

Temporary contract placement.

13 (1) A parent or other person who has actual custody of a child and who through necessitous or other circumstances, illness or misfortune, likely to be of a temporary duration is unable to make adequate provision for the child, may apply to a child caring agency to have the child placed temporarily in a foster home, group foster home, or institution, or any other place which provides child care.

Under this provision, a child caring agency may enter into an agreement with the parent or guardian for a period of up to 12 months. This agreement can be renewed, but the total period of supervision cannot exceed 18 months. Such an agreement may contain a requirement that the parent contribute to the support of the child according to rates established by regulation. This requirement, however, can be waived at the discretion of the Director if it is believed that hardship may result. The courts are not involved in this process.

Of all the children in care in 1984, 20% were in care by virtue of this provision. The parents voluntarily permitted the child care agency to assume responsibility for the child for a designated period of time, up to a maximum of 18 months. In 1979 only 8.6% of the children in care entered care through

this section of the Act.

Children in care under this provision should be monitored by the Child Protector's office and, as appropriate, such cases should be subject to the review of the court.

2. MENTALLY RETARDED CHILDREN

Section 14 of The Child Welfare Act provides:

Mentally retarded children.

14 The director may authorize the placement of a mentally retarded child placed in his care and supervision pursuant to an order of the Director of Psychiatric Services, in a foster home, group foster home, or institution.

The Director of Psychiatric Services will issue an order of supervision in a situation where a mentally retarded child must be physically separated from its parents, such as, when placement in a residential centre is necessary, when a child must be placed away from parents for training purposes, or when parents are not able to finance the form of care which is deemed to be necessary for the child. The courts are not involved in this process. While the Director of Child and Family Services assumes responsibility for the care and

supervision of the child, the legal guardianship remains with the parents. Only 1.6% of the children in care enter the system through this provision.

Such cases should be monitored by the Child Protector and subject to review by the court when appropriate.

3. VOLUNTARY SURRENDER OF GUARDIANSHIP

Section 15 (1) of The Child Welfare Act provides:

Voluntary surrender of guardianship.

15 (1) *Notwithstanding any other section of this Act, a single mother may, by agreement on a prescribed form, surrender guardianship of her child to the director or a society, and an agreement under this section is a good and valid agreement notwithstanding that the single mother is under the age of majority.*

The legislation prohibits the voluntary surrender of guardianship until a full 7 days have elapsed after the birth of the child, at which time, after the guardianship is surrendered, the child becomes a permanent ward of the Director. Married parents may also surrender custody of a child. Any person or persons who have surrendered guardianship may withdraw that surrender at any time up to the day the child

is placed for adoption, or within one year of the date of the agreement. The courts are not involved in this process. Of all the children in care, 4.6% entered care through this provision.

These cases should also be monitored by the Child Protector's office to ensure that parents are fully informed of the implications of their decision. Where appropriate, the Child Protector should bring forward cases for the review of the court.

4. CHILD IN NEED OF PROTECTION

Section 16 of The Child Welfare Act provides:

Child in need of protection.

16 *In this Act, a child in need of protection means*

(a) *a child who is an orphan or who has been abandoned or deserted by his parents and*

(i) who is not being properly cared for by anyone, or

(ii) who with the consent of the person in whose charge he is, is brought before a judge to be dealt with under this Act;

(b) *a child where the parent or person in whose charge he is cannot, by reason of disease, infirmity, misfortune, incompetence, imprisonment, or any combination thereof, care properly for him;*

- (c) a child whose life, physical or mental health, or morals may be endangered by the conduct of the person in whose charge he is;
- (d) a child who is beyond the control of his parents or person in whose charge he is;
- (e) a child whose behaviour, condition, environment or association is injurious to himself or others;
- (e.1) a child who refuses or is unable to provide properly and adequately for the health and welfare needs of herself or her child;
- (f) a child under the age of 2 years whose parents are unable or unwilling to care for him;
- (g) a child where the parent or person in whose charge he is neglects or refuses to provide or obtain proper medical, surgical, or other remedial care or treatment necessary for health and well-being of the child, or refuses to permit such care or treatment to be supplied to the child when it is recommended by a duly qualified medical practitioner;
- (h) a child whose emotional or mental development is endangered because of emotional rejection or deprivation of affection by the person in whose charge the child is;
- (i) a child under the age of 12 years who is left unattended for an unreasonable length of time without making reasonable provision for the supervision and safety of the child;
- (j) a child subjected to abuse; or
- (k) a child who is the subject of activities in violation of sections 97 or 128.2.

This provision will be discussed later in this chapter.

A full 58.5% of the children in care in 1984 were made temporary or permanent wards of a child care agency by order of the court under this provision. In 1979, 71.5% of the children

in care entered through this process. The more frequent use of Temporary Contract Placement would account for the reduction.

5. JUVENILE DELINQUENTS ACT

Prior to the passage of the federal Young Offenders Act, children could be made wards by virtue of their delinquent behaviour under provisions of the Juvenile Delinquents Act. Although children no longer enter the system under this Act, as of December 31, 1984, 34 children, or 1.3% of the children in care, had been made wards by the court. This number will decrease as wardship orders expire, or when the children reach the age of majority.

Under the Young Offenders Act, children of 12 years of age or older may be found to be guilty of criminal offences and committed to the custody of "open" or "secure" facilities for periods of time set out in the legislation. Children under the age of twelve are deemed to be incapable of committing criminal offences.

The courts have lost the ability to commit children who

have committed crimes to the care of a child caring agency. Provincial legislation is required to reinstate the power of the court in this area.

CHILDREN IN CARE OF AGENCY OR REGION BY LEGAL STATUS AS OF DECEMBER 31st						
LEGAL STATUS	1979	1980	1981	1982	1983	1984
	(1)	(1)	(2)	(3)	(4)	(5)
UNDER APPREHENSION	340	368	468	370	366	370
TEMPORARY WARDS	784	651	719	762	710	680
PERMANENT WARDS-COURT	1597	1383	1241	1161	1054	912
PERMANENT WARDS-VSG	102	210	192	167	132	124
TEMPORARY CONTRACT PLACEMENT	286	380	300	327	476	547
CHILDREN WHO ARE NON-WARDS THROUGH J. D. COMMITTALS	63	74	69	58	64	34
CHILDREN WHO ARE NON-WARDS THROUGH MENTAL RETARDATION COMMITTAL ORDER	51	37	40	39	39	43
OTHER (ORDERS OF SUPERVISION, ETC.)	20	7	10	20	53	10
TOTAL	3323	3110	3039	2904	2894	2720
(1) No Indian child and family services agencies reporting. (2) Dakota Ojibway Child & Family Services included. (3) West Region, South East and Anishinaabe Child & Family Services included. (4) Awasis Child and Family Services included. (5) Data for Anishinaabe and Dakota Ojibway Child & Family Services agencies not included.						

The legislation which defines children who are in need of protection contains many words and phrases which are value laden - "not being properly cared for", "incompetence", "morals

may be endangered", "behaviour", "unable to provide properly", "unable or unwilling", "proper medical.....care", "emotional or mental development", "unreasonable length of time" and "abuse".

Any judgment made in relation to such terms is bound to be coloured by an individual's own personal background - sex, education, life experience, ethnic background, and socio-economic status. Cultural bias in the child welfare system is practised at every level from the social worker who works directly with the family, through the lawyers who represent the various parties in a custody case, to the judges who make the final disposition in the case.

The legislation provides that any officer of a child caring agency or of a family court, or a peace officer may apprehend a child without a warrant if it is believed that a child is in need of protection. Any person apprehending a child must notify the appropriate child caring agency immediately.

The agency, in turn, must notify the parents or guardian

of the apprehension at once, and, if the child remains in custody for four juridical days, there must be an application filed with a judge, magistrate, or justice of the peace. Where a child is returned to the parent in less than four juridical days, there need not be notification to the courts. There would be value in such notification.

Parents, guardians, and the person who had custody of the child at the time of apprehension must be served with notice ten clear days before the date of the hearing unless such notice is waived by the person entitled to be notified or dispensed with by a judge.

At such hearings, the child need not be present and the persons affected may be represented by legal counsel. The judge may order legal counsel for the child.

At such a hearing, the views of the parties involved are presented so that the judge may determine what action shall be in the child's "best interests".

There is a distinct difference in the response of the

system to the cases of children apprehended in the south and those apprehended in remote northern communities. Such disparities should not exist. The residents of Manitoba's north are entitled to equal treatment under the law.

There is a statutory obligation that when a temporary order of guardianship expires, the child care agency must apply to have the matter heard before the court within 30 days so that the court may determine whether the best interests of the child are served by continuing the period of temporary guardianship, by making the child a permanent ward, or terminating the agency guardianship.

In a case recently heard in a northern court, the temporary guardianship orders had expired in September, 1983. It was not until March, 1985, that the case was decided upon. Hearings had been set beginning in January, 1984, and successively remanded to the following court date, which, in effect, delayed the hearing of the case for a total of 19 months. There can be no justification for such a situation.

RECOMMENDATION 59.

THE CHAIRMAN RECOMMENDS THAT THERE BE A PROVINCIAL COURT JUDGE APPOINTED TO BE LOCATED IN THE NORTH TO PROVIDE SERVICE TO REMOTE COMMUNITIES ON A MORE REGULAR BASIS, AND BY SPECIAL ARRANGEMENT AS NEEDED, TO ENSURE THAT RESIDENTS OF NORTHERN COMMUNITIES RECEIVE THE SAME LEVEL OF SERVICE AS SOUTHERN URBAN CENTRES.

RECOMMENDATION 60.

THE CHAIRMAN RECOMMENDS THAT THE OFFICE OF THE CHILD PROTECTOR PAY PARTICULAR ATTENTION TO CASES OF CHILDREN UNDER APPREHENSION IN NORTHERN MANITOBA TO ENSURE THAT CASES ARE DEALT WITH BY THE CHILD WELFARE SYSTEM AND THE COURTS EXPEDITIOUSLY AND IN ACCORDANCE WITH THE PROVISIONS OF THE CHILD WELFARE ACT.

A case need not be considered by the court if the parents of the child or the guardian consent to the child caring agency having temporary guardianship of the child, or agree to an order of supervision. Where an order of supervision is granted, the child remains in the parents' or guardians' home subject to the

supervision of the child caring agency.

The problem inherent in guardianship orders or orders of supervision secured by parental consent is ensuring that it is informed consent. For persons of Native descent, as for others, there may be a basic language barrier, or there may be difficulty in understanding the right to challenge a plan of a child care agency. The use of interpreters and court communicators for procedures in court has been recommended. Agencies have a special responsibility to ensure that parents transferring guardianship of their children by voluntary consent fully understand the implications of their actions and are aware of steps that they may take to withdraw that consent should they wish to do so.

RECOMMENDATION 61.

THE CHAIRMAN RECOMMENDS THAT THE OFFICE OF THE CHILD PROTECTOR MONITOR CASES OF CUSTODY BY CONSENT TO ENSURE THAT PARENTS HAVE BEEN FULLY INFORMED OF, AND COMPREHEND, THE IMPLICATIONS OF THEIR VOLUNTARY ACTION AND ARE AWARE OF STEPS

THAT CAN BE TAKEN TO WITHDRAW SUCH
CONSENT.

The legislation determines what action a judge may take.

Orders of the judge.

27(1) Where upon the completion of a hearing under section 25, a judge finds that a child is in need of protection, he shall in the best interest of the child, order

- (a) that a child under 5 years of age at the date of apprehension be made a temporary ward of the director or a society for a period not exceeding 6 months; or
- (a.1) that a child more than 5 years of age and under 12 years of age at the date of apprehension be made a temporary ward of the director or a society for a period not exceeding 12 months; or
- (b) that a child of 12 years of age or older be made a temporary ward of the director or a society for a period not exceeding 24 months; or
- (c) that the child be made a permanent ward of the director or a society; or
- (d) that the child be returned to his parents or to such other person in whose charge he was at the time of apprehension and place the child under the supervision of a child caring agency for a period not exceeding 6 months.

If temporary guardianship has been granted by a judge, the
legislation provides that a further hearing can be held.

Further hearings.

30 (1) Where under section 27 a judge has made an order granting temporary guardianship of a child to the director or a society, any judge may, notwithstanding that order, upon application made by the director, society or parent of the child

(a) at any time during the period of the temporary guardianship; or

(b) within 30 days after the expiration of the period of the temporary guardianship;

hold further hearings for the purpose of making a further order to

(c) continue or extend the period of temporary guardianship; or

(d) make the child a permanent ward of the director or society; or

(e) terminate the temporary guardianship and discharge the child; or

(f) terminate the temporary guardianship and place the child under supervision of the society or the director for a period not exceeding 6 months.

The legislation limits the total duration of temporary guardianship to 24 months for a child under the age of 12 years.

Statistics of the Provincial Court (Family Division) for 1982 provide some indication of the extent of the involvement of the courts in custody cases.

PROVINCIAL COURT (FAMILY DIVISION)

Statistics, 1982

ST. BONIFACE (St. Boniface) (St. Vital) (Transcona)

No. Cases

CAS Docket	282
CAS Hearing	54
Wpg. Cases Heard at St. B. CAS	62

NORTH COURT (North Winnipeg) (Garden City) (Elmwood)

CAS Hearing	22
CWA Hearing	20

WINNIPEG (St. Norbert) (St. James) (Central Winnipeg)

CAS Docket	2,975
CAS Hearing	341
CWA Hearing	99

PORTAGE LA PRAIRIE (Langruth) (Sandy Bay) (Amaranth)
(Treherne) (Carberry)

CAS Docket	209
CAS Hearing	17

SUMMARY

CAS Docket	3,466
(number of children apprehended and in custody more than 4 days)	
CAS Hearings (contested custody cases)	496
CWA Hearings (may or may not be contested cases)	119

In 1982, the cases of 3,466 children were brought before the courts in St. Boniface, North Winnipeg, Winnipeg and Portage la Prairie. Of those, a minimum of 496 (14%) or a maximum of 615 (17%) were contested custody cases. This would indicate that 83% to 86% of the children who were alleged to be in need of protection came into the care of the agencies with the consent of, or at least an absence of an objection from, the parents or guardians. These figures would support the possibility of coercion or intimidation of parents who are not fully aware of their rights within the judicial system. There is also a significant number of parents who are under the age of 18 who, under the present law, should not be signing consent orders relinquishing custody of children without the advice of either a guardian, guardian ad litem, or the Public Trustee.

Excluded from the above statistics are those children taken into custody for less than 4 juridical days as no notification of the court is necessary. The documentation on children in care indicates that on December 31, 1984, 370

children, or 13.6% of all children in care, were under apprehension and had neither been returned home nor brought before the courts. This is a significant number of children.

RECOMMENDATION 62. THE CHAIRMAN RECOMMENDS THAT CHILD CARE AGENCIES BE REQUIRED TO REPORT TO THE CHILD PROTECTOR INFORMATION ABOUT CHILDREN TAKEN INTO CUSTODY FOR LESS THAN 4 JURIDICAL DAYS, INCLUDING DOCUMENTATION OF THE CIRCUMSTANCES OF APPREHENSION, A DESCRIPTION OF THE ACTION TAKEN BY THE AGENCY, AND THE FINAL DISPOSITION OF THE CASE. AS APPROPRIATE, THE CHILD PROTECTOR SHALL BE MANDATED TO BRING FORWARD CASES FOR THE REVIEW OF THE COURT.

For those of Native descent there has been sufficient history built up to indicate that a parent has little chance of regaining, or retaining, custody of a child once an agency and the agency's lawyers have become involved. By consenting to a child being made a ward, parents may see themselves as succumbing to the inevitable, as well as avoiding the public humiliation that a contested case would cause them to suffer.

When children are apprehended, there begins a process which is often very lengthy and incomprehensible to Indian parents. There are remands for service of notice, remands for legal aid applications, remands for particulars, and often delays of two or three months to set a hearing date. Parents may have to appear in court repeatedly, each time wanting an opportunity to explain their situation and get their children back, but each time faced with a further delay that everyone else seems to understand and accept, but to them seems a denial of justice. They never seem to get a chance to tell their story to the judge. He seems indifferent to their plight and even their own lawyer seems to accept the process. Sometimes a social worker who is sensitive to the case agrees to drop the application and return the children before there is a hearing. Other times workers coerce parents into agreeing to a temporary court order "because if you fight you'll have to wait three months anyway". There should be an opportunity for the parents to be heard by the judge on their first appearance in court. True, all the witnesses may not be primed by the lawyers prepared for the fight, but the essential circumstances that led to the apprehension are not known. In serious criminal cases a preliminary hearing is held. Is not the removal of children as serious?

Brief to Review Committee,
Anishinaabe Child & Family Services,
November 5, 1982

Research conducted in the United States suggests that Native families approach child care agencies in search of help for funds to supply food and shelter and end up losing their children. The study of cases served by the Child Resource Centre in Oakland, California illustrated that, in their concern for the protection and well-being of their children,

Indian families relinquished custody to child care agencies simply because they could see no other way of providing for the children.

In one case that was reviewed for the File Review Report, an Indian mother came to the agency to ask that the child be placed in a foster home for a few days to permit the mother time to recover her health, find a place to live, and get her life in order. The file note stated - "I explained that we didn't do that....." The mother relinquished custody of the child and, according to the file, "disappeared".

Native people have alleged that when they approach a child care agency for help, they are offered only one option - relinquish custody of the child. A review of agency budgets would provide confirmation of this position. One readily available resource to assist families in times of stress is the provision of homemaker service - yet agencies have made only token use of this service as an alternative to apprehension of the children and placement away from their own families.

HOMEMAKER COSTS AS PERCENT OF TOTAL AGENCY EXPENDITURE

Agency or Region	1981/82			1982/83		
	Total Expenditure	Homemaker Cost	%	Total Expenditure	Homemaker Cost	%
C.A.S. of Eastern	818,149.00	92,642.52	11.32	868,532.00	92,234.58	10.62
C.A.S. of Central	631,654.00	27,888.42	4.42	825,370.00	30,819.29	3.73
C.A.S. of Western	1,472,787.00	27,035.91	1.84	1,750,415.00	21,918.45	1.25
C.A.S. of Winnipeg	7,946,983.00	27,379.42	.34	10,508,972.00	39,832.52	.38
J C & F S	456,247.00	12,693.82	2.78	533,073.00	3,283.12	.62
Winnipeg Region	791,918.00	26,135.00	3.30	996,311.00	12,273.00	1.23
Eastman	238,488.00	2,177.00	.91	236,917.00	13,372.00	5.64
Central	4,227.00	0	0	11,373.00	516.00	4.54
Interlake	397,635.00	6,585.00	1.66	392,286.00	6,394.00	1.63
Parklands	856,253.00	1,403.00	.16	928,845.00	4,535.00	.49
West Region C & F S	0	0	0	16,275.00	2,648.00	16.27
Norman	485,717.00	3,969.00	.82	599,640.00	11,338.00	1.89
Thompson	1,094,496.00	775.00	.07	1,308,972.00	6,621.00	.51
TOTAL	15,194,554.00	228,684.09	1.51	18,976,981.00	245,784.95	1.30

The research has suggested that, although a high percentage of the children who have come into care as being "in need of protection" are children of Native descent, Native families are no more prone to abusing or neglecting their children than any other group. In fact, actual abuse of children is believed to be lower amongst Native families. The evidence is increasing that neglect and abuse have been alleged to have occurred because staff of child care agencies and the judicial system have not understood the cultural values and patterns of Native people.

The theory put forth by the National Council of Welfare in the publication "in the best interests of the child" that the poor are vulnerable to intervention in their lives by the child welfare system suggests, further, that the system may be biased against the poor simply because they are poor. The results of poor nutrition may be defined as "failure to thrive", the lack of funds to provide adequate accommodation may be defined as "failure to provide decent and adequate housing".

There is also the suggestion that workers have failed to recognize that problems in some Native families are directly the result of alcoholism. Rather than treat the alcoholism, the system has merely removed the children leaving the adults in a state of greater hopelessness and helplessness and resulting greater dependency on alcohol, inevitable health deterioration, and possible death.

The problems being dealt with are symptoms of other problems which have existed long before any agency may become involved with the family/children. For example, child neglect may just be a manifestation of a serious alcohol problem with the parent(s). Usually, the typical solution is the apprehension of the children with little regard to the treatment of the parents. It is the parents who need immediate attention and service. Should the problems with the parents be solved, the result would be that the children may not have to be apprehended and placed in care, saving time and effort. Proper planning with the family can result in a better home for the children. Often, the Act may lead others to misdirect their attention away from the real problems or provides for a convenient crutch.

Brief to Review Committee,
Dave Daniels, Long Plain Reserve,
January 4, 1983

In an article about family functioning of Indian families, Red Horse et al quote a study conducted by Ronald Lewis in

Milwaukee, Wisconsin. That study revealed that when faced with a health problem, an Indian followed a definite sequential pattern in seeking help. First, the Indian looks to himself to solve the problem and then to the immediate family. Next, the individual would seek help of the members of the extended family - cousins, aunts, uncles. The next resource would be the religious leader and then the tribal council. Only after all these steps have been taken would the Indian seek assistance of the formal health care system.

A similar pattern may exist in the child welfare field. Hesitancy to seek professional help unless all other possible resources have been exhausted could result in an approach being made to the child care agency only when the situation has reached such desperate proportions that the only possible help that can be given is to move the children to another setting for their own protection and safety.

The Indian people of Manitoba offer another explanation for their apparently weak parenting skills. They suggest that

because, for generations, children were sent to residential schools and were not themselves parented, they lost the ability to parent.

I personally attended Indian Residential Schools for eleven years and on leaving it took me another eleven years to mentally undo the devastation perpetrated therein by religious and other fanatics. Young Indian children were taken away from their environment. There are many social-psychological studies available at the Universities' libraries pointing to the fact that such institutions are psychologically damaging for children. One school Principal in Brandon used to call us God's children three times on Sundays at the three services and the rest of the week call us dirty little Indians. No one ever hugged us or told us they loved us. We were mere numbers. Strappings, beatings, hair cut to baldness, being tethered to the flag pole, half day school with unqualified tutors, and slave labour the other half were commonplace. There was an environment of hostility and confrontations between staff and students continually.

Brief to Review Committee,
William Clarence Thomas,
Superintendent for the Peguis
School Board,
November 5, 1982

The facts reveal that the child welfare system touches the lives of many Manitoban families at one time or another and that Native families are particularly vulnerable to such intervention.

