirm the rights of Indigenous governments to establish and maintain their own child welfare agencies;
- Require all courts and child welfare agencies to take residential schools and their legacies into account when making decisions surrounding Indigenous children;
- Ensure all temporary and permanent care of Indigenous children is culturally relevant.

✓ **Recommendation #5:** We call upon federal/provincial/territorial/First Nations governments to develop culturally appropriate parenting programs for Indigenous families.

If we support our young Indigenous families, we can empower our communities. Our young people can take control of their lives.



Day 2 What We Heard?

Presentations included Sagkeeng First Nation Chief and Council's pilot project Circle of Care and a panel of parents with children currently or formerly in care. Keynote speaker, Dr. Cindy Blackstock spoke on the Canadian Human Rights Tribunal decision.

First Nations can develop their own models of care. One example is the Circle of Care pilot project in Sagkeeng First Nation. Through development of their own laws and policies, they are working collectively to keep children in the community. They help families become healthy, providing ongoing supports and monitoring. So far, Circle of Care has worked with 21 families. They have helped 57 children stay with their families and in the community.

Hearing from the panel of parents with children currently or formerly in care, one common theme emerged

– frustration. Many parents shared emotional stories about their struggle to have their children returned home due to provincial policies and issues.

Some of these parents were themselves in CFS care, removed from their own unhealthy family situations, only to be placed in foster homes where they experienced the same abuses and neglect.

The parents all expressed deep regret in not being able to access their culture, with many feeling they were denied their identity as First Nations people.

Many parents shared emotional stories about their struggle to have their children returned home due to provincial policies and issues.

The parents had a message for those with authority in the CFS system – please listen to us; please hear us. The decisions you make on paper can either help or hinder families. We need your support. We need opportunities, not barriers.

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Day 2

Keynote Presentation

Canadian Human Rights Tribunal Decision

Dr. Cindy Blackstock, First Nations Child and Family Caring Society of Canada

On January 26, 2016, the Canadian Human Rights Tribunal issued their decision on the complaint filed by the First Nations Caring Society and the Assembly of First Nations in February 2007. They found the Canadian government is racially discriminating against 163,000 First Nations children and their families by providing flawed and inequitable child welfare services and failing to implement Jordan's Principle to ensure equitable access to government services available to other children.

The Government of Canada has a longstanding pattern of providing unequal funding for child welfare services for First Nations children on reserves compared to non-Indigenous children, resulting in inequitable services. This results in more First Nations children in care today than at the height of the residential schools system.

Working with the federal government for over ten years prior to filing the human rights complaint, Dr. Blackstock documented many inequalities, such as substandard education, no clean water and unfair CFS policies. Children begin to feel they are not worth anything and start to wonder if it is because they are First Nations and Métis. They may not understand that what is at work is systemic discrimination.

"Children were at the heart of the tribunal's decision, and everyone is encouraged to pass this information on to their communities."

EVERY YEAR THE GOVERNMENT ANNOUNCES A FEW MORE DOLLARS TO HELP WITH EDUCATION, CHILD AND FAMILY SUPPORT AND CLEAN WATER, BUT IT IS NEVER ENOUGH WHEN THOSE DOLLARS ARE BASED ON INCREMENTAL EQUALITY.

The 2016 federal budget committed \$8.4 billion over 5 years to First Nations communities. However, over 50% is booked for the year of the next election and thereafter. This is the same with education. Children cannot wait five years for back-ended funding.

With the tribunal decision moving forward, Dr. Blackstock asks First Nations leaders and communities to have a culturally based vision and plan ready.

She encouraged conference participants to do the following:

- Sign up for the First Nation Witness Campaign;
- Meet with your local MP to demand an end to racial fiscal policy against our children;
- Work with your communities and create a heart garden to remember and recognize these children and to let them know we love them enough to fight for them;
- Never give up until each child lives with their family, is healthy, gets a good education and is proud.

In closing, Dr. Blackstock said, "Children were at the heart of the tribunal's decision, and everyone is encouraged to pass this information on to their communities."