TOTAL ADMISSIONS TO CARE AND DISCHARGE -

April 1, 1983 to March 31, 1984

<u>Agency</u>	<u>Number in care April 1, 1983</u>	<u>Total Admissions</u>	<u>Total Discharges</u>
CAS Central	179	109	143
CAS Eastern	142	158	160
CAS Western	343	326	374
CAS Winnipeg	1414	1339	1435
J C & F S	7	10	11
Eastman	53	24	47
Interlake	73	78	72
Norman	86	100	96
Parklands	158	174	175
Thompson	342	445	477
Winnipeg	146	156	174
Anishinaabe	46	80	64
DOCFS	185	205	207
Southeast	29	31	14
West Region	32	55	31
Awasis*	<u>---</u>	<u>109</u>	<u>72</u>
TOTAL	3235	3399	3552

*Reporting began December, 1983.

These statistics do not reveal facts which would be valuable for program planning. There is no way to identify whether the same children are entering and leaving the system repeatedly, nor is it possible to determine how long children remain in care - less than 4 days, 6 months, a year? There is no way to determine how many of these children might be available for adoption, or how many children might be in need

of long-term care.

The statistics maintained by the Child Welfare Directorate do not include the Indian children who are provided for through various programs of the federal government.

RECOMMENDATION 63. THE CHAIRMAN RECOMMENDS THAT THE FEDERAL GOVERNMENT BE REQUIRED TO REPORT TO THE DIRECTOR OF CHILD WELFARE ON A MONTHLY BASIS THE STATISTICS OF INDIAN CHILDREN MAINTAINED IN HOMES OTHER THAN THEIR OWN AND FUNDED BY VARIOUS FEDERAL PROGRAMS.

Commonly known as the "pay list", certain Indian children are supported in homes other than their own by the Department of Indian and Northern Affairs. According to that Department, these children fall into one of two categories. The first, called Guardian Social Allowance, provided funds for children placed with relatives where, without financial support, hardship would have been created. The second category was similar to foster placements with children placed in homes on or off the Reserve.

Children are described as having entered this program under a number of different circumstances. Some children had been placed with grandparents at birth. In some cases, relatives assumed responsibility when the children were orphaned or when parents were experiencing difficulties. Some children were transferred to the "pay list" by Medical Services when a child's disability or illness required a long-term placement in an urban centre. These children were placed in homes other than their own with no transfer of legal guardianship, no legal sanction, and no judicial process.

It is reported that at one time over 500 children were on the "pay list". In April, 1983, the children on the Guardian Social Allowance program were transferred to the Social Assistance program with payments now made by the Band Welfare Administrators. These cases are reported to be under review by the local Indian child and family services agencies which, presumably, will assume responsibility for supervision and for maintenance payments.

In May, 1984, the "pay list" consisted of 119 children and by January, 1985, the number was down to 100. No new names had been added to the list between those two dates.

The 100 children on the "pay list" are in 79 homes and are members of 29 different bands. The children range in age from 3 to 17 years. The range of payments made for children is \$101.10 to \$341.00. For the same period, the range of payments made by the provincial government for children in foster homes was \$193.00 to \$367.00. Clearly the Indian children and the families caring for them, are not receiving financial support equal to that determined by the province to be necessary for the support of children in foster homes administered by the private agencies and regional offices.

RECOMMENDATION 64.

THE CHAIRMAN RECOMMENDS THAT THE DIRECTOR OF CHILD WELFARE EXAMINE THE CASES OF THE CHILDREN PREVIOUSLY UNDER THE FEDERAL GUARDIAN SOCIAL ALLOWANCE PROGRAM TO ENSURE THAT THESE CASES ARE BEING SUPERVISED BY THE APPROPRIATE

CHILD AND FAMILY SERVICES AGENCY AND THAT PAYMENTS BEING MADE BY THE FEDERAL GOVERNMENT FOR THE CHILDRENS' MAINTENANCE IS EQUAL TO PAYMENTS ESTABLISHED BY THE PROVINCE FOR FOSTER CARE.

RECOMMENDATION 65.

THE CHAIRMAN RECOMMENDS THAT THE DIRECTOR OF CHILD WELFARE EXPEDITE THE TRANSFER OF THE CHILDREN REMAINING ON THE "PAY LIST" TO THE APPROPRIATE CHILD AND FAMILY SERVICES AGENCY FOR SUPERVISION AND THAT PAYMENTS MADE BY THE FEDERAL GOVERNMENT FOR THE MAINTENANCE OF THESE CHILDREN BE EQUAL TO PAYMENTS ESTABLISHED BY THE PROVINCE FOR FOSTER CARE.

RECOMMENDATION 66.

THE CHAIRMAN RECOMMENDS THAT IMPLEMENTATION OF THE PREVIOUS TWO RECOMMENDATIONS BE CONTINGENT ON THE GUARANTEE OF THE FEDERAL GOVERNMENT THAT THE COST OF SUPPORT OF TREATY INDIAN CHILDREN IN HOMES OTHER THAN THEIR OWN WILL BE BORNE BY THE FEDERAL GOVERNMENT WHETHER SUCH FOSTER HOMES ARE ON A RESERVE OR OFF THE RESERVE.

Medical Services of Health and Welfare Canada provides for the maintenance needs of Treaty Indian children resident on Reserves who must be sent to urban communities for necessary medical services. In February, 1985, there were 12 children in long-term placements for medical reasons. There were also 59 adults and children in boarding facilities while in Winnipeg for short-term medical services.

The decision that an Indian person must be transported from a Reserve for medical care is made by the Reserve nurse or nurse practitioner in consultation with the supervisor, attending physician, or consulting physician. The nurse is responsible for determining whether or not the patient requires an escort. A parent or escort always accompanies a child. All arrangements are made by Medical Services referral clerks.

When a child must be sent to, or remain in, an urban centre for medical care, parents are asked to sign a consent form which reads:

"I hereby authorize the attending physician and hospital staff in charge of the above named patient to carry out any form of examination, tests, treatment, and to administer such medications as they may consider advisable in the diagnosis and treatment of this patient.

I understand and appreciate that no guarantee can be given as to the results of such measures and accept the normal risk of complications or side effects.

I also authorize the attending physician to arrange placement of this patient in another hospital or a suitable boarding home while undergoing investigation, treatment or follow-up of his/her disease or condition.

I also authorize release of information on these patient referral forms to medical professionals as required for treatment purposes."

Boarding homes for the long-term care of children are located through advertisements in newspapers and through "word of mouth". Provincial guidelines for foster homes are used for assessing boarding homes and the names of selected homes are sent to the office of the Director of Child Welfare. There is no licensing procedure. Homes found to be unsuitable are not used again. There is no check of the abuse registry.

The 12 children in long-term care range in age from one year to 14 years and have been in care for periods of less than a month to 14 years. The rates paid are \$11.20 to \$13.40 per

day, with a supplement paid in cases where unusual and extensive care must be provided.

The appropriate Indian child and family services agency is now involved in all cases in the long-term care of Medical Services in planning for future care and establishing and/or maintaining a relationship with the natural family. A review of cases indicates that all children are now in contact with their own families, with children placed recently having a stronger and more positive relationship than those children who were placed in earlier years.

RECOMMENDATION 67. THE CHAIRMAN RECOMMENDS THAT FEDERAL MEDICAL SERVICES CONTINUE THEIR EFFORTS TO PROVIDE THE NECESSARY DIAGNOSTIC AND TREATMENT SERVICES ON RESERVES SO THAT REMOVAL OF CHILDREN FOR MEDICAL CARE WILL NOT BE NECESSARY.

RECOMMENDATION 68. THE CHAIRMAN RECOMMENDS THAT WHEN IT IS NECESSARY TO SEPARATE AN INDIAN CHILD FROM ITS OWN FAMILY FOR MEDICAL CARE, THAT THE INVOLVEMENT OF THE APPROPRIATE

INDIAN CHILD AND FAMILY SERVICES AGENCY
BE MANDATED FOR PURPOSES OF SUPERVISION
OF THE CHILD, PLANNING FOR THE FUTURE
AND FACILITATING CONTINUED CONTACT
BETWEEN THE CHILD AND NATURAL FAMILY.

RECOMMENDATION 69.

THE CHAIRMAN RECOMMENDS THAT FEDERAL
MEDICAL SERVICES AND THE APPROPRIATE
INDIAN CHILD AND FAMILY SERVICES AGENCY
CO-OPERATE IN DEVELOPING TECHNIQUES FOR
FACILITATING THE CONTINUATION OF A POSI-
TIVE RELATIONSHIP BETWEEN CHILD AND
FAMILY. IN ADDITION TO REGULAR VISITS,
THERE SHOULD BE A ROUTINE EXCHANGE OF
LETTERS, PHOTOGRAPHS, TAPES, AND VIDEO-
TAPES. CONFERENCE TELEPHONE CALLS
SHOULD BE USED TO DISCUSS THE PLANS FOR
THE CHILD INVOLVING PARENTS, CHILD CARE
WORKER, RESERVE NURSE, PHYSICIAN, HEALTH
SERVICES SOCIAL WORKER, BOARDING HOME
PARENTS, AND OTHER PERSONS AS MAY BE
NECESSARY.

At times, children who are not Treaty Indian must also be
separated from their families for extended periods for purposes
of medical care. While Medical Services only secures a consent

form signed by parents, some child care agencies in the north routinely seek legal custody of the child in such instances. This may be necessary. However, when guardianship of a child is taken for the sole purpose of securing medical care which is not available in the home community, there should be no implication that the parents have been neglectful, or that the child has been in need of protection.

RECOMMENDATION 70.

THE CHAIRMAN RECOMMENDS THAT THE LEGISLATION BE AMENDED TO PERMIT PARENTS OR GUARDIANS TO ENTER INTO AN AGREEMENT WITH THE APPROPRIATE CHILD AND FAMILY SERVICES AGENCY WHEN A CHILD MUST BE PLACED AWAY FROM HOME FOR PURPOSES OF MEDICAL CARE.

RECOMMENDATION 71.

THE CHAIRMAN RECOMMENDS THAT HOMES USED FOR THE PROVISION OF CARE TO ALL CHILDREN WHO MUST BE AWAY FROM HOME FOR PURPOSES OF MEDICAL CARE BE LICENSED UNDER LEGISLATIVE PROVISIONS RELATED TO FOSTER HOMES AND SUPERVISED BY THE APPROPRIATE CHILD AND FAMILY SERVICES AGENCY.

RECOMMENDATION 72. THE CHAIRMAN RECOMMENDS THAT THE FEDERAL GOVERNMENT BE REQUIRED TO CONTINUE THE FINANCIAL SUPPORT OF TREATY INDIAN CHILDREN WHO MUST BE AWAY FROM THEIR OWN HOMES FOR PURPOSES OF MEDICAL DIAGNOSIS OR CARE.

RECOMMENDATION 73. THE CHAIRMAN RECOMMENDS THAT PAYMENT FOR THE CARE OF INDIAN AND NON-INDIAN CHILDREN WHO ARE AWAY FROM HOME FOR MEDICAL DIAGNOSIS OR TREATMENT BE AT THE SAME RATE AS IS PROVIDED FOR FOSTER CARE, WITH SUPPLEMENTARY PAYMENTS MADE WHEN THE NATURE OF THE HEALTH PROBLEM REQUIRES SPECIAL SKILLS AND ATTENTION FROM FOSTER PARENTS.

A third federal program provides for maintenance payments for Treaty Indian children who must be away from their own homes for educational purposes.

It is estimated that there are 12,000 Indians in the province attending school. Of these, 1,800 to 2,000 students reside away from home for purposes of education. This would include those attending grade school, high school, university,

vocational training, or special education programs.

Application forms for children must be signed by both the student and the parents or guardian.

The student promises:

1. To attend classes regularly and consistently.
2. To consult with my Home/School Co-ordinator or Counsellor if any problems arise academically, emotionally, physically or financially.
3. To adhere to school regulations and meet the standards required by the school for continuation in my course of studies.
4. To provide my marks and reports to the Student Services upon the request of my Counsellor or Home/School Co-ordinator.
5. To adhere to any rules and regulations as may from time to time be advised to me by the Student Services.

The parents or guardians provide authorization to the appropriate organization:

- (a) To arrange educational assistance for my child/ward as noted in section 2 above.
- (b) To grant permission for medical surgical (including any emergency treatment) or dental treatment which my child/ward may require. This may include any form of examination or tests, immunizations, inoculations, anesthetics, admission to and treatment in hospital. I understand that the need for any of the above will be determined by a competent medical authority.
- (c) To grant permission for my child/ward to travel as required to participate in the program noted above and supervised activities organized for students. (Individual unsupervised travel must be authorized by parents or guardian in writing before it will be permitted.)

The authority for approving student applications rests with either the band or the tribal council. Services to and

for the students are provided through counselling organizations such as the Manitoba Indian Education Association or similar services sponsored by the Island Lake bands, Peguis, and the Southeast Tribal Council.

Boarding homes are recruited through newspaper ads. Applicants are interviewed and, if approved by staff, students are referred to these homes. There is no check with the police or the abuse registry. If homes are found to be unsatisfactory, there are no further referrals to these homes.

The board and room rate depends on the student's educational level and the geographic location. Rates range from \$285.00 - \$325.00 per month and additional grants are made for transportation, clothing, school supplies, and personal allowance. The continuation of funding is dependent on the student's regular attendance in the education program.

For some students the experience of moving from a remote Reserve to an urban centre can be difficult. The move away from family, relatives, and a compact community can create

stresses difficult to handle. Children may become involved in activities which bring them into conflict with school authorities, with the law, and to the attention of the court system.

There is no consistent follow-up of the children who drop out of the education program. Some return home, others simply disappear in the City only to reappear in the courts after being apprehended for criminal activities.

The evidence would indicate that there is a higher rate of retention in school programs when the education is controlled and managed by the Indian people themselves.

RECOMMENDATION 74. THE CHAIRMAN RECOMMENDS THAT THE FEDERAL GOVERNMENT ACCELERATE EFFORTS TO TRANSFER FUNDS AND RESPONSIBILITIES FOR EDUCATION TO BANDS AND TRIBAL COUNCILS.

RECOMMENDATION 75. THE CHAIRMAN RECOMMENDS THAT HOMES USED FOR INDIAN CHILDREN FOR EDUCATIONAL PURPOSES BE SUBJECT TO THE SAME STANDARDS AS HOMES USED TO PROVIDE FOSTER CARE, AND THAT CULTURAL SENSITIVITY BE A MAJOR FACTOR IN THE APPROVAL OF SUCH HOMES.

RECOMMENDATION 76.

THE CHAIRMAN RECOMMENDS THAT RESEARCH BE CONDUCTED TO DETERMINE THE IMPACT ON CHILDREN OF BEING AWAY FROM HOME FOR EDUCATION PURPOSES COMPARED WITH THOSE CHILDREN WHO COMPLETE THEIR EDUCATION WITHIN THEIR OWN TRIBAL AREA.

RECOMMENDATION 77.

THE CHAIRMAN RECOMMENDS THAT, WHEN INDIAN CHILDREN MUST MOVE FROM THEIR OWN HOMES FOR PURPOSES OF EDUCATION, INFORMATION AND ASSISTANCE BE PROVIDED TO THE APPROPRIATE STAFF OF THE RECEIVING SCHOOL DIVISIONS TO MINIMIZE ANY PROBLEMS THE CHILDREN MIGHT ENCOUNTER IN ADAPTING TO THE SCHOOL.

RECOMMENDATION 78.

THE CHAIRMAN RECOMMENDS THAT RATES PAID BY THE FEDERAL GOVERNMENT ON BEHALF OF INDIAN CHILDREN IN BOARDING HOMES FOR PURPOSES OF EDUCATION BE AT THE SAME RATE AS THAT PAID IN OTHER PROGRAMS.

CHAPTER VII

CHILDREN IN THE SYSTEM

We do have our own traditional adoption system. We didn't have to sign a paper to say I was going to adopt this child. It was our tradition and way of life to accept others as our own.

When there was an orphan, the orphan was taken and had parents. We learned to share that humble house where bannock and tea was our food and that is how we lived. I didn't have to have steak. We didn't have to have a bed. We lay on mother earth. Our bodies were strong. We were straight. We ate. We breathed in the fresh air. But in the name of developing a person into somebody that they weren't, these are things we are suffering from.

*Eva McKay,
Dakota Ojibway
Child & Family Services,
May 27, 1982*

There are 3,000 Manitoba children in the care of the private agencies and regional offices - just under 1% of the children of the province.

The methods of providing care for children have varied over time. Authors indicate that there is no mention in

biblical or classical literature, or in Native folklore of dependent or unwanted children. Such children were provided for within the kinship system.

With the development of the Elizabethan laws (1601), two forms of care emerged - the placement of children as indentured servants and care in almshouses. These concepts of care, provided as religious charitable functions, were transferred to North America where Indian children were placed in residential facilities, not because they were without parents, but through the desire of missionaries to convert the children to both the religion and the social mores of the settlers. Those who came to this continent were not prepared to acknowledge that another culture and religion even existed, much less had value. Indian children were force fed Christianity.

The latter part of the 19th century saw the development of institutions for children. Orphanages, under the auspices of religious denominations, emerged as the form of care for children without family.

In Manitoba, care for children in orphanages reached its peak in the 1920's. Foster care was introduced and grew until, it is reported, it became the primary means of providing for children not able to be cared for in their own homes. What had been orphanages evolved into institutions for the care of the older child or for children who, for whatever reason, were unable to accommodate to a foster home setting.

The concept of group homes emerged in the late 1940's, and the 1970's saw a sudden increase in such facilities in Manitoba. This type of care was seen as providing for children not able to use foster homes but who were not sufficiently disturbed to require the higher priced, closed setting of the institutions.

During the latter part of the 1960's and early 1970's, there was a significant increase in the number of children of Native descent coming into the care of the child care agencies. Native families were moving into urban centres at an increasing rate in search of employment, health services, and for training and education opportunities. The sudden loss of community

supports and the stresses of urban life created situations perceived by the child care system to be child neglect. The closing of Indian residential schools precipitated the apprehension of many Indian children. Some families had been able to cope with children for two months in the summer, but not for the full year.

In 1969 we had 156 children in care, and in the spring of that year, Indian Education decided unilaterally that no child on any Reserve served by Child Welfare Agencies should be eligible for attendance at Indian Residential School. One set of grandparents on a Reserve in this area had 27 grandchildren returned to their two room house in June 1969. None of their daughters, who were single parents living off the Reserve, were prepared to plan for their children. The grandparents were obviously unable to cope with so many and requested that 20 of the children come into our care.

*"Some Historical Perspectives in relation to The Children's Aid Society of Western Manitoba and Its Services to Indian Reserves since 1962",
Margaret E. Goodman and
Bruce Fraser, October, 1983*

By 1977, concern was being expressed about the proliferation, and the cost, of group homes. Group homes had developed under a variety of auspices. Private profit-making groups,

non-profit organizations, child care agencies, and institutions were establishing group homes without coordination and without consideration of the extent of the need or where such homes were required. No standards were in place for monitoring the safety, or the program content, of these group homes.

After a study in 1977, an office was established to license and to fund group homes, and to relate funding and admission policy to the level of care each home was determined to be capable of providing.

Further concern about group homes prompted an investigation of group homes in connection with this review in 1983. One of the findings was that there appeared to be more children in group settings than seemed necessary. Identified were those children who could more appropriately be accommodated in a foster home, and those children 16 and 17 years of age who might not require as structured a setting as a group home to prepare them for independent living at age 18, the age of majority in Manitoba.

(It should be noted that the age of majority is not consistent throughout Canada. In Prince Edward Island, Nova Scotia, New Brunswick, Ontario, Saskatchewan, Alberta, the Yukon, and the North West Territories, a child becomes an adult at 16. Manitoba, Newfoundland, and Quebec set that age at 18, and British Columbia at 17.)

PLACEMENT OF CHILDREN IN CARE

MARCH 31, 1984

TOTAL NUMBER OF CHILDREN IN CARE 2879

TOTAL NUMBER OF CHILDREN IN PAY CARE 2251

Foster Home Placement

Regular Rate Foster Home	1194
Special Rate Foster Home	248

Group Home Placement

Support Home	35
Private Group Home	206
Agency Group Home	114
Agency Receiving Home	59

Emergency Shelter	12
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Other Facility	212
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Maternity Home	11
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Institutions

Childrens Home	26
Knowles	26
Marymound	69
Sir Hugh John Macdonald	25
Private Institution in Manitoba	8
Private Institution out of Manitoba	6

TOTAL NUMBER OF CHILDREN IN NON PAY CARE 628

Selected Adoption Probation	166
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Correctional Institutions

Agassiz	24
Seven Oaks	38
Manitoba Youth Centre	8
Doncaster	6

Mental Retardation Facilities

Manitoba School	3
St. Amant	20

Other Public Institutions	5
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Other Non Pay Care Institutions	358
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The above statistics reveal that, as of March 31, 1984, of the 2879 children who were in care, 78% were in placements for which payment was made by the child care system. Of the 2251 in paid care -

- ° 64% were in foster homes,
- ° 18% were in group home placements,
- ° 1% in emergency shelters or maternity homes,
- ° 7% were in child care institutions, and
- ° 10% were in arrangements designated by the statistics as "other" facilities.

Of the 2879 children in care, 22% were in placements for which no payment was made. Of the 628 non paid placements -

- ° 26% were in adoption placements (or 6% of all children in care),
- ° 12% were in correctional institutions,
- ° 4% in facilities for the mentally retarded, and
- ° 58% were in placements not designated by the statistics.

In summary, we see that -

- ° 56% of the children in care were in family settings - foster or adoptive homes,
- ° 24% of the children in care were in group settings - group homes or institutions, and
- ° 20% are in settings which were not specified in the statistics.

A number of techniques have been used to recruit foster and adoption homes. The traditional child care agencies reported that the use of the "Children Who Wait" series was of limited value in identifying useful homes, but that this newspaper column did have a valuable public relations function. Similarly, "Foster Parent Recognition Night" was reported to be effective in enhancing the public image of foster parents, but not necessarily productive in finding new homes. This reality should be recognized.

RECOMMENDATION 79. THE CHAIRMAN RECOMMENDS THAT EACH YEAR THE DIRECTOR OF CHILD WELFARE CONTRACT WITH A PROFESSIONAL PUBLIC RELATIONS FIRM TO CONDUCT A PROVINCE-WIDE CAMPAIGN ON BEHALF OF ALL CHILD CARE AGENCIES. THE FOCUS OF THE CAMPAIGN SHOULD BE ON RECRUITING FOSTER AND ADOPTIVE HOMES, AND SHOULD ALSO SERVE TO BRING POSITIVE RECOGNITION TO THOSE FAMILIES CURRENTLY FOSTERING AND ADOPTING.

The agencies report that the most effective recruitment

technique is "word of mouth". Friends of adoptive or foster parents frequently submit applications themselves. This system, while producing a satisfactory number of adoptive and foster homes, by its very nature perpetuates the existing pattern. If present foster and adoptive parents are members of the middle-class and the dominant ethnic group, new foster parents will be of the same socioeconomic class.

As the clientele of child care agencies became increasingly representative of the Native community, the distance, in cultural terms, between client and care provider was bound to expand. This led to the situation of Native children being placed in non-Native foster and adoptive homes almost exclusively, and to the charge of Native organizations that child care agencies were practising "cultural genocide".

Newly established Indian child and family agencies have taken an aggressive approach to recruitment. Not initially having a resource base, they had no other option. They also express the philosophy that action to find an adoptive or

foster home should begin with the child. Having determined the kind of home that would be best for a specific child, a search should be made to find a home that best approximates that ideal.

The Indian agencies have the advantage of being structured to ensure maximum community input through board composition, community committees, and employment of local people. They also have "band lists" so that every possible resource can be explored.

Traditional agencies must adapt their structure and their employment practises to ensure that they also are sensitive to the communities they serve, and to increase their access to local resources. They must also begin to use aggressive recruitment techniques through consultation with knowledgeable community people, use of voters lists, tax lists and city directories, and direct door-to-door contact with families which have the potential of offering a home for a specific child.

RECOMMENDATION 80. THE CHAIRMAN RECOMMENDS THAT ALL CHILD

CARE AGENCIES BEGIN WITH THE NEEDS OF A SPECIFIC CHILD WHEN SEEKING FOSTER AND ADOPTIVE HOMES, AND THAT THEY USE ALL AVAILABLE RESOURCES TO IDENTIFY POTENTIAL HOMES IN THE LOCAL COMMUNITY.

Once identified, potential foster and adoptive homes are assessed by the appropriate child care agency as to their acceptability as a placement resource for children.

The general community, the Native community, and, surprisingly, even one child care agency, tend to view foster and adoption home standards as rigid. The representatives of Native organizations expressed the view that the standards were the major barrier to the placement of Native children in Native homes. It was suggested that the relaxation of these standards, and the adoption of the principle that local standards prevail, would open the door for Native families to be foster or adoptive parents.

In 1981, the Child and Family Service Directorate developed a document entitled "Standards for Children's Foster Care

Services". For whatever reason, that document has never been finalized and is still marked DRAFT. This document, which does include many specifics as to personal qualities sought in foster parents and the physical requirements to insure safety and security, is essentially a guide for agencies to ensure that a wide variety of factors are given consideration by the agencies prior to issuing a foster home license. The legislation states that requirements can be waived at the discretion of the licensing authority.

With regard to adoption homes, the Child Welfare Act and the regulations require only that an adoptive family be "acceptable" to the mandated child care agency. Again, the Directorate has issued guidelines which are entitled "Standards for Adoption Services".

As far as can be determined these "guidelines" are internal documents used only by the staff. This means that persons who apply to foster or adopt have no way of knowing against what criteria they will be judged, or what test they

will be subjected to.

In the course of this study, the Chairman was informed that there are a multitude of unwritten, unverbilized rules by which prospective adoptive and foster parents are measured.

The Chairman heard that -

- ° a couple was told that after the placement of a child, the adoptive mother could not work for two years,
- ° a single female applicant was told she had to have \$5,000. in the bank and promise not to have a relationship with a man for 6 years,
- ° couples were told they were "immature" or "too old" without having those terms defined, and
- ° a family was told that the second child must be younger than the child (natural or adopted) already in the family.

The criteria by which foster and adoptive families are judged must be uniform throughout the province, must be written, and must be available.

RECOMMENDATION 81. THE CHAIRMAN RECOMMENDS THAT THE CRITERIA BY WHICH FOSTER AND ADOPTIVE FAMILIES WILL BE EVALUATED BE WRITTEN, BE CONSISTENT THROUGHOUT THE PROVINCE, BE PUBLICLY AVAILABLE, AND GIVEN TO ALL WHO INDICATE AN INTEREST IN FOSTERING OR ADOPTING.

For this review, the files of children placed for adoption were examined. In those files there was some information about families which had been considered as possible adoption placements. It was the impression of the Chairman that the kind of children these families were seeking, as this was reflected in the social workers' comments, bore little relationship to the characteristics of the children who were permanent wards of the agencies and available for adoption.

Social workers' comments convey the impression that all adoption applicants seek Caucasian, healthy infants. The Chairman believes that people who seek to adopt are generally mature and capable and willing to provide home and family for children who may not necessarily meet this "perfect" criteria.

The Dakota Ojibway Child and Family Services agency in 1983 conducted an intensive recruitment campaign for adoption homes. This campaign consisted of identifying families on each Reserve who might be interested. Visits were made to each of these homes and information about the children available for

adoption was left with them. This campaign resulted in the placement of 31 children.

The booklet developed for this recruitment campaign contained pictures and information about the actual children for whom homes were being sought. There was a description of the children, and a description of the kind of home sought for each specific child.

It is believed that prospective adoptive families will respond positively to information which enables them to recognize themselves in the description of the kind of family that would best suit a particular child.

RECOMMENDATION 82. THE CHAIRMAN RECOMMENDS THAT CHILD CARE AGENCIES PREPARE INFORMATION SHEETS WITH PICTURES OF CHILDREN ACTUALLY AVAILABLE FOR ADOPTION, AND THAT THESE BE SHOWN TO PROSPECTIVE ADOPTION FAMILIES.

The present guidelines for the evaluation of foster and adoptive homes are based on publications of the Child Welfare League of America. The 1978 edition of the publication

"Standards for Adoption Services" contains the following statement:

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•
•

4.6 National, cultural, and social background

National, cultural and social factors should not be considerations in the selection of an adoptive home, except in the case of an older child or in the case of an adoptive family to whom these factors may be of importance.

- National and cultural characteristics are not inherited but must be learned. The adopted child acquires the cultural and social attributes of the adoptive family. The older child who has lived with a natural or foster family and acquired their characteristics may attach significance to these attributes.

Such a statement seems to illustrate insensitivity to the views being expressed during the 1970's by American blacks, Mexicans, and Puerto Ricans.

"Is it surprising that general American society, lacking any coherent culture, or having at best a crazy quilt culture of disintegrating values, would reject culture as an essential factor in child development?"

*Evelyn Blanchard and
Russell Barsh,
September, 1980*

The provincial guidelines indicate what factors need to be considered, but do not indicate how such factors should be

evaluated. The Director should give some direction to ensure that families are dealt with equitably, regardless of their geographic location or the child care agency through which they apply.

RECOMMENDATION 83. THE CHAIRMAN RECOMMENDS THAT NEW GUIDELINES FOR THE EVALUATION OF FOSTER AND ADOPTIVE HOMES NOT ONLY CONTAIN THE FACTORS WHICH MUST BE CONSIDERED, BUT ALSO PROVIDE DIRECTION ON HOW EACH FACTOR SHOULD BE RATED AND WEIGHTED IN THE ASSESSMENT OF HOMES.

In support of the above, the study of the Children's Aid Society of Central Manitoba is noted. The Social Planning Council of Winnipeg criticized that agency for not having clearly defined "the values upon which it bases its service". If each child care agency were to be responsible for defining its own philosophy and values, the result would be chaos.

The general philosophy and values of the child care system must be embodied in the legislation itself to be implemented by each agency. While it has previously been recommended that

agencies be given latitude to implement programs in a way that is compatible with the local community, certain standards must be met by agencies to insure that all Manitobans receive equal service.

It is interesting to note that the current guidelines suggest the evaluation of certain factors for foster homes, but do not require the consideration of the same factors for adoption homes. For foster homes, a check of the child abuse registry is required, but this is not suggested in the guidelines for adoption homes.

RECOMMENDATION 84. THE CHAIRMAN RECOMMENDS THAT, UPON RECEIPT OF A SIGNED APPLICATION FROM PROSPECTIVE FOSTER AND ADOPTIVE FAMILIES, THERE BE AN AUTOMATIC CHECK, WITH THE ABUSE REGISTRY AND WITH THE POLICE TO ENSURE THAT NO CHILD IS PLACED IN A SITUATION THAT HAS THE POTENTIAL TO BE DANGEROUS.

It should also be noted that although prospective foster and adoptive families are required to provide the names of

references, not all agencies secure such references. Such negligence cannot be tolerated.

RECOMMENDATION 85. THE CHAIRMAN RECOMMENDS THAT AGENCIES BE REQUIRED TO MAKE CONTACT WITH THE PERSONS LISTED AS REFERENCES BY FOSTER AND ADOPTIVE APPLICANTS TO SECURE THEIR VIEWS ON THE ABILITY OF THE APPLICANTS TO PROVIDE A SAFE, SECURE, AND LOVING HOME FOR CHILDREN.

The foster home guidelines require an evaluation of the security, safety, and adequacy of the accommodation in which the family resides, but do not suggest the same evaluation of the potential adoptive home. The adoptive home study outline, however, does suggest there be a description of the neighbourhood in which the family resides, as well as a description of the "lifestyle" of the family - whatever "lifestyle" means.

The guidelines for foster home evaluations include a discussion of disciplinary practises and patterns of problem handling, but do not suggest that adoptive home parents be engaged in this type of discussion although it is certainly as

CALGARY (CP) — Roy Luyendyk, his jaw clenched, stared intently from the prisoner's box yesterday as an adopted son told a jury his father tied binder twine around the necks of two foster children and made them run alongside a truck and bulldozer.

Luyendyk, a powerfully-built, 51-year-old dairy farmer, and his wife, Jean, 52, are on trial in Court of Queen's Bench on 10 charges of assault causing bodily harm. Roy Luyendyk also faces two counts of possessing weapons intended for assault.

The Luyendyks, describe "strong Christian couple" cared for more than 250 foster children since 1961, are charged with neglecting their own children in their care in 1982 at the Creighton Children's Institution.

"I saw Scott with the binder twined around his neck, running down the hill with a silly grin," said a man who came to the Luyendyk trial in Colombia, South America.

The teenager, now
his parents in C
type of punish
to a femal
As

The boy never had father figure and didn't know what respect from such a father relationship meant.

shortly after the boy, then 11, moved in with the man and his wife in November, 1982. The man indulged

...are charged with causing bodily harm (two counts of possession for assault). The charges stem from the 1999-2000 season at the Lloydsview Cricket Club, where the players were charged with possession for assault (two counts of possession for assault). The charges stem from the 1999-2000 season at the Lloydsview Cricket Club, where the players were charged with possession for assault (two counts of possession for assault).

Distasteful the
from, which
September 13, 1984

and fellatio up to 50 times between then and September, 1984, when the boy told a guidance counselor what was

The powerful commitment as they have alleged evidence of several violent acts of assault yesterday and said he was deeply committed to the powerfully committed Queen's Bench.

...of testimony in Court do
...all I ever do
...Jean, 53,
...have
...can

ASSAULT

...dairy farmer a
...ian, said the
...in Court of
...ever do

12 Winnipeg Free Press, Thursday, September 13, 1984

Residents, staff detail abu at Ontario children's hon

KEARNS, Ont. (CP) — A 15-year-old boy who says he was forced to wear a rubber rain suit with just his underwear underneath for nine days is among residents and staff members complaining of abuse and deplorable living conditions at a home for emotionally disturbed children.

Billy, not his real name, says he has been emotionally scarred by his 17 months at the New Horizons Boys' Home in 1971.

with the overall cause and effect of the complaints as well as ways to prevent problems.

Billy, a Thunder Bay native, says he was forced to wear the rubber suit from morning until night last December as punishment for running away from the facility a week earlier. He says he developed serious skin rashes as a result. Anna Laronde, a former staff member at the home, confirmed

police detachment said ye
are continuing to inves
alleged assault on a resi
dents."

The home is one of three operated by John Rutte about 80 kilometres south has been overseeing the while manager Bob Ke vacation and says he owns of the situation.

relevant, if not more relevant, a topic for assessment.

Certainly the placing agencies have a legitimate concern with the general health of all family members in the prospective home. Identification of the source and amount of income is pertinent, but not as pertinent as the family's capacity in managing available financial resources. Agencies certainly have the responsibility to assess the family's attitude towards children, to each other, and to their extended family members and community.

Lacking in the current guidelines is any suggestion of a discussion of the family's attitude toward the possibility of adopting or fostering a sibling group. The language of the guidelines is consistent with the practises. The focus has been on individual children with insufficient attention devoted to trying to keep sibling groups together.

RECOMMENDATION 86.

THE CHAIRMAN RECOMMENDS THAT SIBLING GROUPS NOT BE SEPARATED FOR PURPOSES OF ADOPTION. PLACEMENT OF SIBLING GROUPS WITH A PERMANENT FOSTER FAMILY OR WITH

EMPLOYED HOUSE PARENTS IS FREQUENTLY
PREFERABLE TO SEPARATION.

The current guidelines are silent on the topic of single parent adoption applicants. Agencies should be given some direction on how such applicants should be assessed.

RECOMMENDATION 87. THE CHAIRMAN RECOMMENDS THAT THE NEW GUIDELINES CONTAIN DISCUSSION OF THE ASSESSMENT OF APPLICATIONS FROM SINGLE APPLICANTS.

The current guidelines suggest identification of the foster or adoptive family's cultural background, but nothing more. This is an area which will require substantial expansion in new guidelines. Even in families which have the same cultural background as the child to be placed with them, it is important that there be conscious awareness of the need to develop and enhance the child's sense of cultural identity.

RECOMMENDATION 88. THE CHAIRMAN RECOMMENDS THAT NO CHILD BE PLACED FOR ADOPTION IN A FAMILY WHOSE ETHNIC/CULTURAL BACKGROUND IS DIFFERENT THAN ITS OWN UNTIL EVERY POSSIBLE EFFORT

HAS BEEN MADE TO FIND A HOME THAT IS
ETHNICALLY/CULTURALLY COMPATIBLE WITH
THE BACKGROUND OF THE CHILD.

For the few situations in which there might be a cultural difference between foster or adoptive family and the child, a much more extensive and intensive discussion of culture is required. The attitude of the immediate family members towards members of minority groups needs to be explored to eliminate the possibility of a child being placed in an ego destroying environment. The attitudes of members of the extended family, of school personnel, and of the neighbours need to be taken into account. A family must prepare to help a child cope with prejudice, and to form links with the appropriate cultural group to enable the child to build pride and a sense of historical continuity.

RECOMMENDATION 89. THE CHAIRMAN RECOMMENDS THAT PROSPECTIVE FOSTER AND ADOPTIVE FAMILIES BE ASSESSED IN RELATION TO THEIR ABILITY TO APPRECIATE AND ENHANCE A CHILD'S SENSE OF IDENTITY WITH ITS OWN ETHNIC/CULTURAL

BACKGROUND.

The current guidelines suggest exploration of a foster family's ability to relate to the placing agency. It is suggested that this is an equally valid point to be explored with adoptive families. The time of a legal adoption terminating the responsibility of an agency to adopting families has ended.

There is evidence that a child's need to know, or at least know about, natural parents is a normal, healthy search for identity, and agencies must be prepared to assist adoptive parents deal constructively with this inevitable situation. Adoptive parents, with the agency's assistance, need to consider how they will respond to a child's request to find birth parents.

RECOMMENDATION 90.

THE CHAIRMAN RECOMMENDS THAT THE PROCESS OF ASSESSMENT OF ADOPTION APPLICANTS INCLUDE DISCUSSION OF HOW A CHILD'S SEARCH FOR PERSONAL IDENTITY WILL BE HANDLED, AND THAT PLACING AGENCIES BE AVAILABLE TO ASSIST ADOPTIVE PARENTS WHEN THIS SITUATION ARISES.

Manitoba has had a post adoption registry since 1980. This registry permits an exchange of information and the facilitating of personal contact between natural parents, adoptive parents, and adult adoptees. For any action to be taken, all parties must be registered. This is a "passive" registry.

The current legislation provides:

92 (2) The director shall establish a registry and maintain the registry as specified in the regulation for the purpose of

- (a) recording information volunteered by natural parents, adoptive parents and adult adoptees;
- (b) conveying the information so received subject to subsection 94 (3), to the natural parents, adoptive parents, or adult adoptees, as the case may be where they voluntarily register with the registry and advise the director of their willingness to receive or obtain the information;
- (c) registering the wishes of natural parents, adoptive parents and adult adoptees as to whether or not they desire to be known to one another and to have personal contact with one another or remain anonymous;
- (d) facilitating personal contact subject to subsection 94 (3) between natural parents, adoptive parents and adult adoptees where they have voluntarily registered their wishes to that effect and have received appropriate preparation through counselling when required.

The argument is made, particularly by members of the Native community, that the present legislation is not suffi-

cient to ensure that adoptees can reestablish contact with their own families and communities. Evidence is accumulating that the placement of Native children in non-Native adoption homes was seldom successful. A psychiatrist for an agency in Pennsylvania, which placed a substantial number of Manitoba children, is reported to have stated that 90% of those Native children are in receipt of psychiatric treatment because of adjustment problems.

In July, 1984, a letter was sent to child welfare authorities in every state in the United States by the Child Welfare Directorate. That letter provided information about the newly formed Indian agencies and the Metis organizations which can now develop placement resources for children in Native communities. The American agencies were asked to consider repatriation as a possible option in planning for a child of Native descent originally from Manitoba. Assistance was offered to expedite this process.

As of April, 1985, the Directorate office was aware of 64

children and young adults who had problems of various levels of intensity in relation to their adoption placement and were considering either repatriation or establishing contact with their home community. Fifty-eight of these individuals had been placed in the United States. The remaining 6 were placed in other provinces in Canada. Repatriation had been completed in 23 cases and was anticipated in another 15 cases.

RECOMMENDATION 91. THE CHAIRMAN RECOMMENDS THAT, UPON RECEIPT OF A REQUEST FROM AN ADULT ADOPTEE FOR INFORMATION ABOUT, OR CONTACT, WITH BIRTH PARENTS, AN ACTIVE ROLE BE TAKEN BY THE POST ADOPTION REGISTRY STAFF IN LOCATING PARENTS, AND, IF CONSENTING, EXPEDITING CONTACT.

RECOMMENDATION 92. THE CHAIRMAN RECOMMENDS THAT STAFF RESOURCES CONTINUE TO BE AVAILABLE TO COORDINATE AND EXPEDITE THE REPATRIATION OF NATIVE CHILDREN WHO WERE PLACED OUT OF PROVINCE IN THE PAST.

It is not entirely clear just how decisions are made as to which children will be placed for adoption and which will be

provided for as foster children.

Certainly a prerequisite for adoption is that the child is legally free to be adopted. Of the 2,720 children reported to be in care on December 31, 1985, 1,036 were permanent wards. These children would range in age from newborns to 17 years.

It seems that infants under the age of two are automatically identified as available for adoption. Beyond the age of two, decisions appear to be arbitrary. Such decisions determine a child's total life and must never be left to a single individual. Child care agency staff are often young, inexperienced, and lacking in practical knowledge of parenting. Wisdom must be brought to bear.

RECOMMENDATION 93.

THE CHAIRMAN RECOMMENDS THAT THE DEVELOPMENT OF A PLAN FOR EACH INDIVIDUAL CHILD WHO IS A PERMANENT WARD OF AN AGENCY BE DONE BY ALL SENIOR PROGRAM STAFF WITH THE FULL PARTICIPATION OF THE STAFF MEMBER DIRECTLY RESPONSIBLE FOR THE CHILD.

Agencies proclaim that "adoption is the placement of

choice". We have seen where that philosophy can lead. In the belief that adoption was best, apparently at any age, and that race, creed, or colour should not be a barrier to a child having a family of its own, Native children have been shipped throughout the continent with sometimes disastrous results.

The case of Cameron Kerley has received considerable attention from the press and from national television shows both in Canada and in the United States.

According to the newspaper stories, Cameron was born on the Sioux Valley Reserve. When he was 8 years of age, he witnessed his father being beaten to death. Cameron and three sisters were apprehended by the Children's Aid Society and placed in foster homes. His mother died as a result of heavy drinking two years after the children had been removed from her care.

When Cameron was 11 years of age, he was placed in the home of Dick Kerley, a bachelor who had previously adopted another Indian boy, in Wichita, Kansas. It was not long before Cameron began to display social problems according to those who knew him. He skipped school, was running away and at one point is thought to have tried to walk back to Canada. He was soon drinking and using drugs and was found guilty of burglary and theft.

When Cameron was 19 years of age, he murdered his adopted father with a baseball bat. Cameron pleaded guilty to second degree murder and was sentenced to 15 years-to-life.

Only after he was sentenced did Cameron allege that he had been subject to sexual abuse by his adoptive father since shortly after he had been placed.

On January 22, 1985, an appeal for a reduction in his sentence was heard before the Kansas Supreme Court and denied.

At Cameron's request, and with the consent of the Canadian government, Cameron returned to Manitoba in May, 1985, to serve his sentence.

The above is clearly a dramatic story of an adoption placement that failed. It would be reassuring if it could be added that this is an exception - it is not. There are many failed adoptions, and further research will reveal that the child care system has not done well in the field of adoption placement.

Foster home placement history has not been so successful either. A recent study, which was conducted in Toronto by Ross Dawson, of cases in which children had been subject to abuse in foster homes, produced the following findings:

- over half of the foster parents had four or more years of fostering experience,
- the largest number of perpetrators were the foster fathers,
- all incidents of sexual abuse involved foster fathers,
- two-thirds of all physical abuse incidents involved the foster mother,
- the highest incidence of abuse occurred for the child in their first placement,
- 60% of the abused children were not abused in their own families,
- 60% of the children abused in foster care had an identified special need, but only 2 children were in foster homes designated as competent to provide specialized foster care, and finally

- ° it was concluded that abuse of children while in foster care is more extensive than has been hitherto imagined, BUT
- ° it was strongly emphasized that abuse does not occur in the vast majority of foster homes.

The study also revealed that some placing agencies had no training available for foster parents and where it was available foster parents, especially foster fathers, participated to only a limited extent. Further, it was found that worker contact with the foster parents, and again especially the foster fathers, was infrequent.

RECOMMENDATION 94. THE CHAIRMAN RECOMMENDS THAT THE FOSTER HOME PROGRAM OF MANITOBA BE EVALUATED TO ENSURE THAT APPLICANTS ARE SCREENED PRIOR TO THE PLACEMENT OF A CHILD, THAT TRAINING IS AVAILABLE FOR FOSTER PARENTS AND PARTICIPATION REQUIRED, AND THAT FOSTER HOME PLACEMENTS ARE MONITORED ON A FREQUENT BASIS BY THE CHILD CARE AGENCY.