Small Group Sessions

The following section contains insights and recommendations from conference participants, many of whom have first-hand experience with CFS as either clients or front-line workers.

What can we provide for our families to ensure they stay healthy?

- ✓ Guidance to strengthen family relationships and community involvement
- ✓ Incorporate traditional parenting; teach traditional roles of men and women
- ✓ Implement our own treatment and healing centers
- ✓ Provide support systems for families and after care for families that struggle

What can we do to reduce the number of children in care?

- ✓ Push for policy changes that put the needs of children first
- ✓ Develop our own laws framed by our own values, beliefs and teachings to meet our children's needs
- ✓ Take children to extended family
- ✓ Develop better assessments before apprehension, do not apprehend based on hearsay
- ✓ Use culturally appropriate assessments (external professionals may have incorrect conclusions)
- ✓ Educate workers on cultural dynamics of each unique community
- ✓ Listen to input when implementing family plans
- ✓ Develop more facilities to fast track referrals
- ✓ Have CFS workers to collaborate with other community programs like Circle of Care
- ✓ Create more support for those aging out of care
- ✓ Revamp reunification plans
- ✓ Ensure all children in care know their rights
- ✓ Teach life skills to children in care
- ✓ Review *Birth alerts* – design the program to help families, don't surprise them
- ✓ Enhance community safety, know when offenders are coming back to the community.

- ✓ Create more supports for gay, lesbian and transgender children
- ✓ Establish better use of funding for family enhancement programs (e.g. transportation, caseload evaluation, family group conferencing) and more front-end staff
- ✓ Consider the need for board of directors in community
- ✓ Encourage proactive leadership in terms of collaboration of resources and lobbying government

What is your definition of healthy parenting?

- ✓ Sober and drug-free parents, two-parent families,
- ✓ Love, trust, communication, engagement, safe home, accepting, respectful, peaceful
- ✓ Boundaries, nurturing, positive, meet physical and spiritual needs, positive life experiences, language and ceremonies, seven teachings

What would a support plan for families who are struggling look like?

- ✓ Address their needs, circle of care, case planning, positive community, family and peer supports, cooperation and advocacy
- ✓ Education goals and plan
- ✓ Language and ceremony, seven teachings
- ✓ Therapy services (elder and counselor)
- ✓ Sponsors (CFS, addictions)

What is your understanding of the services provided by CFS?

- ✓ Things have regressed since Aboriginal Justice Inquiry – back to Children's Aid
- ✓ Dealing with crisis – there's nothing proactive or preventative
- ✓ In the early 70s, Awasis and DOCFS were formed. Local childcare committees included elders and made plans with families. Boards included leadership and extended families. Workers made home visits. It was about working together and networking strategies.
- ✓ Today they just take the children. There are seven or more cases a week. Ninety percent is report writing.
- ✓ Some workers appear intolerant of issues, social workers to act as mentors and advocates
- ✓ There are too many obstacles. Parents need help, support and guidance



Day 3 What We Heard?



Leona McGinnis, Mother, Grandmother and Helper, Director of Family Services, Rainy River First Nations

Presentations included “Lessons from the Heart, Indigenous Women Bringing Our Children Home” by Cora Morgan, “Customary Care” by Leona McGinnis, a panel of seven youth shared their experiences with the CFS system and a panel of Knowledge Keepers shared their insights. Keynote speaker Dave Courchene Jr. spoke about traditional parenting.

MANITOBA IS LEADING THE WESTERN WORLD IN CHILD APPREHENSION BY ABOUT 2000. EVERY DAY, NEWBORN BABIES ARE TAKEN AWAY FROM THEIR MOTHERS; NOT ENOUGH IS BEING DONE TO FIND SOLUTIONS. IF WE COULD STOP ONE THING, IT WOULD BE APPREHENSION OF THESE CHILDREN.

With 451 million spent on child apprehension and 21 million spent on prevention, there is an opportunity to reverse those numbers and invest in families instead.