It is recognized that many foster homes are foster homes in name only. The placement is permanent. The parents and the foster children have formed firm familial relationships.

Adoption would occur if the foster family could afford to support the child. Subsidized adoption would make it possible for such families to adopt.

Subsidized adoption has been found to be a cost effective program. A study by George Seelig reported in the fall, 1983, edition of Permanency Reports indicated that, on the average, the cost of subsidized adoption was 37% less than the cost of continuing a child in foster care.

An article by Kathleen Proch on "Differences Between Foster Care and Adoption" revealed that while adopting and fostering have been seen by professionals as different and distinct services, such differences were not perceived by the families involved. It was found that the motivation of foster parents in taking a child into their home was essentially the same as that of adoptive parents - they wanted to add a child to their family. The concept of legal rights, which formal adoption would provide, seemed to have little significance to the foster families.

This study would suggest that legal security between surrogate parent and child may be a need that has only been assumed to exist. The formation of a relationship appeared to be independent of the legal status of the child.

RECOMMENDATION 95. THE CHAIRMAN RECOMMENDS THAT THERE BE RESEARCH IN THE AREA OF ADOPTION AND FOSTER HOMES IN AN ATTEMPT TO IDENTIFY THE ELEMENTS WHICH MAKE IT POSSIBLE FOR CHILDREN AND SURROGATE PARENTS TO FORM A POSITIVE RELATIONSHIP.

There must be mechanisms established to ensure that the situation of each child in the care of agencies is reviewed on a regular basis by the individual worker, supervisor, and senior program staff. Where changes in the plan for a child are indicated, the reasons for such changes should be identified on the child's file. The accumulation of such information will provide researchers with the data necessary to begin to formulate theories about what forms of service are most likely to be successful with what kinds of children.

The Child Protector's office will also monitor children in foster homes to ensure that the rights of the child are protected and to identify which cases must be brought before the court for review.

Group homes provide another placement option for children in care. Group homes are viewed as appropriate for teenage wards and for children not able to adjust to a family setting. Just as with adoption and foster homes, there has been a lack of study of the effect of the group home experience. There is no documentation to indicate what kinds of children best benefit from a group home experience, or to point the direction for changes in the program for improved success rates.

RECOMMENDATION 96. THE CHAIRMAN RECOMMENDS THAT THERE BE RESEARCH IN THE AREA OF GROUP HOMES IN AN ATTEMPT TO IDENTIFY THE TYPES OF CHILDREN WHO BEST BENEFIT FROM A GROUP HOME PLACEMENT.

The group home situation in the province was examined in some detail in the course of this review. It was found that

group homes were evaluated regularly to ensure that they met the safety and adequacy requirements for purposes of license renewal. There was, however, no system in place for evaluating the programs of the group home.

RECOMMENDATION 97. THE CHAIRMAN RECOMMENDS THAT PROGRAM REVIEWS OF GROUP HOMES BE CONDUCTED ON A REGULAR BASIS, AND AT LEAST ONCE A YEAR, AND THAT LICENSES BE WITHHELD FROM ANY HOME WHICH DOES NOT MEET ESTABLISHED EXPECTATIONS FOR THE CARE OF CHILDREN.

It did appear that the group homes were simply one phase of a service continuum. In other words, rather than being a specialized form of care for a defined group of children, group homes seemed a stop-gap residential setting for children in conflict with their foster parents and not quite ready for the higher level of supervision of the institutions.

It was of concern that the agency child welfare workers, who held the legal responsibility for the supervision of a specific child, seemed to withdraw when a child was placed in a

group home. Some group homes made the active involvement of the agency worker a condition of acceptance, but not all group homes insisted on such regular contact to the detriment, it is felt, of the child.

It was an unsettling conclusion to reach but it was felt that group homes had been used by agencies, not for the benefit of the children, but to ease the administrative and supervisory responsibilities of the staff. As long as group homes are available, children might be slotted into this form of care just because the homes exist.

An example of the misuse of group homes was the fact that in early 1983 there were 240 children under the age of 12 placed in group homes. This was occurring while representatives of child care agencies publicly proclaimed that only under very special circumstances should a child under 12 years of age ever be placed in a group setting. When public policy demanded this situation be corrected, the agencies were able to immediately reduce the number of children under 12 in group

homes to 75, and by 1985 that figure was down to 20. Each of those 20 children is reported to have specific problems which make the placement in a specialized group home appropriate.

While the Group Home Report did call for a reduction in the number of group homes, there are certain exceptions. Because Reserves and Metis communities have not been involved in child welfare services in the past, foster and adoption resources could well be temporarily insufficient to meet the needs of all the children who need care. Teenagers could be provided for in group home settings on the Reserve or in Metis communities where they can remain close to, and in regular contact with, family and relatives. As the need for such group homes will be short-term, consideration should be given to constructing facilities which can be easily converted for other purposes. It is possible that house trailers could be moved to even the remotest community for use as a group home and such buildings moved to another community as the demands change.

RECOMMENDATION 98. THE CHAIRMAN RECOMMENDS THAT RESOURCES

BE MADE AVAILABLE FOR THE PROVISION OF FACILITIES FOR GROUP HOMES ON RESERVES AND IN METIS COMMUNITIES, AS APPROPRIATE, FOR THE CARE OF TEENAGE CHILDREN IN NEED OF SUCH A RESIDENTIAL SETTING.

A need has also been identified for a group home for children brought into Winnipeg from remote areas who presently must be housed in the Manitoba Youth Centre pending disposition of their court cases. Such a setting can have a negative influence on a young child.

RECOMMENDATION 99. THE CHAIRMAN RECOMMENDS THAT APPROPRIATE GROUP HOMES BE ESTABLISHED TO PROVIDE CARE FOR CHILDREN FROM REMOTE AREAS WHO MUST REMAIN IN WINNIPEG PENDING DISPOSITION OF THEIR CASES UNDER THE YOUNG OFFENDERS ACT.

The study of group homes revealed that homes managed by profit and non-profit organizations were better operated than those operated by agencies. It is suggested that, except for emergency facilities, for overnight care, agencies might better leave the operation of group homes to others.

If police checks are suggested for foster and adoptive parents, such checks are even more important for staff of group homes.

RECOMMENDATION 100. THE CHAIRMAN RECOMMENDS THAT THE NAMES OF ALL APPLICANTS FOR POSITIONS IN GROUP HOMES AND CHILD CARE INSTITUTIONS BE CHECKED WITH THE POLICE TO ENSURE NO CRIMINAL RECORD EXISTS WHICH WOULD INDICATE THAT EMPLOYMENT OF AN INDIVIDUAL MIGHT PLACE CHILDREN IN JEOPARDY.

With regard to staff, there were a number of issues of concern. There was noted that no regular training program was available for group home staff, nor opportunities for staff to improve their skills so that they might assume greater responsibilities. This must be implemented to build staff continuity in the group home system.

RECOMMENDATION 101. THE CHAIRMAN RECOMMENDS THAT A STRUCTURED TRAINING PROGRAM BE AVAILABLE FOR STAFF OF GROUP HOMES TO PERMIT IMPROVEMENT OF SKILLS AND ABILITY TO ASSUME HIGHER LEVELS OF RESPONSIBILITY.

At the time of the group home study, it was estimated that about 40% of the residents were of Native descent. Except for those homes specifically established to serve Native children, group homes gave insufficient attention to enhancing the cultural identity of children. Few Native workers were employed. Little attention was given to linking children with individuals or groups of their own ethnic group. No special activities or programs were offered to enhance the development of positive self-image for Native children. A similar lack of sensitivity was evident with children of other ethnic/cultural backgrounds.

RECOMMENDATION 102.

THE CHAIRMAN RECOMMENDS THAT GROUP HOMES AND CHILD CARE INSTITUTIONS DIRECT ATTENTION TO ASSISTING CHILDREN DEVELOP PRIDE IN THEIR CULTURAL HERITAGE THROUGH EMPLOYMENT OF STAFF OF SIMILAR BACKGROUND AS THE CHILDREN, PROVISION OF SPECIAL PROGRAMS AND ACTIVITIES, AND THE ESTABLISHMENT OF CONTACT WITH INDIVIDUALS AND ORGANIZATIONS WHO CAN ASSIST IN THIS PROCESS.

While agencies can admit children to group homes with only the consent of the home itself, admission to higher levels of care and institutions are processed through a Screening and Monitoring Committee of the Child Welfare Directorate. Concern for the child is the major element in this process to be sure, but cost control is a significant consideration.

The Screening and Monitoring Committee consists of representatives of Level IV group homes and institutions. All requests for admission to such facilities are subject to the approval of the Committee. While the Committee cannot require a facility to admit a specific child, negotiation can often overcome any hesitation a facility may have.

The capacity of Level IV facilities in 1984 was 148. The Screening and Monitoring Committee in fiscal year 1984/85 received 148 referrals of which 114 (77%) were approved for admission and, of these, 89 were actually admitted.

As with other segments of the child care system, the

statistics which are available are not particularly helpful in assessing the effectiveness of the programs offered by Level IV facilities or for planning for the future. It is reported that the children admitted to this level of care have already been so severely damaged that an evaluation may not provide a valid picture of program effectiveness.

The Chairman has received information that there is a shortage of Level IV spaces for children who have been identified as requiring that level of care. It is believed that this is a temporary situation, but, nevertheless, it is imperative that children receive the care that has been deemed to be essential for their well-being.

RECOMMENDATION 103. THE CHAIRMAN RECOMMENDS THAT ADDITIONAL
LEVEL IV SPACES BE ESTABLISHED AS A
TEMPORARY MEASURE PENDING FURTHER EVALU-
ATION.

RECOMMENDATION 104. THE CHAIRMAN RECOMMENDS THAT THERE BE
RESEARCH CONDUCTED ON THE HISTORY OF THE
CHILDREN RESIDENT IN LEVEL IV FACILITIES

TO DETERMINE WHAT ALTERNATE FORMS OF CARE AVAILABLE AT SPECIFIC PERIODS OF THE CHILDREN'S LIVES MIGHT HAVE PREVENTED THE DEVELOPMENT OF BEHAVIOUR PATTERNS WHICH LED TO THE ADMISSION TO THE FACILITY.

The traditional forms of care, therefore, are adoption homes, foster homes, group homes, and institutions when it is necessary to remove a child from its own family.

There can be different forms of care and the Director of Child Welfare has funds designated to be used for special arrangements. The agencies feel confident that in many instances more appropriate forms of care can be provided at lower cost and creative ideas might well become new patterns for meeting the needs of children.

RECOMMENDATION 105. THE CHAIRMAN RECOMMENDS THAT THERE BE A STUDY OF CASES APPROVED BY THE DIRECTOR OF CHILD WELFARE FOR SPECIAL FUNDING OVER THE PAST FEW YEARS TO IDENTIFY WHETHER THERE ARE ANY PATTERNS WHICH MIGHT BE GENERALLY APPLIED TO BETTER

PROVIDE FOR CHILDREN.

The major emphasis of the child care system must be on providing the services necessary to permit children to live safely and securely in their own homes. Homemaker service and parent aides are the major forms of in-home service currently available. Indian agencies have reported success in using homemakers to provide care in the home to permit respite to parents in times of stress.

RECOMMENDATION 106. THE CHAIRMAN RECOMMENDS THAT CHILD CARE AGENCIES EXPAND THEIR USE OF HOME MAKERS TO PROVIDE RESPITE FOR PARENTS AT TIMES OF STRESS TO REDUCE THE POSSIBILITY OF PROBLEMS REACHING A LEVEL OF SEVERITY WHICH MIGHT REQUIRE THE APPREHENSION OF CHILDREN.

Another form of respite care for parents is available and appears to be underused. Under the legislation governing the day care program, subsidies can be provided for children admitted to day care for "special social needs".

DAY CARE PROGRAM
as of March, 1985

Licensed Day Care Spaces -	9,318
Number of Subsidized Children -	4,712
Children Admitted (and subsidized) on the basis of "Special Social Needs" -	609

RECOMMENDATION 107. THE CHAIRMAN RECOMMENDS THAT THE CHILD WELFARE SYSTEM INCREASE ITS AWARENESS AND USE OF THE DAY CARE PROGRAM AS A FORM OF RESPITE FOR PARENTS IN TIMES OF STRESS TO REDUCE THE POSSIBILITY OF PROBLEMS REACHING A LEVEL OF SEVERITY WHICH MIGHT REQUIRE THE APPREHENSION OF CHILDREN.

There can be no doubt that the theory postulated by the National Welfare Council is correct - that is, that there is a direct relationship between poverty, and the stress caused by poverty, and the child welfare system. Available information would indicate that more and more families will be vulnerable to intervention by child welfare authorities.

An analysis of 1983 Statistics Canada information done by

the National Welfare Council reveals that 1,131,000 children under 16 years of age reside in families that are poor - one out of every 5 Canadian children. However, in families headed by women, 50% of the children live in poverty. Statistics in the United States are similar - in 1983, 22.2 children per 100 lived in poverty, and 3 out of 4 children of unmarried mothers were poor.

What some writers have called the "feminization of poverty" is due to the lower earning power of women and dependence on financial assistance programs. This trend seems likely to continue.

The divorce rate continues to be high with the responsibility of raising children of the marriages most frequently remaining with the women. While nationally the fertility rate for teenagers is down slightly, in 1983 there were 25,604 children born to mothers 19 years of age and younger - many of those mothers are single and an increasing number of these young single mothers are keeping their babies rather than

placing them for adoption. A new phenomena is the increased fertility rate for women 35 to 44, many of whom are single and purposefully choosing to be mothers.

For persons raising children alone, the stress can become intolerable - loneliness, insufficient financial resources, the multiple demands of job and children. Such situations inevitably lead to the potential neglect or abuse of children.

New ways of supporting families must be developed. The community cannot continue to meet twentieth century situations with eighteenth century techniques. In an age of enlightenment, the children need special attention.

CHAPTER VIII

HOW CHILDREN LEAVE THE SYSTEM

I became a ward of the Children's Aid when I was 7 years old. During the following 11 years I lived in 5 foster and group homes. It wasn't until I was 18 years old and went back to my community that I found out I had a brother and 3 sisters. I didn't know until I was 19, that my mother had died when I was 2 weeks old.

*Bryan Smith,
Manitoba Child Welfare
Conference,
May 2, 1985*

Once more it is necessary to lament the lack of adequate statistical data. The available information provides only a general indication of how children leave the child welfare system. The largest proportion of children are reported to be returned to their parents upon discharge but there is no way to determine whether these children were returned after an apprehension of 1 to 4 days, whether an order of temporary guardian-

ship terminated, or whether the children were returned to their parents by order of the court.

CASE MOVEMENT OF CHILDREN
UNDER DIRECT SUPERVISION
March, 1984

TOTAL CASES AT END OF MONTH 2,879

TOTAL DISCHARGES DURING MONTH - 253*

RETURNED TO PARENTS - 180)
ORDER OF ADOPTION - 25) 238*
AGE OF MAJORITY - 33)

TOTAL OUTGO DURING MONTH - 303*
(Discharges and Transfers to other Agencies)

*Discrepancy in numbers appears in data source due to differences in tabulation methods between agencies and basic arithmetic errors.

This data indicates that 76% of the children discharged were returned to their parents, 11% were discharged when adoptions were finalized, and 14% were discharged on the basis of their having reached the age of majority.

Little else can be gleaned from these statistics. It can not be determined how long the children have been in care. There is no way of determining what forms of care have been

provided to these children or how many forms of care the child experienced. More importantly, there is no way to evaluate the impact that the system has had on the child or on the family.

Research techniques have improved vastly in the last few years. A sampling of the population can predict how the country, province, or city will vote in the next election. A quickly conducted door-to-door survey will conclude whether a soap will sell better if packaged in a brown, blue, or orange box. Such survey techniques have not been used for social services and yet they might reveal more than traditional research methods. So little is known in the child welfare field that new approaches must be tried.

RECOMMENDATION 108. THE CHAIRMAN RECOMMENDS THAT A SURVEY BE CONDUCTED BY A QUALIFIED RESEARCH FIRM TO DETERMINE WHAT PERCENTAGE OF THE MANITOBA POPULATION HAS EVER BEEN IN THE CARE OF THE CHILD WELFARE SYSTEM, WHAT THEIR EXPERIENCES HAVE BEEN, WHAT IMPACT THEY PERCEIVE THE SYSTEM TO HAVE HAD ON THEIR LIVES, AND WHAT CHANGES

THEY WOULD SUGGEST TAKE PLACE.

Feedback on program effectiveness has never been an integral part of the child welfare system. What feedback there has been was selective - for example, adoptive parents sending photos of their children to the adoption worker.

It is only recently that notice has been taken of the number of children that return to the care of agencies after having been placed for adoption. Through self-help groups, it has become evident that many children placed for adoption did not lose their need to know of, and to know, their birth parents. The failures of the child welfare system have been made known many years after the fact in the statistics from correctional institutions, psychiatric hospitals, and as former wards of agencies became neglectful and abusive parents themselves. Ways must be found to routinely get the reaction of clients to the service they have received and their suggestions for improving service.

In the letters which the Chairman received from the

adoptive parents of Treaty Indian children and the adoptees themselves, valid and valuable ideas were offered for the improvement of services. Among the suggestions were:

- ° *Adoptive parents should be provided with full and accurate information about a child's natural family and community and about its own life experience prior to the adoption placement.*
- ° *Siblings should never be separated. If such separation has occurred, contact should not only be encouraged but should be required.*
- ° *No child should be the only adopted child in a family, nor should a child be the only one of its racial group in the local community or school.*
- ° *When a child is placed when older, contact with the natural family should be required for adopted children as well as for foster children.*
- ° *Support groups are helpful for adoptive parents and for the contacts these make possible for the children. Workshops, resource persons, and identification of resource materials are possible through such groups.*
- ° *Agency support is essential and should be strengthened during the time immediately following placement and intensified when the child reaches the pre-teens.*
- ° *Information on cultural patterns should be provided through the public school system. Native cultural centres should be established with appropriate activities for children including summer camping programs.*

RECOMMENDATION 109.

THE CHAIRMAN RECOMMENDS THAT THERE BE ROUTINE FOLLOW-UP OF CLIENTS OF CHILD CARE AGENCIES TO SECURE THE INFORMATION NECESSARY TO EVALUATE THE IMPACT OF THE

SERVICE THAT WAS GIVEN AND TO PROVIDE
THE OPPORTUNITY TO RECEIVE SUGGESTIONS
FOR THE IMPROVEMENT OF SERVICES.

CHAPTER IX

THE FUTURE

The Seventh Fire tells of the emergence of a new people, a people that would retrace their steps to find what they left by the trail. The water drum would once again sound its voice. There would be a rebirth of the Ojibway nation and a rekindling of old flames. At this time the light skinned race would be given a choice. If they would choose the right road, then the Seventh Fire would light the Eighth and final fire -- an eternal fire of peace, love and brotherhood.

*As told by
Lawrence Henry
of the Roseau Reserve,
November 25, 1982*

It was a self-evident fact that the child welfare system had problems before 1982. It seems, however, that those in authority perceived only occasional public manifestations of the problems and did not fully appreciate the extent of the malaise that inflicted the system. Is it naivety to state that if the scope of the problem had been understood, something would have been done about it long ago or at least a

constructive start could have been made?

The Native people of the province had been struggling for their independence ever since the treaties covering Manitoba bands were signed (1871 through 1907). The Indian people still maintain that the written treaties did not accurately reflect the verbal agreements that had been negotiated. The Indian people did not believe that they would lose their freedom as well as their lands. The Indian people did not believe that someday they would also lose their children, a loss that this report has accurately called cultural genocide.

In 1982, no one, except the Indian and the Metis people, really believed the reality - that Native children were routinely being shipped to adoption homes in the United States and to other provinces in Canada. Every social worker, every administrator, and every agency or region viewed the situation from a narrow perspective and saw each individual case as an exception, as a case involving extenuating circumstances. No one fully comprehended that 25% of all children placed for

adoption were placed outside of Manitoba. No one fully comprehended that virtually all those children were of Native descent. No one comprehended that Manitoba stood alone amongst all provinces in this abysmal practice.

The year 1982 was a crisis year for the child welfare system in Manitoba. The existing procedures were inadequate and unworkable - the situation was ripe for change. Lack of accountability was a cornerstone of the system. Children who entered the system were generally lost to family and community - or were returned with there having been little input to change the situation from which they were taken in the first place.

What finally surfaced in 1982 was the expression of a lack of confidence by the public in a structure that had lost touch with the very people it was supposed to serve. New cultures and changing ethnic backgrounds of the clientele had been virtually ignored by the professionals in the field. The reasons given for this situation were implausible and not really worthy of consideration.

Once public attention focussed, and political will has followed by authority to investigate, the situation was revealed to be worse than had been anticipated. Every facet of the system examined by the Commission revealed evidence of a program rooted in antiquity and resistant to change.

An abysmal lack of sensitivity to children and families was revealed. Families approached agencies for help and found that what was described as being in the child's "best interest" resulted in their families being torn asunder and siblings separated. Social workers grappled with cultural patterns far different than their own with no preparation and no opportunities to gain understanding. It was expected that workers would get their training in the field. The agencies complained of a lack of adequate resources and central directorate staff complained of a lack of imaginative planning for children by agencies. The agencies didn't ask for help - the central child welfare directorate did not offer it. Communication between line staff and administrator was sometimes non-existent or

negative.

The end result on staff was to be expected. Feeling overburdened by large caseloads - or at least what was perceived to be large caseloads - staff experienced burnout. Staff morale evidenced itself as low. Staff seemed insecure and, at times, immobilized. Some staff persons did not provide information for the study with any degree of willingness demonstrating an almost paranoid fear that any change would have a marked effect on their job security.

As things were in 1982, there seemed little possibility that the system would, or even could, change. The funding mechanisms perpetuated existing service patterns and stifled, even prevented, innovative approaches. There was little statistical data, and what there was was next to useless for program planning purposes. There was no follow-up on adoptions and thus no way to gather the data upon which any kind of evaluation of the adoption program could be based.

It would be reassuring if blame could be laid to any single

part of the system. The appalling reality is that everyone involved believed they were doing their best and stood firm in their belief that the system was working well. Some administrators took the ostrich approach to child welfare problems - they just did not exist. The miracle is that there were not more children lost in this system run by so many well-intentioned people. The road to hell was paved with good intentions, and the child welfare system was the paving contractor.

Some progress and some positive change has occurred since the onset of the study. Most dramatic was the decision of the provincial government to close the Children's Aid Society of Winnipeg and reorganize the delivery of child care services by the formation of six community-based agencies with the obvious intent to make service more sensitive to the cultural patterns of neighbourhoods and with full participation of the residents of the communities by having these residents sit on the various boards as directors.

There has also been introduced to the legislature a

progressive and innovative Child and Family Services Act to replace the existing Child Welfare Act. This new legislation appears to answer a number of weaknesses that were identified in this study.

The new Act contains a declaration of principles which will underlie all services and programs regardless of location or auspices.

The new Act would also include provision that, in the determination of a child's "best interests", the child's cultural and linguistic heritage be considered. Also to be enshrined in the legislation is the ban on out-of-province adoption placements. A child could only be placed out of Canada with the approval of the Lieutenant Governor in Council.

The legislation would require greater involvement of citizens in child welfare programming. There appears to be greater protection of the rights of families and children and a firm commitment to the philosophy of providing services to children in their own homes to prevent the necessity of

children being separated from their families. The new Act would also move to a preventive approach related to child abuse and would broaden the function of the post adoption registry.

There have been certain administrative changes that have occurred as a result of the problems identified in this study.

Staff resources have been added to the office of the Director of Child Welfare. Program evaluations of group facilities have been initiated. There is now routine administrative review of all cases of children in the care of agencies for an extended period of time. Assistance has been provided to agencies to expedite the possible repatriation of children to Manitoba. The funding formula has undergone some modest changes to release funds to be used by agencies at their own discretion to provide for children in non-traditional ways. An annual conference for staff of all child welfare services provides a forum for the exchange of information and ideas. A system-wide newsletter is now distributed which can grow to fill the information vacuum that exists. And finally,

a computer data system is being developed which, when in place, will begin to provide the data necessary for ensuring the system and the services be relevant to the people served.

These legislative and administrative changes, as positive as they might be, are only a start. Much remains to be done.

The system must never be allowed to atrophy again. Policies and structures must be put in place to make and keep child welfare services flexible, responsive, and culturally relevant.

Multiculturalism is not a passing phenomena. Cultural and racial diversity are a reality within Canadian society and patterns of immigration suggest that this will continue. In addition to the mores of new citizen groups which must be understood and accommodated, there appears to be a move to the reassertion of cultural traditions by people of every ethnic, racial, and religious background. The emphasis on cultural differences seems to enable citizens to perceive themselves as unique and valuable individuals within the general context of Canadian society. All parties in the child welfare system must

become culture sensitive.

Essential to a responsible child welfare system is the appointment of the Child Protector as suggested in this report. Such a function will guarantee integrity, protection of rights, and prompt response to inequities. The entire child welfare system must be held accountable and a Child Protector offers the best guarantee that this will occur.

The struggle of the Indian people for sovereignty and independence as a distinct people must be recognized in other areas as it has been acknowledged in the child welfare field. The Indian culture will not disappear or be subjugated.

The child welfare system has improved, and will continue to improve, because of the efforts of the Indian people. We will not return to 1982.

That is all I have to say.....for now.

A P P E N D I X

REVIEW COMMITTEE ON INDIAN AND METIS
ADOPTIONS AND PLACEMENTS

CHAIRMAN: Associate Chief Judge Edwin C. Kimelman

ASSISTANT TO CHAIRMAN: Norma P. Dietz

SECRETARY: Joanne Prefontaine

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Child and Family Support Directorate,
Province of Manitoba
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Children's Aid Society of Winnipeg
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Chris Buchel

Manitoba Metis Federation
Janet Goertzen
Linda Clarkson
Stella Alix
Evelynn Allen

COMMITTEE COUNSEL: Victor Toews

COURT REPORTERS: Gertie Barron
Patricia Burkhart

The Review Committee was appointed by, and functioned with, the authority of the Minister of Community Services, Province of Manitoba. The services of the Chairman's Assistant were provided by the Planning and Research Branch. Committee expenses and the salary of the Secretary were paid by the Child and Family Support Directorate. The Attorney General's Department provided the services of the Committee Counsel and the Court Reporters.

EXCERPTS FROM REPORTS OF THE
REVIEW COMMITTEE ON INDIAN AND METIS
ADOPTIONS AND PLACEMENTS

SUBSIDIZED ADOPTIONS

On July 7, 1982, after a number of public hearings and discussions with the Advisory Committee members, it was recommended that Section 104 of the Child Welfare Act be proclaimed to provide for subsidized adoptions.

NATIVE RESOURCE COORDINATOR

The recommendation was made on August 27, 1982 that a person be appointed in the office of the Director of Child Welfare to be designated as a Native Resource Coordinator to facilitate and assist in Native adoptions and foster home development throughout the province.

INTERIM REPORT

The Interim Report was submitted in May, 1983. That report recommended that the moratorium on the placement of Native children out of province remain permanently in effect and that child welfare agencies direct their energies and resources towards placing aboriginal children within culturally and linguistically appropriate homes within the Province of Manitoba.

The report offered recommended procedures which would ensure the permanent placement of children and guarantee that Indian child welfare agencies were given full opportunity to find suitable placement resources within the Native community. Inherent in the recommendation is the assumption that the emergent Indian child welfare agencies are afforded the same status and equality as those of the established agencies in the child welfare field.

The following procedure was recommended:

1. Within four juridical days of a child being made a permanent ward, the child caring agency shall, in writing, notify the home Reserve and the Indian child welfare agency, with a copy to the Director of Child Welfare, that the child is available for adoption and shall include the necessary particulars of the child. The Director, having received notification under Section 28 of the Act shall ensure that such notification takes place.
2. Within four juridical days of receipt of the information, the Reserve and/or the Indian child welfare

agency shall acknowledge, in writing, to the child caring agency, with a copy to the Director, acceptance as to the sufficiency of the information or requesting further appropriate information to enable them to place the child or locate an adoptive home.

3. In the event of a disagreement, the Director shall indicate that the documentation is or is not sufficient. If insufficient, the Director shall indicate what additional material is required. It is anticipated that the monitoring system within the Director's office will ensure that this procedure would be implemented on a regular systematic basis so that no delay is incurred.
4. If the Reserve or the Indian child welfare agency does not acknowledge receipt of the information, the Director shall contact the Reserve and/or the Indian child welfare agency on the following juridical day.
5. The Reserve and/or the Indian child welfare agency shall have a period of time not exceeding 60 days to locate a suitable adoptive home and to notify the Director in writing of the name of the prospective family. Strict compliance of this provision will be monitored by the office of the Director of Child Welfare.
6. If an adoptive home has been identified, an extension of no more than an additional 30 days shall be granted to secure the necessary approval of the adoptive home.
7. Should the home Reserve and/or the Indian child welfare agency fail to locate an adoption home within the 60 or 90 day time frame, the child shall then forthwith be registered with the Central Adoption Registry, and that such registration take place within a further time frame of four juridical days.
8. The Central Adoption Registry shall forthwith circulate information on the child in the adoption bulletin. Such information should be sufficient for agencies to identify suitable, culturally and linguistically appropriate homes.
9. The Central Adoption Registry shall consider adoption homes in the following exact priority:

- a) placement in a home on any culturally and linguistically appropriate Reserve within the Province of Manitoba;
 - b) placement in a culturally and linguistically appropriate home off-Reserve in Manitoba;
 - c) placement in an adoptive home in Manitoba.
10. If, within 30 days of registration, the Central Adoption Registry has not located a suitable adoptive home within Manitoba, the child shall forthwith be registered with the Canada Adoption Desk and that such registration take place within an additional 4 juridical day period.
11. The Canada Adoption Desk will be directed to place the following exact priorities in selecting an adoptive home:
- a) placement in a home on a culturally and linguistically appropriate Reserve in Canada;
 - b) placement in a culturally and linguistically appropriate home off-Reserve in Canada;
 - c) placement in a home in Canada.
12. Until such time as the child has been placed, the home Reserve and/or the Indian child welfare agency shall have first priority to place the child in an approved home on the home Reserve, within the Tribal community, or in an off-Reserve home of a Tribal member within the Province of Manitoba.
13. If within 30 days of registry with the Canada Adoption Desk no suitable home is located, the Director shall refer the child to the Manitoba Child Placement Committee as outlined in Section 14.
14. The Manitoba Child Placement Committee, consisting of five members, shall be immediately established by the Minister and that the Committee shall consist of the following:
- a) the Ombudsman;
 - b) a representative of the Manitoba Treaty Indian community;

- c) a representative of the Manitoba Metis community;
- d) a representative of the Director;
- e) a representative to be appointed by the Minister.

It is recommended that the members of the Manitoba Child Placement Committee be appointed for a term certain (e.g. 3 years) at the discretion of the Minister so that the Committee will at all times reflect the thinking of the community. This Committee shall meet on a regular basis at the call of the Director of Child Welfare on receipt of applications for directions. Rules of procedure and any other applicable guidelines shall be laid down by the Director of Child Welfare or developed by the Committee subject to the approval of the Director.

- 15. On the establishment of a child protector system, the exact particulars of which will be contained in the final report, the Child Protector or his designate shall be a member of the Manitoba Child Placement Committee.
- 16. The Manitoba Child Placement Committee shall determine a suitable and secure placement of the child and shall ensure that such placement is carried out.

The report recommends that for Metis and non-Treaty Indian children, the same guidelines be followed substituting where appropriate Metis organizations and/or Metis community or Inuit organizations and/or Inuit community.

Priorities for the placement for these children will be placement, initially, within the local communities and, failing such placement, adoptive homes shall be sought in other communities or urban areas within the Province of Manitoba, and failing provincial placement, elsewhere in Canada following the

guidelines and procedures previously recommended for the Indian children with the emphasis at all times on culturally and linguistically appropriate homes.

The report further points out that the suggested referral to the Canada Adoption Desk was an interim measure to cope with the alleged backlog of adoption placements. Such referral was seen as unnecessary within an outside limit of two years.

After release of the report, there was discussion with the members of the Advisory Committee and on June 6, 1983, the Chairman suggested two modifications to the procedures as follows:

1. That the consideration of cases by the Manitoba Child Placement Committee precede referral to the Canada Adoption Desk, and that such referral be but one of many options available to the Committee in planning for a child; and
2. That the time frames contained in the report be given some realistic flexibility to recognize the travel difficulties of Manitoba's north and special circumstances which may exist in some cases. Such flexibility should not, however, be allowed to be used as a vehicle to avoid accountability or to circumvent the time frames.

GROUP HOME REVIEW

The Group Home Review was submitted to the Minister in October, 1983 and included the following observations:

This section of the report is based upon personal observation by the Chairman of approximately twenty-five group homes. It was not possible, nor was it deemed necessary, to visit all group homes in the province. While randomly selected, steps were taken to ensure that visits were made to all designated levels of homes in both urban and rural areas. Group homes were also visited in urban areas other than Winnipeg.

Prior to initiating these visits, interviews were held with over thirty persons connected with or apparently knowledgeable about group homes. The intent of these interviews was to identify the specific issues which should be addressed within the parameters of the Minister's request for the review.

Consistent with review techniques, only statements made by two or more persons are mentioned unless otherwise noted. Statements made to the Chairman have not been checked as to veracity or authenticity. All individuals interviewed were assured of anonymity and for this reason the homes visited and those interviewed are not identified.

This report should be viewed as a picture of what now exists as perceived by the Chairman. It is hoped that the information contained herein will be used to focus attention on what needs to be done to improve the group home system.

It is important to know what this report is not. It is not an indepth analysis of the programs offered by specific group homes. This report does not attempt to lay out a plan for administrative action. If this report only identifies for the actors in the system the areas which need to be addressed, the process will have been worthwhile. It must be borne in mind that only twenty-five of the group homes in Manitoba were visited. It would be totally inappropriate to make a comprehensive analysis and, thus, observations are of a generalized nature. No opinion is offered as to whether the homes visited do or do not reflect the whole. Favourable comments and adverse comments cannot, therefore, be attributed to specific homes and it is unfortunate that in a report of this nature those homes that are progressive, satisfactory, accountable and worthy of praise may well be affected by a condemnation of others in the system.

Every effort has been made to be objective and fair and to base observations solely on the information made

available and information gained in the course of visits to the group homes. The Chairman, however, is not able to ignore knowledge of the group home system acquired in community work and in the courts prior to and during this review.

As stated, comments may be made in this report which may be critical or complementary to group home operators or to agencies which refer children to group homes. The system, of course, has its strengths and its weaknesses. The strengths must be maximized, the weaknesses eliminated.

General

In the Interim Report of the Review Committee on Indian and Metis Adoptions and Placements, it was pointed out that the final report would contain a recommendation for the incorporation of the principle of accountability within the child welfare system. This theme will be repeated throughout this report.

Basic to any system seeking to be accountable is access to basic information, control systems, monitoring mechanisms and evaluative techniques. In a time when computer technology has reached a level of sophistication undreamed of just a few years ago, it is shocking to find

can be prepared to meet the needs of children in the future.

Over the years there has been a significant change in how society cares for the children that cannot be cared for in their own homes. The orphanages of the past, from today's perspective, seem to be impersonal, cold and callous warehouses for children. With foster homes and community based group homes as the primary method of caring for children today, the system is perceived as being more sensitive, human and compassionate. Yet there is no concrete proof that the current care patterns are providing children with anything new, different or more effective to produce healthy, happy, functioning adults. Again, the system has no mechanism for measuring its success or failure rate.

It is suspected that providing care in smaller, more homelike settings is more comfortable for the community's self-image rather than any conscious, planned or testable improvement in caring for children. But that is the pattern we have today and all efforts must be directed towards making it work for children.

The child welfare business is big business. Millions of dollars are spent and thousands of people earn their

livelihood caring for children. Yet, while we know where every penny is going, we don't know what impact we are having on the lives of children. No studies are being undertaken, to the Chairman's knowledge, of the graduates of the group home system to see how changes could be made.

The Chairman was impressed in meeting two staff members in group homes who were themselves graduates of the child care system. While having little positive to say about their experiences, these individuals had, nonetheless, chosen to work in the child care field to do what they can from within to improve the system. This is commendable. More than that, these staff members and others like them must be valued for the special expertise they bring to their work and encouraged to share their knowledge with other staff and senior administrators to bring about positive changes.

We do know that the children of the poor and of natives are highly overrepresented in the child welfare system. This regrettably suggests that a cultural and economic class bias may be influencing judgments of what constitutes child neglect. It is shocking to know that 26% of the children in care are Treaty Indian and it is estimated that perhaps another 25% are Metis or non-status

Indians. The system must be made aware of this imbalance to ensure that no child is removed from family and community for the sole purpose of apparently improving the child's standard of living.

The only valid reason for a child to be in care is if that child's physical, mental or emotional health is threatened. It is feared that today there are children in care who should never have been removed from their families. The possibility of culture and economic bias has been mentioned. This possibility would appear to be a fact. The fact that so many children come into care in their teenage years suggests that society has intervened because of parental inability to cope with periods of teenage crisis.

For years studies, reports, and reviews have identified the need to provide in-home services to prevent the necessity of finding alternate care arrangements for children. At the risk of sounding repetitive, the same conclusion must be reached.

Again, the system fails to provide documentation to assist in the measurement of whether there has been any significant input into a family prior to the decision to remove a child.

It is of interest to note that as the Chairman frequently decried a lack of detailed statistical information, certain child care workers immediately stated that data was available but had not been presented. Despite the fact that certain particulars are reported to the Standards and Licensing Branch, the detailed statistical data that should be available and kept and that would be of inestimable value is not available. To those who have stated that statistics are kept and are sufficient, those individuals are referred to (by way of illustration) statistical data on juveniles maintained by Probation Services and/or Statistics Canada or the monthly statistical bulletin published by the Manitoba Youth Centre.

There is one concrete piece of information that would support the contention that agencies have not done enough to maintain children in their own homes. At the present time agencies have a readily available resource in the form of funds to provide homemaker service to families. Only one agency, the Children's Aid Society of Eastern Manitoba, has made any significant use of that resource. It is postulated, with some degree of confidence, that research would reveal that the more staff time and money is provided for in-home services, the fewer children there are in care.

Placement in a group home can cost from \$9,000 to \$51,500 a year. A well trained and experienced child care worker could provide full time service to a single family well within that range with enough left over to bring in the resources of nutritionists, psychiatrists, homemakers or any other special service that was necessary.

Adequacy of Facilities

Before addressing the more specific issues of physical and program standards, some general comments on the adequacy of the group home system are required.

There is a generally held view that an empty group home bed is a vacuum waiting to be filled. The very existence of group homes creates the need for group homes as a self-fulfilling, self-perpetuating service.

It must be said firmly and strongly that group homes are a necessary and valuable component of the child care system. There will always be children who have been so damaged in their relationships to parents or parent surrogates that no in-home service or foster home can provide them with the security they need.

Again, the lack of an information base confronts us.

Yes, group homes are necessary. But how many? Where? What kind of children are best served in group homes?

The estimate of knowledgeable people is that there should be relatively few children in need of group homes. But today approximately 28% of all children in care are in group settings.

A number of factors have been identified which might account for this situation.

It has been previously indicated that there are probably more children in care than need to be but the resolution of that situation may be some time coming.

It must be recognized that for a child care worker who feels overburdened, overworked and jumping from one crisis to another, placement of a child in a group home bed must seem to be the ultimate answer. Safety and security are assured. The worker can move on to the next crisis. There is no doubt that placement in a group home not only solves the immediate problem but takes much less administrative time and effort than finding relatives to care for the child or finding, evaluating and approving a foster home.

There is also the suspicion expressed that agency child care workers may feel some unidentified, yet real, pressure to keep beds filled in the group homes managed by their own agency.

Early in this year it came to the government's attention that there were close to 200 children under the age

of 12 in group homes. Government policy was developed to correct this situation. At the time of writing, this number had been reduced to about 75. Children have been moved to foster homes or permanently placed. Again, there are some children under 12 years of age for whom a group home setting will be necessary. A well informed estimate is that 25 such spaces may be required to serve the needs of the province. One can only wonder in amazement that at the beginning of the year it was felt necessary to have 200 children under twelve in group homes and how quickly the numbers were reduced when this issue was brought to light.

Similar attention is required for all children now in Level I and Level II homes. These are children who have entered the system because of situational problems in the home who might have some minor behavioural or emotional problems. This population might be significantly reduced by returning them to their own families with supplementary supports, placement in a foster home setting, or reduction in the length of stay in the group home through specific goal setting.

A third group that should be examined are those children 16 and 17 years of age who are not in need of a

therapeutic milieu or active supervision. Consideration might be given to establishing a level of care which might best be described as a benevolent rooming house where these pre-adults could learn the skills required for independent living at age eighteen. Children must be prepared to enter the adult community and such preparation must be done early, effectively and with purpose.

There is some concern expressed about children who reach the age of 18 who are not ready, for a variety of reasons, to live independently. There are those who express the view that for those who have been in the child welfare system for some time, service should continue to age 21 in some cases. Others feel strongly that at age 18, the normal health and social service system of the community should be used.

One private group home operator resolved this dilemma in an enterprising way. Recognizing that some of the children who had been in her care for a number of years on reaching the age of 18 were not emotionally ready to be independent and that the group home represented the only "family" they knew, she purchased a house nearby which she established as a boarding house.

Attention should also be given to the location, size and function of receiving homes. In rural areas, it is reported that most emergency situations can be met through placement in special foster homes, provision of a child care worker in the child's own home or in a motel. Local need should determine whether or not a receiving home is necessary.

A receiving home should be used for emergency situations or for evaluation purposes. A child's stay in such a home should be brief and certainly should not exceed 3 months. Unfortunately many children exceed this time frame.

Receiving homes should be carefully monitored. Again, systemic accountability is missing.

It was shocking to find in one receiving home that a child had been there for 2 years. This simply should not happen. That child was subjected to rotating staff and rotating peer groups. This is hardly a situation designed to provide a child with a sense of security.

There is no system in place to ensure that group homes are used for those who can best benefit from them. Agencies can place children directly into Level I, II, or III homes if there is a vacancy and if the home agrees to accept that particular child.

There is no central registry with daily input to identify vacancies or to match the child and the home. Such a registry is required if the system is to ensure a satisfactory distribution of resources for the children throughout the province.

The need for such a system was made evident to the Chairman almost every day in the course of this review. Visiting group homes, the Chairman was made aware of existing vacancies or vacancies which would soon occur. Yet in Court, the Chairman was being informed that a child would have to remain in Agassiz Centre, Seven Oaks or in the Manitoba Youth Centre because there were no available vacancies in group homes. This is not to suggest that the workers were being deceitful but they were certainly ill-informed. A central registry would prevent such situations.

In the absence of a structured referral system, an informal network has developed between group home operators and agency workers. Workers may consistently place children in particular group homes where they have had previous positive experiences. Group home operators may favour referrals from particular agencies or particular workers with whom they have had a positive relationship.

This system is just not good enough as it rests on personal and informal relationships rather than the best interests of children being the controlling factor.

In rural areas, the need for placement in a group home may be a rare occurrence for a worker. When a need for placement arises, the worker must first become acquainted with which group homes offer service at an appropriate level and then begin calling each group home until a vacancy is found. A central registry would eliminate this time consuming process.

A central registry would also eliminate the possibility of a child being placed in a home which has had its license removed because it did not meet required standards. It is reported that a group home which lost its license was subsequently used as a foster home by a child care agency. This should not happen and steps must be taken to ensure that this cannot happen in the future.

Placement of children in Level IV and V facilities currently require approval of the Screening and Monitoring Committee. This is a voluntary process and there is no regulatory requirement that either the placing agency or the care facility comply with this process. The intent, of course, is to ensure that these high cost facilities

are used only for the children who really need this highly specialized form of care.

There is a weakness in this system. The Screening and Monitoring Committee can agree that a child is in need of care at a specific facility but has no power to require that the facility accept the child. It is reported that children who have been denied admittance to high level institutions on the grounds that their level of disturbance was too extreme and were subsequently placed in group homes made positive progress. This raises a number of issues which go beyond the scope of this review and, hence, will not be addressed at this time.

One additional issue is raised here which will be discussed in detail in the final report of the Review Committee. Only under provisions of the Child Welfare Act can a child be deprived of freedom and liberty without legal representation and due judicial process.

Physical Standards

The regulations set out the standards which a group home must meet in order to be licensed. The enforcement of those standards is the responsibility of the Standards and Licensing Branch. As all homes visited were licensed,

it must be assumed that basic health and safety standards are complied with.

It can be argued that the physical condition of a group home has nothing to do with the programming that takes place in that home. But an impression is conveyed. Strong impressions are conveyed.

At the very least, a group home should maintain the standards of the neighbourhood in which it is located even if the regulations are silent in this area.

Far too often it was possible to locate the group home on the street without checking the house number. Too many group homes stood out as shabby, neglected, requiring basic repair and daily attention. The interiors of these homes were usually compatible with the exterior. Minimum furniture, no curtains or drapes, no plants, no pictures, nothing aesthetically pleasing. Many homes left the impression of a badly run boarding house.