Suicide, missing persons, lack of quality of life, disconnection from families and community and high group home numbers are all related to children beginning their lives in CFS care.

Current child welfare laws are not our traditional ways of taking care of children and families. The laws are backwards.

It is in the best interest of children to keep them in their homes and put energy into helping parents get well.



Keynote Presentation

Day 3

Traditional Parenting
Elder Dave Courchene Jr.

Children are facing overwhelming challenges in the child welfare system. No one is dealing with the root of the problem, which is loss of identity and disconnection from ancestral ways. Authorities only respond to the symptoms. Our ways are tied to the spirit and land, and the solution is a spiritual journey.

Our nationhood's strength and uniting force are our children. It is time to reclaim our duties and responsibilities in nurturing our children as parents, nations and leaders.

The "Abinoojii Ka kii kwe win" are teachings given to a child that last forever.

To understand this law, there must be a sacred connection to our Mothers, Grandmothers, Ancestors and Mother Earth. Only women can teach it because they carry the responsibility

for guiding us towards a sacred life. This involves conducting ceremonies and teachings with our children on the land at our sacred sites. Our children are born with the right to speak their own language, know the culture and values of their ancestors and connect to the land and spirit. For far too long, these rights have been denied.

Customary care is taking care of our people the Anishinabe way. It involves family, community or neighboring First Nations taking care of children and protecting families. It is an understanding and agreement between community and families for supportive intervention and temporary care of children, with the aim of keeping children in their own environment. The Anishinabe people never relinquished their right and responsibility to care for our own children.

The Life Program brings the entire family into care. Parents get to live with their children in foster placement. The intent is not to separate the families, but instead mentor them.

"We all want our children home, without our kids our sovereignty is gone" – Waylon Flett, Presenter

"We all want our children home, without our kids our sovereignty is gone"

– WAYLON FLETT, PRESENTER

✓ **Former Children in Care Recommendations:**

- Give children opportunities to be creative, dance and sing
- There needs to be healing from trauma experienced in care
- Mentorships to teach children identity, traditional ways and ceremonies
- More Indigenous people working in homes is needed to teach culturally relevant information
- Extend the age of care to 25
- Foster homes must have qualified people; not foster parents with issues and addictions
- Work with the parents, whether they are healthy or not
- LGBTTTQ need their own environment

✓ **Panel of Knowledge Keepers Recommendations:**

We as a people are not lost. We are just out of balance. Our children need guidance. The women need to bring families back together and back in balance. The laws are in our legends. We need to use our own terms and share them with our children.

The laws are in our legends. We need to use our own terms and share them with our children.

Traditional parenting was common. Kinship was important. The relationship to the land and ongoing teachings and ceremonies at various stages throughout life are part of traditional parenting. It also involves speaking the language, singing the songs and honoring children and their sacredness.

There is a need to return to and use ceremony to feed their spirits and help them on their journey.

Dealing with grief is important, as many generations of mothers have lost their children. There is a need to return to and use ceremony to feed their spirits and help them on their journey.

The forum ended with an honour song and healing dance for the children and families, followed by a closing prayer.



LIFTING P CHILDREN

MANITOBA FIRST NATIONS OPEN FORUM ON CHILD WELFARE



The First Nations Family Advocate Office provides support and advocacy to First Nations families that are involved with the Child and Family Services system.

RESOURCE LINKS

Videos

The Dream Catcher by Renae Monkman
<https://www.youtube.com/watch?v=HASNGclj8eI>

Live My Life; See What It's Like produced by Red River College
https://youtu.be/e3NQCe_fZAaw

Mikinakay – Trail of the Turtle by Erika Daniels
<https://www.facebook.com/trailoftheturtle>

Speaking Notes

Elder Dave Courchene's full speech can be found on the Turtle Lodge website and the First Nations Family Advocate Facebook page:
https://www.facebook.com/permalink.php?story_fbid=1049856008409743&id=938901209505224

Presentations from the conference can be found on our website at:

www.firstnationsfamilyadvocate.com



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