Other homes fit in well with the surrounding area and were indistinguishable from other family residences on the street. Again, the interiors were compatible with the first impression.

At the other extreme were homes which stood out on the street because they were better cared for than the homes next to them. In these homes, one found a family

atmosphere, a soothing ambience and almost consistently a visible library.

It is possible that the Chairman is overly sensitive in this area. But the literature and the manuals of group homes speak of the need to develop a sense of pride in children, a sense of identity. One loses confidence in operators who do not reflect that philosophy visually.

Of major concern is the fact that children are being placed in facilities which are not licensed to provide care for children. It is alleged that Probation Services, the federal Medical Services Division and occasionally child caring agencies place children at X-Kalay, at the Alcohol Foundation of Manitoba Treatment Centre, in hotels, at the YMCA and YWCA and in private boarding homes. The Standards and Licensing Branch feels it does not have the jurisdiction to stop this practice.

It is strongly suggested that the Standards and Licensing Branch exercise authority and worry about jurisdiction later. The community has the right to be confident that children are not being placed in unlicensed accommodation. If the facilities will not agree to undergo the licensing process, then the placing agencies should be directed to cease such placements or face a charge of child neglect.

The recent development of Indian child caring agencies has brought with it requests for the establishment of group homes on Reserves. Because of the remote location of some Reserves, it may not be possible to comply with certain standards. The regulations must be amended to have community standards apply in such instances.

Program Standards

It is obvious that a brief visit to a group home does not, and cannot, constitute an evaluation of the effectiveness of the program offered. Again, we must rely on impressions and on what we were told by group home staff.

What is of concern is the fact that at the present time program evaluations are not being done. We have no opinion as to whether this responsibility rests with the Standards and Licensing Branch or with the Child and Family Services Directorate or with both. But this issue must be resolved immediately and evaluations initiated on a regular basis.

It is highly possible that in many group homes children are not being helped but simply housed. It is also possible that children are actually being psychologically harmed in some group homes and, if this is the case, such group homes must be closed.

Evaluations will also reveal which group homes are doing an effective job with children. Such homes should be given incentives to expand their operation to serve more children. Success should be rewarded. The ultimate beneficiary is the child.

In the course of the review, homes were visited which had resident house parents but the majority seen had shift staff. There is something uncomfortable about the idea of shift staff. Staff indicate that the children are so demanding that it would be impossible to tolerate the pressure 24 hours a day. Yet the children are there 24 hours a day - they must tolerate the other children in the home on a constant basis. No solution is offered but there must be some way that a feeling of stability can be built into the homes.

The responsibilities of referring agencies are outlined in the Child Care Worker Handbook of the Standards and Licensing Branch. The charge was made too often to be ignored that workers of the placing agencies are, not fulfilling their responsibilities on a consistent basis. It was repeatedly stated that the frequency of visits to the children depended on the worker. Getting some Winnipeg agency workers to visit was described as "like pulling teeth".

At the insistence of the group homes, most workers do attend quarterly meetings to review and revise the Individual Program Plans of children but one frequently gets the feeling that the workers are viewed as participating reluctantly. Those group homes which make regular worker visits a condition of admission do succeed in getting cooperation. It is to the credit of some group home operators that they insist on workers being responsible. But this is a role they should not be forced to carry. It is the child welfare agency worker or the probation officer who has the ultimate responsibility for the child. The workers also represent the child's link to family.

Child caring agencies and Probation Services must build into their systems a way of monitoring worker visits to ensure that contact with the child is maintained on a regular basis. If placing workers do not visit the children in group homes, one can have little confidence that time is being spent with the child's family to prepare for the child's return.

Frequently in the course of the interviews it was indicated that the level of cooperation between workers in the child care field and in Probation Services was not what it should be. This is an area which requires further

investigation. Workers in each of these fields have a special role to perform and in the interests of the child there must be a sharing of information, an agreement on treatment goals, continued communication and fulfillment of responsibilities in those cases which involve both services.

It has been anticipated that staff turnover would be high in group home settings. This was not found to be the case in the homes visited. That is a reassuring trend.

It is of concern that there is no regular training course available for group home staff to enable them to improve their skills. The Standards and Licensing Branch has offered a training program but that is viewed as a basic course and no further opportunities have been made for advanced training. Regular ongoing training programs and updating of current trends in the field of child welfare should be mandatory for all workers.

Group home staff indicate that they make every effort to keep the child's family involved with varying degrees of success. Some parents visit group homes often, some never. It was pointed out that where there is a good relationship between parent and child, visits are more frequently in the child's home rather than at the group

home. It was reported that some child/parent visits take place at the agency offices. It is difficult to imagine why this kind of arrangement would be necessary. One can hardly imagine a setting less conducive to relaxed family conversation.

A child should not be placed in a group home (or any other setting) unless there is a clear understanding by the family, the child, the placing agency and the group home of what is expected to happen in what time frame. We are simply not confident that a treatment plan is consistently available prior to placement. When there are doubts there is always a case which exaggerates those doubts. In one group home, the Chairman was informed that 8 days previously a child with an incredibly horrendous history had been delivered to the home with no file, no written history, no information about medical problems and certainly with no treatment plan. That simply should not happen.

In common with any group living situation, certain problems are inherent in group homes. A child previously involved in minor delinquency acts may be subject to the negative influences of more sophisticated delinquents. All a group home can do is take reasonable precautions to protect the younger or more innocent children.

It is also possible that incidents of physical or sexual abuse between children go unreported due to a child's fear of further intimidation. Such dangers must always be considered and measured against the actual situation in a child's own home.

Consistently group home staff mentioned problems with the child who "runs". It seems to be a chronic problem and perhaps one which requires some attention. Discussed later will be the financial problems created for group homes by "runners". That is not as important as the fact that children may be being lost to the streets who could be helped if their motivation in running was better understood.

There is a rigidity in the perception of the group home role at the present time. The system seems locked into the concept of the group home as a 24 hour a day, 7 day a week program. This need not be the case. Group homes could be used in a myriad of arrangements as yet untested by the system. Group homes could be used for day programs only. Group homes could be used as overnight havens when a home situation reaches crisis proportions only at night. Homes could provide weekend sanctuary in some situations. These recommendations will be expanded in the final report of the Chairman.

Flexibility should be allowed. Flexibility should be encouraged. The Child and Family Service Directorate should have a sensitive and prompt response mechanism for receiving and processing innovative and creative ideas.

In summary, in the area of program standards, we identify the following issues which need to be addressed:

1. Program reviews of group homes must be initiated as soon as possible and steps taken to upgrade or eliminate group homes which do not meet acceptable standards.
2. Mechanisms must be put in place in both agencies and in the Child and Family Services Directorate to ensure that child placing agencies fulfill their responsibilities in the areas of the development of pre-placement treatment goals, continuing contact with the child placed in group homes, work with the child's family, and cooperation with discharge plans.
3. There should be examination of how a sense of stability can be brought to homes which are staffed on a shift basis.
4. Development of training opportunities for group home staff; and
5. Introduction of a response system for receiving, reviewing and reacting to new and innovative program ideas.

Geographic Distribution

The vast majority of group homes are located in the City of Winnipeg and at the time the information was gathered, over 50% of the Winnipeg group homes were operated by the Children's Aid Society of Winnipeg. With

the closing of group homes serving children under 12 years of age, that picture will be altered somewhat.

It is a generally held view that children taken into care should experience as little disruption in their lives as possible. It is therefore felt that each region should have within it a full range of alternate care arrangements to meet the needs of children locally so that ties with family, school and community are maintained.

There are exceptions of course. In some instances a child's relationship to family and community may be so damaged that removal is the most positive and constructive treatment plan.

At the present time all the higher level of treatment facilities are located in the City of Winnipeg. As an alternative to the establishment of such facilities in rural and northern areas, consideration could be given to establishing multi-disciplinary teams which could act as a resource to homes located outside the City. Teams should consist of such specialists as psychiatrists, psychologists and child abuse experts.

Locating group homes outside the City does not necessarily mean service to that specific area will be provided. Two group homes visited in other areas had not a single child from the local community.

A plan for the geographic distribution of group homes requires consideration of many factors, not just population data. Homes which specialize in certain client groups such as Quest or Neecheewam will attract referrals from throughout the province no matter where they are located.

It is clear, however, that even with a workable data base on group home residents, any plan for the geographic distribution of homes must be flexible, responsive to changes and carefully monitored.

Cultural Relevancy

It had been anticipated that children of native ancestry would form the majority of the clientele of group homes. This did not prove to be the case - Treaty Indian children constitute 19% of the group home population. Adding an estimation of an equal number of Metis and non-Treaty Indian children, we have approximately 40% aboriginal children. While not a majority, this constitutes a sufficient number to justify concern that cultural factors be given attention in group home programming.

While it is generally agreed that any program should be culturally relevant, neither the review of the group

home manuals nor the interviews reflected sufficient attention to this component. The exception, of course, are those homes which are specifically directed to the native child.

The focus of any treatment plan is to enhance a child's self-image and that self-image must be in the context of the child's family, community and cultural heritage. At the very least, the group home should be aware of a child's cultural background and have some understanding of the value placed by the child's family on their culture. Efforts should be made to raise the topic for discussion and then to seek out activities that will provide the child with a greater understanding of cultural heritage.

In discussion, the impression was conveyed that there were many other factors of greater importance that needed to be dealt with by the staff. That may well be so but the issue of culture needs more attention than it appears to be receiving at this time.

It should be added, however, that no evidence was found that would indicate that native organizations, or any other cultural group, were beating down the group home doors demanding to be able to provide cultural education or activities for the children. Why are they silent?

There are always exceptions. But those exceptions will not be identified unless culture is raised for discussion. There are those children who may have an Indian background but whose families have resided in an urban setting for generations and identify with the general community.

There are very few native persons employed as staff in group homes. As long as native children represent such a significant portion of the child welfare system, group homes should make a conscientious effort to employ persons of native background. Should the cultural pattern of group home clientele change, the same principle should apply.

In the area of religious practices, it was found that either religious participation was required or it was ignored. In this area the wishes of the child's family or guardian should override the orientation of the group home. Again, at the very least, this topic should be raised in discussion with the family so that their wishes are known to group home staff.

The sensitivity of group home staff to cultural issues could be enhanced by the provision of seminars using the resources of the Indian and Metis organizations and the Native Studies department of the University. Such seminars are deemed to be of vital importance.

Other

In the course of this review, a number of issues were identified which merit mention.

The new funding formula for group homes is a matter of current concern. This new formula will place greater emphasis on occupancy levels and will certainly mean the demise of many under-occupied group homes.

The fear expressed by group home operators and placing agencies is that some group homes that are offering an effective service may be forced to close on the basis of financial considerations only. The need for program evaluations has been mentioned earlier. As a protection against the possibility of losing competent group homes, it is recommended that no group home be allowed to close without there being an evaluation, which must include statistical analysis, of the home's program effectiveness. If the program is found valuable, the financial resources should be made available to ensure that the home can continue.

There is also fear that the funding formula will have some subtle impact on group home operations as managers are forced to pay more attention to financial considerations. Operators may begin to develop artificial waiting lists. They may resist accepting a child who has been

identified as a "runner". They may hesitate to arrange family visits for a child as that will impact on occupancy levels. In short, the operators' attention may not be fully concentrated on the treatment needs of the children.

It is imperative that during the early stages of the implementation of this new funding formula that lines of communication be kept open so that problems can be identified quickly and action taken to prevent any serious damage to the system.

In the course of group home visits, a casual remark of one staff member led the Chairman to raise this issue in subsequent interviews. It was noted that in recent years there appears to be a larger number of children in care and in group homes as a result of adoption breakdown. Some workers confirmed that impression, some felt there was no change, while still others felt the rate of adoption breakdown has always been high. Such placement breakdowns were reported not to be confined to native children placed with non-native homes.

Unfortunately, we are again confronted with the lack of an information system that could confirm or refute this impression quickly. This is, however, an area which should be examined so that steps can be taken to identify and correct the causes of such adoption breakdowns.

The Group Home Review concluded with the Chairman's comments:

In the Interim Report of the Review Committee on Indian and Metis Adoptions and Placements it was indicated that recommendations were being considered for inclusion in the final report for the reorganization of the child welfare delivery system. Such reorganization would ensure that services would be sensitive to the cultural and ethnic composition of communities by being "community-based".

It was also pointed out at that time that it was believed that such community sensitivity could be only ensured in the City of Winnipeg by the establishment of up to 6 separate agencies. Information secured in the course of this review convinces the Chairman more firmly that the implementation of such a plan is necessary.

The review of group homes has strengthened the belief that smaller, less administratively cumbersome agencies would best meet the needs of children. The impression is conveyed that in an agency as large as the Children's Aid Society of Winnipeg the many administrative levels between child and policy makers provides the possibility for error, for a breakdown in communication and for a lack of management control.

No criticism of staff is implied, nor should it be inferred, by these comments. The Chairman was impressed with the dedication and commitment of most of those interviewed. But the very size and administrative structure of the Children's Aid Society of Winnipeg is an impediment to the effective care of children in the Chairman's opinion.

The necessity for assessment of programs in each group home has been noted. Such reviews will provide a measure of effectiveness and provide a basis for decisions as to which homes should be strengthened or closed and which homes should be given incentives to expand their operation.

While not wishing to prejudge or predict the outcome of such reviews, it is the Chairman's opinion that the conclusion may be reached that, other than receiving homes, child caring agencies should not be managing group homes. It is the Chairman's perception, at this stage, that group homes are better managed by private organizations or individuals than by agencies.

When one suggests in any report that certain services or facilities might well be reduced or, in fact, eliminated, anxiety is inevitably created for staff which might be affected. This anxiety must be allayed.

There has been created in this province a corps of trained, experienced child care workers. The need for the extension of in-home services has long been recognized and must be at long last implemented. Some mechanism must be found for matching the human resources we have with the need for in-home service. It has been suggested that the Home Care program be considered as a possible model for the establishment of a resource pool for in-home child care services.

There must also be an examination of the relationship of probation officers and child care social workers to each other and to group homes. If such cooperation must be mandated, so be it.

As this report was in the final stage of completion, the Chairman had the opportunity to meet with the Family and Children's Services of Kenora. Information gleaned in that interview has relevancy to this report.

The Chairman was informed that the Kenora agency serves a population of approximately 60,000 with approximately 400 children in care (2% of the children under the age of 18). That agency has found it necessary to provide for 28 group home beds or group care for 7% of its client population. Manitoba, on the other hand, pro-

vides care to children in group settings in over 25% of the cases. Why should this difference exist?

The legislation of Ontario is not substantially different from Manitoba in the area of child advocacy. Yet the Chairman was informed that in every contested case in the Kenora district the child has legal representation. This practise is fully supported by the Court, the child care agency and by the local Legal Aid office. This area, along with the Crown Wardship Review system, requires further study by the Chairman as there will be implications for the Child Protector's Office which will be recommended in the final report.

The Chairman has also been made aware of the Ontario province-wide children's mental health program. It is the Chairman's opinion that a similar service should be considered for Manitoba as part of an overall strategy of problem prevention.

FILE REVIEW REPORT

The File Review Report, submitted to the Minister in April, 1984 contained data secured from the examination of the files of the 93 Native children who were placed for adoption outside of Manitoba in 1981.

An examination of the statistics revealed that:

- 53% of the children placed outside of Manitoba were placed in the United States
- 86% of the children placed outside of Manitoba were of native ancestry
- 15 children placed outside of Manitoba were not native
- 55% of the children placed outside of Manitoba were female
- 94% of the children placed outside of Manitoba were over 2 years of age
- 7 children under the age of 2 were placed outside of Manitoba and of these, 5 were less than one year old. Four of these children were non-native. All 7 children were placed singly.

- 42% of the children placed outside of Manitoba were placed alone
- 56 children were identified by the placing agency as being "special needs" children. Only 5 of these children were described as having a "non-correctible" condition.

The report contained comments as follows:

After the release of the Interim Report in May of 1983, the Chairman was sharply criticized, both publicly and privately, for having stated that the native people of Manitoba had been victims of cultural genocide.

It is necessary to clarify the Chairman's perception of the term:

"If one native child has been placed out of province where there was no need for it, then cultural genocide has occurred."

Having now completed the review of the files of the native children placed out of province in 1981, the Chairman now states unequivocally that cultural genocide has

been taking place in a systematic, routine manner.

The Chairman now repeats:

"If one native child has been placed out of province where there was no need for it, then cultural genocide has occurred."

OBSERVATION

The placement of children out of province has not been the exception. The placement of children out of province has not been justified on the basis of age, sibling group size or special problems.

OBSERVATION

The placement of children out of province constituted a regular ongoing practise which took advantage of a readily available pool of adoptive parents.

The availability of that resource and the political and administrative acquiescence to this practise served to delay the development of Indian resources, prevented the development of specialized services in the province to respond to the changing needs of adoptees and adoptive parents and removed the necessity to study, examine and evaluate the actual situation.

If there was no acquiescence, there was at least condonation, direct or implied, to the systematic delivery of children beyond the boundaries of Manitoba with the subsequent culture and identity loss.

When the Indian residential schools were operating, children were forcibly removed from their homes for the duration of the academic year. The Chairman has been repeatedly informed that the children were punished if they used their own language, sang their own songs or told their own stories. But at least under that system the children knew who their parents were and they returned home for the summer months.

OBSERVATION

With the closing of the residential schools, rather than providing the resources on Reserves to build economic security and providing the services to support responsible parenting, society found it easier and cheaper to remove the children from their homes and apparently fill the market demand for children in Eastern Canada and the United States.

With the moratorium against out of province placements remaining in place and with the development of Indian child and family service agencies, a start has been made to correct the damage that has been done to the native people of our province.

OBSERVATION

The process cannot stop now. Steps that are taken to improve the system for native children will ensure a responsible system for all children.

The Files

When the Chairman attended at the agencies to review the files, the files had been prepared for physical examination. The Chairman, therefore, cannot comment on whether or not the files were kept "separate" and "secured in a safe depository", the requirements of the Child Welfare Act.

The files themselves left much to be desired. Documentation and correspondence were in other than chronological order, some correspondence torn, letters folded,

giving the appearance of disarray and lack of organization. Only in one agency were files in a reasonably satisfactory condition, placed in separate file envelopes and sealed. Even in that agency the seals had been broken with no notation on file as to when the seals had been broken, by whom and by whose authority.

OBSERVATION

The condition of the files is relevant in that it affects the ability of any reviewer to obtain information from the file. The Chairman found the files at times to be almost totally incomprehensible. Undated handwritten notes were found. Correspondence, as previously stated, was not in chronological order. Requisite information was conspicuously absent. Years of agency involvement was found with only infrequent and erratic case summaries and, in some instances, no summaries were located.

The Chairman had anticipated that the files would contain an up to date or detailed closing summary of the case as

required under the Child Welfare Act. It was expected that such a summary would describe how the agency had initially become involved with the family, what the perceived problems had been, what the agency did to ameliorate those problems and what precipitated the agency's decision to seek permanent wardship of the child. The Chairman anticipated that the summary would contain a description of the options considered with reasons given for those options which were discarded. The Chairman expected there would be a typewritten summary of the court proceedings along with specific plans for the child should permanent wardship be granted. It was also anticipated that the summary would indicate efforts to find a Manitoba placement, some comment on why such efforts failed and the basis for the decision to seek an out of province resource. The Chairman anticipated that such summaries would have the signature of the worker and supervisor and, in the smaller agencies, the director as well.

OBSERVATION

Such was not the case. Summaries were done so infrequently as to cause positive comment to be made about the existence of a summary at all. The casual attitude to dealing with children reflects an inappropriate position and procedure.

In one agency - and it must be said that this is the agency with the orderly and sealed files - the files contained a brief note, readily available, which contained a list of the following dates:

- Permanent wardship granted -
- Listed with Manitoba Desk -
- Distributed in Manitoba Bulletin -
- Featured in "Child Who Waits" -
- Listed with National Desk -
- Placed -
- Adoption Final -

This is impressive. However, as these notes were undated and unsigned and in view of the fact that the seal on the adoption file was broken prior to their examination by the Chairman, it is possible that these files were opened and the notes inserted after the Chairman indicated his intent to review the files.

For the final report, it is the intention of the Chairman to recommend areas for further research and examination. This will be done. But it will be important for researchers to recognize the realities of agency records. The research time will be a realistic cost factor which will have to be considered.

It was anticipated that the files would also show the degree of respect and empathy agencies have for their clients. It was not so found. Personal letters to parents or adoptive parents or to the National Adoption Desk were infrequently located. Some agencies made use of form letters with handwritten insertions.

OBSERVATION

Again, the files themselves support the premise that in the field of child welfare, the smaller the administrative unit the more responsible appears to be the agency's attitude and actions. In the smaller agencies, all levels of the administration are apparently involved in major decisions. As

the size of the agency increases, it appears that decisions are made at the worker level.

OBSERVATION

The Chairman makes no apology for any facts which may have been misinterpreted or missed. The files are simply not in a condition which would permit error free research or even allow for an accurate understanding of the process eventually culminating in final adoption.

In the past, professionals have defended the absence of information on files in the erroneous assumption that to document facts would be a breach of confidentiality. No such privilege exists. On the contrary, there is an obligation to accurately, concisely and professionally record in detail any and all facts and observations that will be of benefit for the client - adult or child.

The Chairman searched in vain to find in at least one file some details indicating why approval had been given to the adoptive family over other applicants. Were

there other applicants? Did the Executive Director give final approval? Why was there no indication of ongoing contact and no written report following placement prior to the decree absolute being granted? One is left with a feeling that interagency working relationships are carried out in an atmosphere of collegiality where no serious or relevant questions are raised and no major concerns identified. In the area of adoption, these casual procedures are clearly unsatisfactory.

OBSERVATION

These findings reinforce the Chairman's comments in the Interim Report regarding the need for systemic accountability. This will be discussed in detail in the final report. On completion of the examination of each file, the Chairman was left with the impression that those who contributed to the file or who had responsibility for the file felt no need or pressure to be accountable since the files were subject to no scrutiny of any sort.

The Children

Children enter the system either at the request of parents or on the basis of suspected or alleged abuse or neglect. The issue of the types of guardianship orders required will be discussed at some length in the final report.

Today the court may grant an agency temporary guardianship of a child for a specific period of time or grant permanent guardianship. When the child becomes a permanent ward, parental rights and responsibilities terminate and the child is technically available for adoption.

The public tends to view the "adoptable" child as young and alone. The Winnipeg Free Press editorial on June 1, 1983, referred to "parentless children".

The children who were placed out of province were not "parentless" except in the strictly legal sense. They were children who had been removed from their parents, separated from their brothers and

sisters and relatives, and ultimately shipped away to a totally different environment.

This raises a most serious question as to whether the imposition of strict standards of confidentiality are appropriate at all in these cases. Should not a child with memories of parents be permitted to maintain contact with the parents? Is it really appropriate for information about a child's placement to be withheld from parents? Should not sibling groups be permitted, even encouraged, to keep in touch with each other? Submissions made to the committee by those who experienced this loss would indicate that memories are not erased but merely suppressed for a time.

OBSERVATION

Repeatedly the Chairman has heard from children, now of adult age or in their late teens, who confirmed their ongoing interest, desire and need to know of their biological parents. Such concerns were identified even when the surrogate parents were loved and praised.

At a special hearing, a woman addressed the Chairman - "All I want to know is whether my grandchild is alive?" Is that too much to ask?

The preceding sections illustrate how totally inadequate the statistics are in conveying the actual situation. The statistics show us the size of the "unit" that was placed. In at least 60% of the cases that unit size does not reflect the size of the family in which these children originated. It is important that information systems are developed in a way that will convey the actual facts so that the workers, agency boards and the community at large will know the extent of the separation trauma to which children are being subjected.

"Permanency Planning". That is what the agencies report to be doing. What they voice as their major focus is the philosophy that "every child is entitled to a family of its own". So adoption placement has been the ultimate goal of agencies.

A noble goal. A socially agreeable goal.
BUT AT WHAT COST TO THE CHILDREN!

Following the imposition of the moratorium on out of province adoptions in the spring of 1982, the agencies publicly dec-
ried this interference with their adoption
placement procedures. What are the facts?

In the name of being provided with a
family of their own, children have been
subjected to separation from their parents
and separation from their siblings as well.

The children placed for adoption out
of province ran a good chance of having that
adoption break down prior to its becoming
final or of having the adoption break down
during the child's teenage years. Statis-
tics would bear out this observation.

For the majority of children who become
permanent wards, infants and young children
excepted, there is only a remote hope of an
adoption placement. For most of these
children, the reality is that they will be
placed in a series of foster homes, group
homes and institutions with the very real

OBSERVATION

possibility of spending some of their adult years as residents of the province's correctional facilities.

Could the children's own families offer the children less than society has given them?

When a child is neglected or abused within its own family, the state can step in and remove that child for its own protection. Who protects the child when it is neglected or abused by the child welfare system? Who holds the system accountable?

If parents who voluntarily surrender custody of their children were aware of the facts, would they make the same decision? It became clear during the course of submissions made that parents who believed they were doing the proper thing by surrendering custody of their children, had no realization of the unsettled future which the children faced.

It begins to appear that for many children, adoption constitutes unpaid foster

care lacking the benefits of supervision and monitoring.

Rather than being the rule, the placement of a child for adoption in "a family of its own" is the exception. Successful adoption placement at least for children of Indian descent, appears to be the result of chance rather than good planning.

No statistics are available, nor has the Chairman found any post adoption studies, to indicate the success or failure of present adoption placement procedures. What is available, however, is the ever increasing number of children coming before the courts on criminal matters who are the products of adoption breakdown, group home care or foster placement. These "adoption breakdown" candidates are appearing with greater frequency in the juvenile courts of this province.

The Agency

In almost all of the cases reviewed,

the child caring agency had been involved with the families for a considerable period of time before permanent wardship was sought or secured. While not a focus of the file review, certain observations can be made.

It was evident that alcohol and drug abuse were frequently apparent as causative factors in child neglect or abuse. It also seemed apparent that child caring agencies - at least in the cases reviewed - appear to have little success in altering such behaviour patterns. Research into treatment of substance abuse must continue. Agencies need to consider alternate means of protecting children locked into such situations.

OBSERVATION

The Chairman recently attended public hearings of an Ontario Legislative Committee. The following statement was made - "People in this town have their children taken from them forever when what they really needed was a babysitter for Saturday night".

OBSERVATION

Removal of children from alcoholic parents need not be the only option for protecting children. Neighbourhood Resource Centres offering 24 hour a day care could be an alternative. The establishment of neighbourhood "safe houses" could provide a haven for children when parents are unable to provide responsible care.

From the very cursory view of the dictation on the family files, it was not clear just what the agency did to help a family. Dictation tends to describe the problems exhibited by a family but not what the agency did about the problems. In too many instances, it was noted that the agency worker provided the family with the telephone number of an alcohol treatment program, an employment service or a day care program, but there was no indication that the worker then followed up to see if the family actually made the contact nor, except in a few notable instances, any evidence that the worker took concrete action

to ensure that contact between family and service actually occurred.

It was noted that in a significant number of cases, the parents of the children were or had been wards of the agency themselves. This raises a myriad of questions. Is the agency acting responsibly when it apparently permits and supports a 14 year old living with her juvenile boyfriend? What responsibility does the agency have for imparting information about birth control? Is it possible that in getting pregnant, the wards are actually making the most realistic plan for their future economic security? Do agencies have a greater, equal or lesser responsibility towards wards than do natural parents towards their children? What is it about the system that forces wards to recreate for their children the same set of circumstances that led them to become wards in the first place?

Again, we have to ask - could the natural parents have done any worse?

OBSERVATION

The file review did not reveal the steps the agencies take to decide whether temporary or permanent wardship should be sought through the courts or which staff persons were involved in making that decision. Also not evident, was the process for determining which children amongst the permanent wards were candidates for adoption placement.

In one agency functions related to the child are "departmentalized." The director of the adoption service indicated to the Chairman that children are "referred" to the adoption service by the various other departments. Only recently has there been initiated an internal review of some of the files of permanent wards which permits the adoption supervisor to participate in the decision making process of referring the child for possible adoption placement.

Again, the conflict between philosophy and practise confronts us. Agencies articulate the belief that "every child is

adoptable" and it is only a problem of finding the right adoption home.

Yet the whole system refutes that premise. The information available to date indicates that adoption home identification is a "passive" process, that the Central Adoption Registry is a "passive" service.

One gets an image of children stacked in foster homes as used cars are stacked on corner lots just waiting for the right "buyer" to stroll by.

All the files reviewed involved native families. In the files of every Treaty Indian child, the band of origin was identified. For Metis and non-Treaty children, the home community of the parents was identified in all but a few cases even though the families may have been long term residents of the City of Winnipeg.

In very few of the files examined was there evidence that the agency made contact with the home community for a possible adoption resource. It was by far the exception, not the rule.

It is conceivable that parents, for whatever reason, may ask an agency not to contact relatives or the home community. If the lack of contact was because of the wishes of the parents, that fact should have been and was not noted on the files.

There were exceptions, of course. In a few cases, family and community resources had been exhausted prior to the child coming into the care of the agency. In a few cases, local resources were not appropriate on the basis of a child's medical or psychological needs. In a number of cases, the primary focus of the agency was to place children with siblings who had been previously placed. In at least one case, in the Chairman's opinion, the agency would have acted inappropriately if it had sought a placement resource anywhere in the province.

OBSERVATION

It should be pointed out that contact with the home community of native persons is not a difficult task. All reserves except Barren Lands, Tadoule Lake, Lac Brochet and Shamattawa can be contacted by

direct private telephone line. Every reserve has a chief and an administrator and names and telephone numbers are readily available through the local Department of Indian and Northern Affairs. Every local community in Manitoba has a Mayor and names and telephone numbers are available through the provincial Municipal Affairs Department or Northern Affairs Department. The Manitoba Metis Federation has a province-wide organization and local contacts can be located through the provincial or regional Federation offices. It is not a difficult chore.

Treaty children, when adopted, maintain their Treaty rights. When the adoption is final, a copy of the order is sent to the Registrar under the Indian Act (Canada). This, again, is a passive registry. Information regarding Treaty rights is provided upon the request of the adoptive parents or upon the request of the adoptee who is beyond the age of majority.

OBSERVATION

Given the passivity of the Indian Act registry, agencies placing Treaty Indian children, in the Chairman's view, carry a responsibility to ensure the adoptive parents are aware of the Treaty status of the child. Yet in no file did the Chairman locate any letter from the placing agency to the adoptive parents regarding the issue of Treaty rights. This is not a responsibility which can be transferred to the out of province placing agency and not an issue which should only be covered in discussion. It is too important a matter to be left to chance. The rights of the Treaty Indian child should be protected by every means possible. If communication was done by phone, the Chairman decries the process.

OBSERVATION

Similarly, the Chairman found no evidence of the agencies informing adoptive parents in writing of the cultural factors of which they should be aware in raising children of native descent whether Treaty, non-Treaty or Metis.

The Adoptive Parents

This report was not intended to examine the system from the viewpoint of the prospective adoptive parents. It is clear to the Chairman however that such a study is required.

General guidelines for handling applications for adoption are set down by the Child and Family Services Directorate but each agency can establish its own procedures as long as legal requirements are met.

OBSERVATION

The Chairman was deeply concerned at the cavalier attitude exhibited toward prospective adoptive parents in one case examined. These prospective applicants were treated with less courtesy than one would expect would be given to applicants for a credit card.

The child was an infant of native ancestry. Described as healthy, this child was featured in a newspaper column as an adoptable child. From the file, it appeared

that at least 12 Manitoba families offered their homes as potential adoption placements. As requested in the newspaper column, each letter contained details about the prospective adoptive family with a description of why they felt they could offer a secure and permanent placement for the child. The Chairman was impressed with the sincerity of these letters.

Each of these families received a form letter referring them to the agency serving the geographic area in which they resided. The form letter was badly typed and poorly set up and added notations were carelessly inserted. It seems incredible that people who have stepped forward to offer their home for a specific child should be dealt with so crudely and with such little courtesy and with such little regard.

However, the form letter format was not as offensive as its contents.

The form letter informed these prospective adoptive parents that the child had

OBSERVATION

already been placed for adoption. The letters were dated prior to the time the child was introduced to an out of province family with whom the child was permanently placed!!

The Chairman has stated: "If one native child has been placed out of province where there was no need for it, then cultural genocide has occurred". Clearly this file demonstrates the validity of the Chairman's statement.

In the Chairman's opinion, Manitoba had the resources to meet the needs of all the children placed out of province in 1981. But of all the files reviewed, this particular case is the most blatant, dramatic example of the cultural genocide which has been apparently practised routinely by the child welfare system.

Post Legal Adoption Services

It is clear that in 1981 the child caring agencies of Manitoba saw their responsibilities to child and natural and

adoptive parents end at the point that the adoption became final. That may have been appropriate once - but it is an inappropriate stance now.

OBSERVATION

It is small wonder so little is known about what succeeds and what fails in the child welfare system. Lack of feedback reinforces failure.

In one case reviewed, the agency had worked with a family over many years. At first children were removed one by one, then in small groups and when the mother became, in the opinion of the agency and the court, unable to cope, all the remaining children were removed. The file note states - "As the mother no longer has any children with her and is just responsible for herself this file may now be closed."

Does that notation erase the mother's concern for her children? Does that notation erase the children's memory of each other and of their mother? Will the children at no time in the future want to locate their natural mother?

Natural parents surely have a right to know what happens to their children after they become wards of an agency. The natural parent should not be put in a position of having to beg an agency for information as basic as - is my child alive? Is my child well? Is my child happy?

It is the Chairman's opinion that agencies should maintain contact with adoptive parents and should regularly inform the natural parents of the children's progress. This can be done in a way that maintains confidentiality.

This procedure would accomplish a series of goals:

1. It would assure the adoptive parents of the agency's continued concern for them and for the child.
2. It would provide valuable feedback on the effectiveness of the agency's policies and practises related to adoption.
3. It would ease the trauma and sense of loss that all natural parents must feel when their child is taken from them.

4. It would in no way interfere with the security and confidentiality of the child's placement if that is viewed to be in the interests of the child.

Not unlike other fields, child welfare is influenced by new trends. The current movement is towards "open adoptions". All this means is that natural parent and adoptive parent know each other and share concern for the child.

The legislation in Manitoba provides for "private adoptions" and "de facto adoptions". These essentially constitute "open adoptions".

Only in "selected adoptions" is secrecy of the identity of natural parents and adoptive parents maintained. This is called "confidentiality".

The need in every situation for this secrecy or confidentiality is seriously questioned on the basis of the information that has been secured in the process of this review.

Not only is the need for confidentiality not seen as necessary, it is beginning to appear that it is actively damaging to all parties concerned.

The issues of post legal adoption services will be discussed in greater length and detail in the final report.

Protocol for Return

OBSERVATION

Too many Manitoba children have been lost. Too many native children have been deprived of their cultural heritage. Efforts must be made to find the children.

The Director of Child Welfare should be mandated to contact every out of province child welfare agency through which Manitoba children have been placed. Those agencies should be made aware of the development of Indian child and family service agencies throughout the province.

The placing agencies should be asked (no demand can be made) to consider repatriation to Manitoba in the event that the

adoption placement breaks down. The agency should also be asked to offer repatriation to Manitoba as an option to adoptive parents and adoptees if the child is experiencing difficulties which in any way might be related to problems of self-identity, culture conflict or behaviour patterns that might be related to the need to re-establish family, community or cultural contacts.

The Director should identify the Native Resource Coordinator as the contact person. Upon being notified of the possibility of a child's return to Manitoba, the Coordinator would take responsibility for establishing direct contact with the appropriate Indian child and family service agency or the appropriate native organization. The Coordinator would also be responsible for expediting the return of the child and for monitoring the situation, maintaining appropriate records and submitting periodic reports to the government.

On the basis of the review of the actual files of the native children placed

out of province in 1981, the Chairman must conclude:

- that agencies did not make sufficient effort to locate members of extended family prior to placing children out of province,
- that agencies did not make sufficient effort to contact home communities to locate placement resources prior to placing children out of province,
- that the placement of children out of province was a regular, ongoing, routine practise of child caring agencies of the province,
- that the placement of children out of province was justified in only a few isolated cases,
- that the placement of children out of province was not justified on the basis of age, sibling group size or special problems of the children, and
- that the agencies failed to develop methods of caring for large sibling groups.

All parties have been at fault -- federal and provincial governments who failed to resolve their jurisdictional dispute for the care of Treaty Indian children; former Directors of Child Welfare who neglected to build accountability into the system; the child care agencies, both public and private, who failed to examine the results of their policies and practises and who failed to keep accurate statistical data; the native organizations who remained too silent, too long before demanding control of their children.

It is all too easy to strike out at the agencies directly providing child care services. The Chairman must bear some responsibility for putting agencies on the defensive. The press, with sometime excessive journalistic zeal, has maintained a steady barrage of criticism placing the agencies in a Catch 22 situation. If a child is apprehended, the agency is criticized. If a child is not apprehended, the agency is criticized. It is no wonder staff

morale is reported to be low. It is a wonder that agencies are able to hold staff at all.

It is time the child welfare system refocused on the purpose for which it was established. It is time the resources were made available to maintain children in their own homes. It is time research learnings were utilized to provide children with the security, stability and relationships they require to thrive. It is time that accountability was required of the child welfare system. It is time that more than lip service is given to the phrase "in the best interests of the child".

POST LEGAL ADOPTION SERVICES

At the suggestion of the members of the Advisory Committee and based on submissions by three of those members, a paper was prepared and submitted to the Minister in June, 1984.

That paper traced the development of adoption services and identified the realities that led to the development of present adoption practises. The paper notes that the clientele of child care agencies have changed in terms of cultural background, method of entrance into the system, age and life experience. The practises have not changed.

The lack of research and reliable feedback on adoption experiences has impeded the modification of procedures to improve the chance of success of adoption placements.

The paper concludes that the child welfare system has a responsibility to all parties of the adoption triad beyond the point of the final adoption. Adoption families appear to frequently experience special stresses which require supportive intervention. This need must be recognized by the provision of appropriate services.

Evidence indicates the need for an active post adoption registry staffed by persons of special skills and sensitivities. The paper also recommends intensification of research and dissemination of research findings.

AGENCY INTERVIEW REPORT

Interviews were conducted with all the existing child care agencies in the province and, based on those interviews, a report was submitted to the Minister in July, 1984. That report contained the following recommendations:

- RECOMMENDATION 1 THAT the Child and Family Services Directorate initiate and distribute a monthly bulletin to keep agency personnel informed of changes and developments in the system. Such a bulletin would serve as a training device and agency staff should be requested to submit articles on new and innovative techniques which prove successful or otherwise. Articles discussing emerging concepts must also be published as well as findings from other jurisdictions that have a bearing on Manitoba practice and procedure.
- RECOMMENDATION 2 THAT the Director of Child and Family Services include in the data collected from agencies, information on numbers and position levels of staff to provide an additional factor for ensuring that service is

provided on an equitable basis throughout the province.

RECOMMENDATION 3 THAT all agencies be required to employ staff persons that are sensitive to cultural characteristics of the client group and that such cultural awareness be reinforced on a regular basis.

RECOMMENDATION 4 THAT the Child and Family Services Directorate identify the training needs and desires of staff and administrators of all child care agencies and that training courses be provided through appropriate educational institutions or by the Directorate itself on a regular scheduled basis.

RECOMMENDATION 5 THAT attendance and successful completion of periodic upgrading courses be made mandatory for all program and administrative staff of child care agencies and be monitored accordingly.

RECOMMENDATION 6 THAT child care service be integrated with other community services to maximize the effects of preventative services. Such integration exists in a structural manner in regional office programs and in an

informal manner in native agencies. Only private agencies function independent of other services. Integration of services is essential and requisite.

RECOMMENDATION 7

THAT private agencies and regional offices adopt the recruitment techniques successfully used by native agencies. Searches for foster homes should involve investigation of resources within the extended family, the neighbourhood and the local community. Informed local people should be involved in foster home identification and approval.

RECOMMENDATION 8

THAT it be recognized that general recruitment campaigns are not productive in locating foster or adoptive homes but that they do serve a valuable public relations function. Accepting this reality, it is recommended that a professional public relations firm be employed to conduct periodic campaigns on behalf of all child care agencies. Actual recruitment efforts should be patterned after techniques developed by the native agencies - that is, contact with extended family members, neighbors, and

through informed community residents. Voters lists might also be reviewed to identify potential foster and adoptive families.

RECOMMENDATION 9 THAT a province-wide registry of approved foster homes be established to be used when it is deemed necessary to place a child in other than its own community. Such a registry could be integrated with the central computer system now in the process of development.

RECOMMENDATION 10 THAT the regulations be amended to clearly state that local community standards apply for foster homes. To minimize the possibility of bias affecting the judgment of staff, a committee of local people should be used to define local standards and to monitor their consistent application.

RECOMMENDATION 11 THAT all child care agencies immediately take training to learn to be sensitive to the cultural characteristics of their clientele. To this end, persons representing local ethnic/cultural groups should be appointed as board members (where this

is appropriate), hired as staff persons and involved in local committees. Cultural sensitivity training should be mandatory for all agency personnel.

RECOMMENDATION 12 THAT in establishing staffing quotas for child care agencies, geographic realities, along with other factors, be recognized.

RECOMMENDATION 13 THAT each child care agency establish procedures to monitor staff and follow up on children in care to ensure regular supervision. Such data should be kept in such a form that it is available to the director of Child and Family Services. This is one facet of the system required to ensure accountability.

RECOMMENDATION 14 THAT child care agencies review on a regular scheduled basis their cases of long term foster placement where the children are free for adoption to determine whether adoption can be considered with or without financial subsidy. Ongoing review of cases will be required and monitored as part of a total child protection system to be recommended by the Chairman.

- RECOMMENDATION 15 THAT the subsidized adoption provision of the Act be proclaimed and implemented.
- RECOMMENDATION 16 THAT services for, and on behalf of, children be provided at the local community level and that each community develop the resources and/or mechanism for responding to emergency care situations.
- RECOMMENDATION 17 THAT if a family member is found guilty of family child abuse, the legislation should require the removal of that person from the home until successful completion of psychotherapy.
- RECOMMENDATION 18 THAT the child abuse registry be entered into the computer system and that this registry be checked for each prospective adoptive and foster parent. The agencies must take every precaution to prevent placement of children in homes where there is a known child abuser. The abuse registry must also incorporate documentation when an abuser has undergone successful treatment.

The report concluded with the following observations:

The agency interviews confirmed for the Chairman what had been found in other phases of study. That is, that the traditional child care agencies have been and often continue to be insensitive to the needs of native people. There has been a general lack of understanding of cultural values and of native attitudes towards child rearing.

The Chairman is satisfied that services to Treaty Indians on reserves are moving forward and will provide for the needs of children in a manner compatible with the best of native customs and traditions.

The relationship between the size of the agency and the nature of the services offered was evident to the Chairman again. This supports the action being taken to establish smaller agencies in the City of Winnipeg.

The Chairman would note the following impressions -

- the smaller the agency the more attention and resources seem to be directed toward preventive programs.
- in smaller agencies, major decisions affecting clients' lives appear to be made with all administrative levels participating. In the larger agencies, the worker, alone, seems to be responsible for decisions.
- in larger agencies, services are departmentalized resulting in fragmented service to child and family. Changes in workers exacerbates an already traumatic situation.
- the larger agencies appear to be more rigid in their application of standards and less likely to apply for a waiver of standards.
- smaller agencies seem more innovative, experimental and adaptive in meeting the needs of clients.
- in relation to special requests to the Director of Child and Family Services, smaller agencies appear to make such

requests more frequently with the expectation of approval.

- in smaller agencies, the impression is conveyed that staff member and client are working on problems as equals.
- the larger agencies frequently see the solution to problems as being someone else's responsibility while the staff of smaller agencies tend to focus on what they themselves can do to resolve problems.
- in the larger agencies, there does not appear to be the necessary communication between all levels of staff; the right hand often does not know what the left hand is doing.
- in the smaller agencies, less difficulty in finding foster home resources is expressed.

It was not the intent of this study to examine the physical facilities of agencies. Conducting interviews on site, however, made the Chairman aware that agency space

did not reflect the respect for privacy and confidentiality that must be shown. The Chairman would suggest that all agencies reexamine their offices with a view to providing interview space that is private, sound proof, and appropriately furnished and decorated. Clients should not be required to pass offices and large administrative areas to reach an interviewing room. The room should not have the sterile, anti-septic atmosphere of a doctor's examining room.

The agency interviews, and the findings resulting, reiterate the necessity to concentrate on the child's needs in assessing placement. The needs will vary depending on the child's age, maturity, history and cultural background. The last weapon of attack in custody disputes should be the adversary system. The function and role of an agency is to maintain a child in its own home but when removal is necessary to minimize the negative emotional consequences of that removal.

Agencies appear to have recognized the need for change, the need to accept differences in cultural mores, and behavior.

The first step in change is often the most difficult.

ISSUES REPORT

Submitted to the Minister in September, 1984, this report contains the actual comments of persons making presentations to the Review Committee on the following topics:

- Native people and the child welfare system
- Placements in the U.S.A.
- Native children in care
- Apprehension of children
- Rights of children
- Rights of parents
- Rights of tribes
- Rights of sibling groups
- Urban/rural factors
- Native/non-Native placements
- Native/Native placements
- Subsidized adoption
- Placement procedures
- Standards for foster and adoption homes
- Common law/custom/traditional marriages
- Native child care agencies
- Off-Reserve resources

- ° Cultural factors
- ° Custom adoptions
- ° Confidentiality
- ° Long term foster care
- ° Relationship to the courts
- ° Group homes on Reserves

PRESENTATIONS TO THE
REVIEW COMMITTEE ON INDIAN AND METIS
ADOPTIONS AND PLACEMENT

P U B L I C H E A R I N G S

BRANDON
May 27th and 28th, 1982.

Michael Malzdrewicz, Westman Adoptive
Parents Group

Isaac Beaulieu, Dakota Ojibway Child and
Family Services

Maria Flett, Dakota Ojibway Child and
Family Services

Linda Leach, Dakota Ojibway Child and
Family Services

Eva McKay, Dakota Ojibway Child and
Family Services

Ernest Smoke, Dakota Plains Reserve

Russ Rothnay & Janet Goertzen, Manitoba
Metis Federation

Margaret Goodman, Children's Aid Society
of Western Manitoba

Joseph Young, Native Alcohol Council of
Manitoba

Art Wambidee, Dakota Ojibway Child and
Family Services

Dr. Arthur Blue, Professor of Native Studies,
Brandon University

THE PAS
June 21st, 1982.

Cindy Yaworski, Dept. of Community Services
and Corrections

Bruce Unfried, Dept. of Community Services
and Corrections

John Terry, The Pas Indian Band

Chief Charles Constant, The Pas Indian Band

Frank Whitehead, The Pas Indian Band

Lawrence Whitehead, The Pas Indian Band

BEAUSEJOUR
July 6, 1982.

Vladimir Ilnyckyj, Dept. of Community Services
and Corrections

Joe Caulfield, Foster Parents and Childrens
Organization

(Mrs.) Julie M. Mander, Foster Parents and
Childrens Organization

THOMPSON
August 12, 1982.

Joanna Koblun, Thompson Foster Parents

Heather York, Thompson Native Women's
Association

Jim Mair, Keewatin Tribal Council

Ron Fenwick and Gertrude Fields, Dept. of Community
Services and Corrections

Edward Head, Manitoba Metis Federation

Bruce Hickey, Manitoba Metis Federation

DAUPHIN
August 25, 1982.

Ferdinand Guiboche, Manitoba Metis
Federation

M. "Stevie" Wright, West Region Child and
Family Services

Leah McCallum, Manitoba Foster Parents
Association

Irene Jacques

Solomon McKay, Rolling River Indian Reserve

Chief Dennis Whitebird, Rolling River Indian
Reserve

Rita Flamand Guiboche, Child Welfare Committee,
Manitoba Metis Federation

Russell McDonald, Crane River Band

Chief Terry McDonald, Crane River Band

Dimi Kuzyk, Dauphin Friendship Centre

WINNIPEG
September 9, 10 and 16, 1982.

Lillian Morriveau, Indian Child Welfare
Association

Ann Ross, Mount Carmel Clinic

Brad McKenzie and Pete Hudson of the School
of Social Work

Lena Friesen and Josephine Whitehawk, Indian
and Metis Friendship Centre

Edith Lorentz, Foster Parents Group

Giselle DeMontigny, Canadian Association for
Support of Native People

Dennis Schellenberg and Dave Waters, Children's
Aid Society of Eastern Manitoba

Gilbert Abraham

Esther Seidl, Four Nations Confederacy

Marvin Smoker

Len Vopnfjord, Collette Goerwell, Chris Buchel and
Albert Gazan, Children's Aid
Society of Winnipeg

Louise Champagne, Manitoba Metis Federation,
Winnipeg Region

Peter Kelly-Kinew, First Chief of Ontario

Cathy Menard, Metis Women's Association

Donald Lugtig and Clark Brownlee, Manitoba
Association of Social Workers

Ann Riley, Wayne Courchene and Abe Arnold, Association
for Rights and Liberties

Barbara Robinson

Frank Courchene and Conrad Spence, Greater Winnipeg
Indian Council

Lena Friesen, Vicki Runearth, Marie Baker,
Cathy Mallet and Myrna Whitehawk,
Native Family Services

Linda Clarkson, Manitoba Metis Federation

Alex Quewezance

Chief Moses Tom

S P E C I A L H E A R I N G S

THE PAS RESERVE
October 20, 1982.

Stephen Pranteau, The Pas Indian Band
Maria Flett, Swampy Cree Tribal Council

BROKENHEAD RESERVE
October 26, 1982.

Chief Jim Bear, Brokenhead Band
Southeast Child and Family Services, Gloria Bushe,
Chairperson, Regional Committee
and Myrtle Abraham, Treasurer,
Regional Committee
Hollow Water Committee, Burma Bushie
Brokenhead Committee, Clifford Chief
Little Black River Committee, Mabel Harry
John Cowley, Sr., Hollow Water Elder
Roderick Raven, Hollow Water
Emma Bird, Little Black River
Myrtle Abraham, Little Black River
Ed Prince, Brokenhead, foster parent
Hazel Kent, Brokenhead, former foster child
Rose Bear, Brokenhead, Welfare Administrator
and Counsellor

Carl Olson, Brokenhead, Alcohol Worker
Jack Prince, Brokenhead Committee member
Chief Jim Bear, Brokenhead, adoptive parent

PEGUIS RESERVE
November 5, 1982.

Chief Louis Stevenson, Peguis Chief and Council
William Clarence Thomas, Superintendent of Peguis
School Board
Robert Daniels, Anishinaabe Child and Family Services
Shirley Murdock, Fisher River Child Welfare Committee
Richard Panson, Department of Community Services and
Corrections, Interlake Region
Georgina Cote, Jackhead Band
W. G. Cochrane, Peguis Band Social Worker
Bruce Swan, Lake Manitoba Band

SANDY BAY RESERVE
November 22, 1982.

Isaac Beaulieu

ROSEAU RIVER RESERVE
November 25, 1982.

Chief Felix Antoine, Roseau River Indian Reserve
Muriel Smith, 11th Grade, Roseau River
Michelle James, 10th Grade, Ginew Demonstration School
Norma Tait, 10th Grade, Ginew Demonstration High School
Tom James, Jr.
Victor Pierre, Roseau River
Nelson James
Lawrence Henry, Roseau River Indian Band
Charles Nelson
Leonard Nelson
Millie Nelson, Roseau River DOCFS
Mary Chaskey for Arnold Fontaine,
Pritchard House Rehab Centre
Paul Roberts
Terry Nelson
David Sennie, 11th Grade, Ginew High School

LONG PLAIN RESERVE
January 4, 1983.

Rufus Prince
Harold and Judy Longclaws
Helen Prince, Foster Parent
Rev. Stuart Lyster, Long Plain Church

Rosalina Haines, Portage Friendship Centre Staff
Chief Ernie Daniels, Long Plain Band
James Hobson, Child Welfare Committee
Linda Daniels
Max Merrick
Dave Daniels
Jessie Longclaws

BERENS RIVER
January 5, 1983.

June Green for Chief Lester Everette
Mayor Chris McKay
Hilda Flett and Cathy Hudson, Berens River
Local Child Care Team
Elizabeth Young, Bloodvein Child Welfare Committee
Violet Bruce, Poplar River Local Team
Charlie Keeper, Little Grand Rapids
Jerry Crowe, Pauingassi Child Welfare Committee
Alice Hudson
John McDonald
Jack Everett
Karen Everett
Alfred Disbrowe
Rene McKay
Isabel Young

Jacob Gibault

Jennifer Singh

William Semple

Hilda Flett

Gordon Bittern

CHURCHILL
February 10, 1983.

BRANDON
November 8, 1983

Grand Valley Local, Manitoba Metis Federation

Brandon Child Care Committee, Manitoba Metis Federation

A D D I T I O N A L B R I E F S R E C E I V E D

J. M. Bridgeman

Canadian Association in Support of Native Persons

Children's Aid Society of Central Manitoba

Churchill Health Centre

Department of Community Services and Corrections,
Dauphin District Office

Department of Community Services and Corrections,
Winnipeg Regional Office

E.H. Ellis, Ph.D., University of Manitoba, Faculty of
Medicine, Department of Psychiatry

Archbishop Adam Exner, Archdiocese of Winnipeg

The Right Reverend R.C. Ferris, Archbishop of Yukon

John H. King

Juanita and Calvin Kirby

M. Jocelyne Lafournaise

Norman Meade

Native Child and Family Services

Henry Neufeld

Parents of Adopted Native Children, Native Minister
Board, United Church of Canada

Sagkeeng Child and Family Services Inc.

BIBLIOGRAPHY

Alberta Committee on Child Foster Care: Report on Child Foster Care, 1972

Alberta Ombudsman: An Investigation into the Foster Care Program, Department of Social Service and Community Health, March, 1981

Baker, F. W., M.D.: Awasis Atoskewin, Caring for Children, A Project at Regina General Hospital, April, 1985

Blanchard, Evelyn Lance and Barsh, Russell Lawrence: What is Best for Tribal Children? A Response to Fischler, Social Work, September, 1980

Bruyere, Jocelyn, Kishawehotesewin, A Native Parenting Approach

Buchel, Chris, Adoption Supervisor, Children's Aid Society of Winnipeg: Papers written 1984

Adoption Services - Pre and Post Legal, April, 1984

Canadian Association of Social Workers Conference: Personal Notes, June 16, 17, 18, 1982

Canadian Council on Children & Youth, 1975: The Task Force on the Child as Citizen: Admittance Restricted

The Canadian Council of Christians and Jews: The Helping Professions in a Multicultural Community - a guide for cross-cultural education, D. Bruce Sealey and Neil G. McDonald, June, 1979

Caplovitz, David, Ph.D. and Genevie, Louis, Ph.D.: Foster
Children in Jackson County, Missouri

Carr, Robert: A Report on the State of Family Law in Manitoba,
Recommendations for Change, May, 1982

Cavanagh, Mr. Justice J. C., Chairman: Board of Review, The
Child Welfare System, Province of Alberta, October, 1983

Centre for Social Research and Development, University of
Denver: Legal and Jurisdictional Problems in the Delivery
of SRS Child Welfare Services on Indian Reservations,
October, 1975

Child Welfare Conference, Province of Manitoba: Personal Notes,
May 23 and 24, 1984

Child Welfare League of America: Paper re P.L. 96-272

Child Welfare League of America, Regional Conference, Sioux
Falls, South Dakota: Personal Notes, June 26/29, 1984

Children's Aid Society of Central Manitoba: Annual Reports -
1982-83, 1983-84

Children's Aid Society of Eastern Manitoba: Annual Reports -
1982-83, 1983-84

Children's Aid Society of Western Manitoba: Annual Reports -
1981, 1982, 1983, 1984

Children's Aid Society of Winnipeg: Annual Reports - 1982, 1983

Children's Hospital Child Protection Centre, Health Sciences

Centre: Response to a Report on the Status of Family Law
in Manitoba by Judge Robert Carr, prepared by Ralph L.
Gutkin, Legal Counsel

Cole, Elizabeth S.: Adoption Subsidy in Jeopardy, Permanency
Report, Fall, 1983

Committee on Sexual Offences Against Children and Youths:
Sexual Offences Against Children, Chairman - Robin F.
Badgley, August, 1984

Community Task Force on Maternal and Child Health: Child
Bearing Families and the Law - a Law Review Series: The
Law and the Illegitimate Child, March, 1981

The Manitoba Native Indian Mother and Child - Discussion
Paper on a High Risk Population, Chairperson - A. Hall

Congressional Research Service, U. S. House of Representatives:
Poor Children: A Study of Trends and Policy, 1968-1984,
May 22, 1985

Council for Yukon Indians: Recommendation for Amendments to
Child Welfare Act, February, 1983

Cruickshank, David: Alternatives to the Judicial Process:
Court Avoidance in Child Neglect Cases, U. B. C. Law
Review, Volume 12, No. 2

Dakota Ojibway Child and Family Service: Recruitment Pamphlet,
January, 1983

- Dawson, Ross: The Abuse of Children in Foster Care, A Study of Incidence, Characteristics and Precipitating Factors, Ontario Association of Children's Aid Societies, 1985
- Drucker, Peter E.: Managing in Turbulent Times, Fitzhenry & Whiteside, Toronto, 1980
- Dukette, Rita: Value Issues in Present Day Adoptions, Child Welfare, Volume LXIII, Number 3, May - June, 1984
- Fischler, Ronald S.: Protecting American Indian Children, Social Work, September, 1980
- Fishkin, Harold L., M.D.: The Child's Rights to Permanence and Stability, Adoption Report, Winter, 1983
- Gallagher, Patrick: Parents' Rights in Respect of Their Children, Family Law, Volume 12, No. 6, 1982
- Garber, Michael: Neighbourhood-Based Child Welfare, Child Welfare, Volume LIV, Number 3, February, 1975
- Girard, J.: National Overview of Child Welfare Services Provided to Indian People in Canada, Evaluation Branch, Indian and Northern Affairs Canada
- Goodman, Margaret E., Fraser, Bruce T.: Historical Perspectives in Relation to Services Provided by the Children's Aid Society of Western Manitoba to Indian Children and Families, October, 1983
- Goodman, Margaret E.: Post Legal Adoption Services, April, 1984

Green, Henry J., M.D.: Risks and Attitudes Associated with Extra-Cultural Placement of American Indian Children: A Critical Review, Journal of the American Academy of Child Psychiatry, 22, 1:63-67, 1983

Green, James W.: Cultural Awareness in the Human Services, Englewood Cliff, N. J., Prentiss-Hall, 1982

Grow, Lucille J. and Shapiro, Deborah: Transracial Adoption Today, The Child Welfare League of America, 1975

Black Children, White Parents - A Study of Transracial Adoption, Child Welfare League of America, 1974

Gue, Leslie R.: Value Orientations in an Indian Community, The Alberta Journal of Educational Research, Volume XVII, No. 1, March, 1971

Hepworth, H. Philip: Foster Care and Adoption in Canada, Canadian Council on Social Development, 1980

Howard, Alicia; Royse, David D. and Skerl, John A.: Transracial Adoption: the black community perspective, Social Work, May, 1977

Hudson, Pete and McKenzie, Brad: Interim Report: Evaluation of Dakota Ojibway Child and Family Services, March, 1984

Immigration & Settlement Branch, Department of Employment Services and Economic Security, Province of Manitoba: Papers on cultural patterns of people of Poland, Argentina, Cambodia, Chile, Laos, Uruguay, Vietnam, El Salvador

Indian Child Welfare Subcommittee: Report to the Tripartite Committee, Manitoba, March, 1980

Indian Family Defence: A bulletin of the Association on American Indian Affairs, New York, N. Y., May, 1975 and November, 1977

Indian and Northern Affairs Canada: Adoption and the Indian Child, 1980

Indian Association of Alberta: Press Release, June 1, 1982

Institute of Urban Studies: Native Women's Attitudes Towards Employment, Jeremy Hull, July, 1982

Isbister, Lillian and Peekeekoot, Brenda: Awasis Atoskewin Project, Regina General Hospital, September 1, 1984

Jenkins, Shirley: The Ethnic Dilemma in Social Services, The Free Press, New York, 1981

Jenkins, Shirley, et al: The Ethnic Differentials in Foster Care Placements, Social Work Research & Abstracts, National Association of Social Workers, Inc., 1983

Jewish Child and Family Service: Annual Reports - 1982-83 and 1983-84

Johannesson, Sue: Post Adoption Program, January, 1984

Johnston, Patrick: Native Children and the Child Welfare System, The Canadian Council on Social Development, 1983

The Child Welfare System and Indigenous Peoples of Canada: An Overview Paper presented to Indian Child Welfare Workshop, 1981, Regina

Indigenous Children at Risk, Policy Options, Volume 2, No. 5, November/December, 1981

Kessel, JoAnn and Robbins, Susan P.: The Indian Child Welfare Act: Dilemmas and Needs, Child Welfare, May-June, 1984

Kimelman, Associate Chief Judge E. C.: Interim Report, May, 1983

Group Home Report, October, 1983

File Review Report, April, 1984

Post Legal Adoption Services, June, 1984

Agency Interview Report, July, 1984

Issues Report, September, 1984

Krotz, Larry: Native Spirituality, The United Church Observer, December, 1982

Lansberg, Michele: Voice of Outrage on Child Abuse Must not be Stifled, Article, The Toronto Star, September 18, 1981

Manitoba Advisory Council on the Status of Women: The "System's" Response to Victims of Incest in Manitoba, January, 1985

Manitoba, Province of: Child and Family Services Information Systems Project

- McRoy, Ruth G.; Zurcher, Louis A.; Lauderdale, Michael L.;
Anderson, Rosalie N.: Self-esteem and Racial Identity in
Transracial and Inracial Adoptees, Social Work, November,
1982
- Metcalf, Ann, Ph.D.: Urban Indian Child Resource Centre, A
Model for Treatment in a Native American Family Service
Centre, Urban Indian Child Resource Centre, Oakland,
California, December, 1979
- Mills, Laura; Gravenor, Brenda; McRae, Kenneth N.: Child Abuse
in Winnipeg: hospital and community together, Canada's
Mental Health, Health and Welfare Canada, June, 1984
- Montalvo, Frank F.; Lasater, Tonia L.; Valdez, Nancy Garza:
Training Child Welfare Workers for Cultural Awareness:
The Cultural Simulator Technique, Child Welfare, June, 1982
- Mushlin, Michael B.: Court Acts to Guarantee Legal Rights of
Foster Kids, Permanency Report, Fall, 1983
- National Council of Welfare: In the Best Interests of the
Child, December, 1979
- Poverty on the Increase, March, 1985
- Novosedlik, Stephen G.: Native Children, White Law, Perception,
a Canadian magazine of social comment, January/February,
1983
- Ontario: Crown Ward Review: material supplied by Manager, Crown
Ward Administrative Review

Plett, Kenneth Cornelius: Transracial adoption: A Study of the Placement of Native Indian Children with Caucasian Couples - a thesis submitted to the Faculty of Graduate Studies in partial fulfillment of the requirement for the degree of master of Social Work, University of Manitoba, September 1, 1979

Proch, Kathleen: Differences Between Foster Care and Adoption: Perceptions of Adopted Foster Children and Adoptive Foster Parents, Child Welfare, Volume LXI, No. 5, May, 1982

Red Horse, John G.; Lewis, Ronald; Feit, Marvin and Decker, James: Family Behaviour of Urban American Indians, Social Casework, February, 1978

Roseau River Indian Reserve: Smoke Signals, November, 1982

Royse, David D. and Turner, Gladys T.: Strengths of Black Families: A Black Community's Perspective, Social Work, September, 1980

Ryant, Joseph C., Ph.D.: A Review of Child Welfare Policies, Programs and Services in Manitoba - a report to the Minister of Health & Social Development, July, 1975

Some Issues in the Adoption of Native Children, Adoptions in Canada, 1982

Sachdev, Paul: Adoption: Current Issues and Trends, Butterworth & Co. (Canada) Ltd., 1984

Samuels, Alec: Adoption: The Social Professional and Legal Trends, Family Law, Volume 12, No. 6, 1982

Saskatchewan: Minister's Advisory Council on Child Protection,
Chairman - Peter Matthews, February, 1984

Sawchuk, Joe; Sawchuk, Patricia and Ferguson, Theresa: Metis
Land Rights in Alberta: A Political History, Metis
Association of Alberta, 1981

Schroeder, Leila: Race and Other Factors in Adoption, Social
Work, September, 1980

Social Planning Council of Winnipeg: Organizational Review and
Recommendations: Children's Aid Society of Central
Manitoba, March, 1983

Children's Rights Within the Child Welfare - Juvenile
Corrections System, March, 1976

A Review of Changes in the Living Conditions of the
Registered Indian Population of Manitoba during the 1970's,
Principal Investigator - Harvey Stevens, November, 1982

Solicitor General of Canada: Native Peoples and Justice -
reports on the National Conference and the Federal-
Provincial Conference on Native Peoples and the Criminal
Justice System, both held in Edmonton, February 3 - 5, 1975

Sorich, Carol J. and Siebert, Roberta: Toward Humanizing
Adoption, Child Welfare, Volume LXI, Number 4, April, 1982

Sparks, Barbara: Administrative Case Review: Challenge of
Change from Within, Permanency Report, Summer, 1983

Stehno, Sandra M.: Differential Treatment of Minority Children
in Service Systems, Social Work, January, 1982

Steinhauer, Paul D., M.D., F.R.C.P.: Assessing for Parenting Capacity, presented to the Ontario Family Court Clinic Conference, May 7, 1981

Varcoe, Judge John B.: The Court and Learning Disabilities, Newsletter of the B. C. Provincial Judges' Association, adapted from an address given to The National Conference on Law and the Handicapped, held at Vanier College, York University, 1981

Weaver, Sally M.: Indian Women, Marriage and Legal Status, originally written for Marriage and Divorce in Canada, McGraw-Hill Ryerson, Toronto, 1978

Webber, Neil, Minister of Social Services and Community Health, Alberta: News Release, April 18, 1984

Westermeyer, Joseph, M.D., Ph.D.: Cross Racial Foster Home Placement Among Native American Psychiatric Patients, Journal of the National Medical Association, Volume 69, No. 4, 1977

The Ravage of Indian Families in Crisis, The Destruction of Indian Families, ed. Steven Unger, Association of American Indian Affairs, 1977

Ethnic Identity Problems Among Ten Indian Psychiatric Patients, International Journal of Psychiatry, Volume 25, 1979

The Apple Syndrome in Minnesota: A Complication of Racial-Ethnic Discontinuity, Journal of Operational Psychiatry, Volume 10, No. 2, 1979

White, Walder G. W., Assistant Chief Judge, The Provincial Court of Alberta, Family & Youth Division: Report to the Attorney General, Public Inquiry, The Fatality Inquiries Act, Province of Alberta, Canada, 1984

Additional copies of this and other reports of Associate Chief Judge E. C. Kimelman may be secured through the office of:

The Honourable Muriel Smith,
Minister of Community Services,
Room 302, Legislative Building,
Winnipeg, Manitoba.
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